

consideration; submit as a petition or remonstrance for a decision or settlement to proper authorities. *Haynes v. State*, 108 Tex.Cr.R. 62, 299 S.W. 234, 235.

In the law of negotiable instruments. Primarily to present is to tender or offer. Thus, to present a bill of exchange for acceptance or payment is to exhibit it to the drawee or acceptor, (or his authorized agent,) with an express or implied demand for acceptance or payment. *Byles, Bills*, 183, 201.

Claims are "presented" to the probate court when placed in the custody of the court, or filed or made a matter of record therein, *State v. Probate Court of Hennepin County*, 145 Minn. 344, 177 N.W. 354, 11 A.L.R. 242; and to present claim against city, within statute providing that claims or damages against the city must be "presented" to the city or town council and filed with the city or town clerk, means to hand to and leave with. *Status v. City of Montesano*, 106 Wash. 608, 181 P. 33, 46.

**PRESENT, n.** A gift; a gratuity; anything presented or given.

**PRESENT, adj.** Now existing; at hand; relating to the present time; considered with reference to the present time.

**Present conveyance.** A conveyance made with the intention that it take effect at once and not at a future time. *Prior v. Newsom*, 144 Ark. 593, 23 S.W. 21, 22.

**Present enjoyment.** The immediate or present possession and use of an estate or property, as distinguished from such as is postponed to a future time.

**Present estate.** An estate in immediate possession; one now existing, or vested at the present time; as distinguished from a *future* estate, the enjoyment of which is postponed to a future time.

**Present interest.** One which entitles the owner to the immediate possession of the property.

**Present time.** A period of appreciable and generally considerable duration within which certain transactions are to take place. *Corscot v. State*, 8 Wis. 661, 190 N.W. 465, 468.

**Present use.** One which has an immediate existence, and is at once operated upon by the state of uses.

**PRESENTATION.** In ecclesiastical law. The act of a patron or proprietor of a living in offering or presenting a clerk to the ordinary to be instituted to the benefice.

**PRESENTATION OFFICE.** The office of the lord chancellor's official, the secretary of presentations, who conducts all correspondence having reference to the twelve canonries and six hundred and fifty livings in the gift of the lord chancellor, and draws and issues the fiats of appointment. *Sweet*.

**PRESENTATIVE ADVOWSON.** See Advowson.

**PRESENTEE.** In ecclesiastical law. A clerk who has been presented by his patron to a bishop in order to be instituted in a church.

**PRESENTER.** One that presents.

**PRESENTLY.** Immediately; now; at once. A right which may be exercised "presently" is opposed to one in reversion or remainder.

## PRESENTMENT.

### Criminal Practice

The written notice taken by a grand jury of any offense, from their own knowledge or observation, without any bill of indictment laid before them at the suit of the government. 4 Bl. Comm. 301; *Bennett v. Kalamazoo Circuit Judge*, 183 Mich. 200, 150 N.W. 141, 142, Ann.Cas.1916E, 223. Presentments are also made in courts-leet and courts-baron, before the stewards. *Steph. Comm.* 644.

The writing which contains the accusation so presented by a grand jury. *U. S. v. Hill*, 1 Brock. 156, Fed.Cas.No.15,364.

In an extended sense, the term includes not only presentments properly so called, but also inquisitions of office and indictments found by a grand jury. 2 Hawk. Pl. Cr. c. 25, § 1.

An informal statement in writing, by the grand jury, representing to the court that a public offense has been committed which is triable in the county, and that there is reasonable ground for believing that a particular individual named or described therein has committed it. *Eason v. State*, 11 Ark. 482; *State v. Kiefer*, 90 Md. 165, 44 A. 1043. An accusation of crime, made by a grand jury from their own knowledge or from evidence furnished them by witnesses or by one or more of their members. In re Report of Grand Jury of Baltimore City, 152 Md. 616, 137 A. 370, 372.

The difference between a presentment and an inquisition is this: that the former is found by a grand jury authorized to inquire of offenses generally, whereas the latter is an accusation found by a jury specially returned to inquire concerning the particular offense. 2 Hawk.Pl.Cr. c. 25, § 6.

An indictment differs from a presentment in that the former must be indorsed "A true bill," followed by the signature of the grand jury foreman; a presentment is to be signed by all the grand jurors, and hence does not have to be indorsed "A true bill." *Martin v. State*, 127 Tenn. 324, 155 S.W. 129, 130.

The distinction between a special presentment and a bill of indictment, even under the old practice, was very thin; and in Georgia even this distinction has been abolished in practice for many years. The solicitor is not now required to frame any indictment on a special presentment, but the special presentment of the grand jury is returned into court, and upon it the defendant is arraigned and tried. It has the same force and effect as a bill of indictment. The only formal difference between the two is that a prosecutor prefers a bill of indictment, and a special presentment has no prosecutor, but, in theory, originates with the grand jury (*Progress Club v. State*, 12 Ga.App. 174, 76 S.E. 1029, 1030). Even this difference between a bill of indictment and a special presentment no longer exists, and the finding of the grand jury is prepared by the solicitor-general and called a bill of indictment, or a special presentment, at his will. *Head v. State*, 32 Ga.App. 331, 123 S.E. 34.

### Negotiable Instruments

The production of a bill of exchange to the drawee for his acceptance, or to the drawer or acceptor for payment; or of a promissory note to the party liable, for payment of the same.