

New Hampshire Law Reports, 553). The main office of a presumption, in the trial of a cause, is to fix the duty of going forward with argument or evidence on a given question. See article on the Presumption of Innocence in Criminal Cases, by Jas. B. Thayer, in the *Yale Law Journal*, vi. 185; and chap. viii, on Presumptions, of his *Preliminary Treatise on Evidence at the Common Law* (Boston, 1898).

In a looser sense legal presumptions are termed matter of evidence (*United States v. Coffin*, 156 *United States Law Reports*, 432). But they are really substitutes for evidence, and in themselves have properly no probative quality, being merely the assertion of legal rules or conclusions.

The Roman law made large use of presumptions in the trial of causes (see *Dig.*, xxii. 3, *de Probationibus et Praesumptionibus*).

Literature: French Code civil, Liv. iii. tit. 3, § 3; and the German Civilprozessordnung, § 259; art. on Presumptions of Law and Presumptive Evidence, *Law Mag.*, vi. 348; MENOCHIUS, *De Praesumptionibus*, &c.; BEST, *Presumptions*. (S.E.B.)

Presumptive Inference: see PROBABLE INFERENCE (3).

Presupposition [Lat. *prae + suppositus*, placed under]: Ger. *Voraussetzung*; Fr. *présupposition* (a coined word); Ital. *presupposto*. Presupposition is either a conjecture or what is better called in English a **POSTULATE** (q. v.).

As a philosophical term it translates the German *Voraussetzung*, and is presumably preferred to 'postulate' by Germans and others imperfectly acquainted with the English language, because they suppose that postulate in English has the same meaning as *Postulat* in German, which is not true; for the English retains the old meaning, while the German has generally adopted the conception of Wolff. If postulate does not exactly translate German *Voraussetzung*, it comes, at any rate, quite as near to doing so as presupposition; a good translation would be 'assumption.' (C.S.P.)

Pretence: see SEMBLANCE, LIE, EQUIVOCATION, and MAKE-BELIEVE (1).

Preterition [Lat. *praeteritio*, a passing over]: Ger. *Übergehung*; Fr. *préterition*; Ital. *preterizione*. In Calvinistic theology, the doctrine that in foreordination God, having in the exercise of his sovereign pleasure elected some to eternal life, passed over the rest and ordained them to eternal death for their sins.

The theory of limited atonement was first clearly enunciated by Augustine, who taught

that while God decrees the salvation of the elect without reference to anything in themselves, he decrees the perdition of the non-elect on account of their sins; the decree of preterition differs from that of election to life in that the sinfulness of the lost is a condition of the decree of their condemnation.

Literature: see FOREORDINATION. (A.T.O.)

Preternatural [Lat. *praeter*, beyond, + *natura*, nature]: Ger. *aussernatürlich*; Fr. *contre nature, surnaturel*; Ital. *preternaturale*. Transcending ordinary natural agencies, whether regarded as supernatural or not.

(A.T.O.)

Prevarication: Ger. *Verdrehung*; Fr. *prévarication*; Ital. *prevaricazione*. Cf. EQUIVOCATION, LIE, and VERACITY. A general term for verbal deception, often of a quasi-logical sort.

(J.M.B.)

Prévost, Pierre. (1751-1839.) Born and educated under Le Sage, a disciple of Newton, at Geneva, he travelled in Holland and England, and lived in Paris. Succeeded Sulzer in the Berlin Academy; professor of literature at Geneva, 1784; professor of philosophy there, 1793. He may be regarded as an adherent of the Scottish philosophy.

Preyer, William Thierry William. (1841-98.) Born at Manchester, he was educated there and at London, Duisburg, Bonn, Berlin, Heidelberg, Vienna, and Paris. Privatdocent at Bonn, 1865; professor of physiology at Jena, 1869; Privatdocent at Berlin, 1888. Afterwards he lived privately at Wiesbaden, where he died.

Price [OF. *preis*, Lat. *pretium*]: Ger. *Preis*; Fr. *prix*; Ital. *prezzo*. (1) The quantity of one article which is exchanged for another.

(2) The quantity of money for which an article can be exchanged.

Under a system of **BARTER** (q. v.), either of the articles exchanged may be regarded as the price of the other. Under the modern commercial system one of the parties to the exchange almost always gives money or a right to receive money; and the term price is practically confined to sums of money thus transferred.

Smith, followed by a number of writers in the early part of the nineteenth century, said that the *real price* of anything was the toil and trouble of acquiring it; but it is now customary to use the word **COST** (q. v.) rather than price to convey this idea.

For the distinction between **MARKET PRICE** and **NORMAL PRICE** see those topics; cf. also **SUPPLY AND DEMAND**. (A.T.H.)