## | Language for **Lawyers** |

• I've often wondered why the title *colonel* is pronounced • 'kernel.' That pronounciation reminds me of corn on the cob, not a military title.

• The noun *colonel* has an interesting etymology. Dictionaries give as its first definition "an officer in the United States Army, Air Force, or Marine Corps that corresponds to the title of captain in the United States Navy." Thus, a colonel ranks below a brigadier general and above a lieutenant colonel.

But during the early 20th century, in Southern states the title expanded to include some senior members of the bar. So, as the reader commented, the second definition of *colonel* is "an honorary title bestowed by some Southern states to members of the bar, usually senior members who have brought honor to the state."

That title soon expanded in Southern states to include distinguished elderly males who were not lawyers and honored male visitors to the state (who were often Northerners); for example, "The senior senator from Illinois visited recently and was made a Kentucky colonel."

Then the definition of the term *colonel* broadened when British cartoonist David Low (1881–1962) used it as a caricature. He created a comic strip in which the "hero" was one "Colonel Blimp," an elderly fat and pompous exmilitary officer who hated new ideas. The character spawned fad words like "blimpism" and "blimpery," which were immensely popular for a time but are now almost never used.

Why do we pronounce the title as if it were spelled "kernel"? That's because of the divergence between the word's orthographic development and its common pronunciation. The title *colonel* was originally derived from the Latin word for a column of soldiers (*columna*), but after being adopted into Middle French, both the spelling and pronunciation became French: *coronel*. The *l* sound changed to an *r* sound because the *r* sound was easier to pronounce, and the change in spelling eventually followed.

However, when the word colo-

nel was adopted into Middle English, English speakers copied the French pronunciation (with its r sound), but retained the Latin spelling (with the letter l), resulting in colonel (Latin spelling, French sound).

If English spelling is good for nothing else—and many argue that point—at least it has the virtue of indicating the etymology of words, especially words we pronounce one way and spell another—words like *through*, *enough*, and *bough*, for example.

• Another reader writes, "I sometimes see the phrase, 'As grounds therefore ...' spelled that way. Is that spelling correct?"

No. The phrase should be, "As grounds therefor..." The adverb *therefor*, which almost always occurs only in legal contexts, means "for that thing," "for it," or "for this or for these things." That is its definition found in the *Random House Dictionary* of the English Language, in Black's Law Dictionary, and in the American Heritage Dictionary, although the latter labels that definition "archaic."

Below is an illustration of incorrect usage in Florida Statutes Annotated § 672.2-316 (5):

The procurement, processing, storage, distribution, or use of whole blood plasma, blood products, and blood derivatives ... does not constitute a sale, whether or not any consideration is given therefore. ... (In that illustration, the correct word would have been *therefor*.)

The other member of the pair, the adverb *therefore* (meaning "for that reason, "consequently," or "hence") is so widely used in both lay and legal English that it hardly requires definition.

• "I grind my teeth every time
• I see the sign posted at restaurants and other public places, 'Not responsible for lost or stolen articles.' In those places, I leave articles that I own, not articles that were 'lost or stolen' and that I have brought with me. Shouldn't the sign state, 'Not responsible for articles that are lost or stolen'?"

• Yes, and for perfect clarity, the words while in our possession should be added. Oh, the perils of expecting absolute clarity! The problem is that the submitted sign contains a deleted phrase of the verb to be, but what is its tense? Is it have been or may be? If the former, the sign should be, "... articles that have been lost or stolen." If the latter, the sign should read, "... articles that may become lost or stolen." Some readers will probably find that the correspondent's criticism is niggling, but it is nonetheless correct.

Sometimes you just have to relax and assume that those to whom you entrust your belongings will know what their responsibility is, even if they can't state it precisely.

## **Potpourri**

Some time ago, Jack Rosenthal of the *New York Times* wrote a piece about so-called "Yogi-isms," (remarks attributed to Yogi Berra, the master of mangled language). One anecdote was about a grandmotherly woman who, seeing Berra all dressed up after a spring training game in Florida, said, "My you look cool today." Berra's response: "Thank you ma'am. You don't look so hot yourself."

And after Berra had signed on as a vice president of YooHoo Chocolate Beverage Co., a woman asked him, "Isn't that hyphenated?" Berra responded: "Lady, it ain't even carbonated."

Should we blame "texting"? TFL

Gertrude Block, lecturer emerita at the University of Florida College of Law, can be reached at block@law.ufl.edu or by snail-mail: Gertrude Block, Lecturer Emerita, Emerson Hall, University of Florida, Gainesville, FL 32611.