Legal maxim

A Legal Maxim is an established principle or proposition. The Latin term, apparently a variant on maxima, is not to be found in Roman law with any meaning exactly analogous to that of a legal maxim in the Medieval or modern sense of the word, but the treatises of many of the Roman jurists on Regular definitions, and Sententiae juris are, in some measure, collections of maxims. Most of the Latin maxims developed in the Medieval era in European countries that used Latin as their language for law and courts.

A

A mensa et thoro - From bed and board.

A vinculo matrimonii - From the bond of matrimony.

Ab extra - From outside.

Ab initio - From the beginning.

Absoluta sententia expositore non indiget -An absolute judgment needs no

expositor.

Abundans cautela non nocet - Abundant caution does no harm.

Accessorium non ducit sed sequitur suum principale - An accessory does not draw, but

follows its principal.

Accessorius sequitur - One who is an accessory to crime

cannot be guilty of a more serious

crime than the principal offender.

Acta exteriora iudicant interiora secreta - Outward acts indicate the inward

intent.

Actio non accrevit infra sex annosThe action has not accrued within

six years.

Actio non datur non damnificato-An action is not given to one who

is not injured.

Actio personalis moritur cum persona- A personal action dies with the

person.

Actiones legis - Law suits.

Actori incumbit onus probandi -The burden of proof lies on the

plaintiff.

Actus nemini facit injuriam - The act of the law does no one wrong.

Actus non facit reum nisi mens sit rea - The act does not make one guilty unless there be a criminal intent.

Actus reus - A guilty deed or act.

Ad ea quae frequentius acciduunt jura adaptantur - The laws are adapted to those cases which occur more frequently.

Ad hoc - For this purpose.

Ad infinitum - Forever, without limit, to infinity.

Ad perpetuam rei memoriam - For a perpetual memorial of the

matter.

Ad quaestionem facti non respondent judices;

ad quaestionem legis non respondent juratores -The judges do not answer to a

question of fact; the jury do not answer to a question of Law.

Aedificare in tuo proprio solo non licet quod

alteri noceat -It is not lawful to build on one's

own land what may be injurious

to another.

Aequitas legem sequitur - Equity follows the law.

Aequitas nunquam contravenit legem - Equity never contradicts the law.

Alibi - At another place, elsewhere.

Alienatio rei praefertur juri accrescendi - Alienation is preferred by law

rather than accumulation.

Aliunde - From elsewhere, or, from a

different source

Allegans contraria non est audiendus - One making contradictory

statements is not to be heard.

Allegans suam turpitudinem non est audiendus - One alleging his own infamy is

not to be heard.

Allegatio contra factum non est admittenda - An allegation contrary to a deed is not to be heard.

Ambiguitas contra stipulatorem est
An ambiguity is most strongly construed against the party using

it.

Ambiguitas verborum patens nulla verificatione

excluditur - A patent ambiguity is never

helped by averment.

Amicus curiae - A friend of the Court.

Angliae jura in omni casu libertati dant favorem - The laws of England are

favorable in every case to liberty.

Animo furandi - With an intention of stealing.

Animo testandi - With an intention of making a

will.

Annus luctus - The year of mourning.

Ante - Before.

Aqua currit et debet currere, ut currere solebat - Water runs and ought to run.

Arbitrium est judicium - An award is a judgment.

Arbor dum crescit; lignum cum crescere nescit - A tree while it grows, wood when

it cannot grow.

Argumentum ab auctoritate fortissimum est in lege - An argument drawn from

authority is the strongest in law.

Argumentum ab impossibilii plurimum valet in lege - An argument from impossibility

is very strong in law.

Argumentum ad hominem -An argument directed a the

person.

Argumentum ad ignoratiam -An argument based upon

ignorance (i.e. of one's

adversary).

Arma in armatos sumere jura sinunt -The laws permit the taking up of

arms against the armed.

Assentio mentium - The meeting of minds, i.e. mutual

assent.

Assignatus utitur jure auctoris -An assignee is clothed with rights

of his assignor.

Audi alteram partem - Hear the other side.

Aula regis - The King's Court.

В

Benignior sententia in verbis generalibus seu

dubiis est preferenda -The more favorable construction

is to be placed on general or

doubtful words.

Bis dat qui cito dat -He gives (pays) twice who pays

promptly.

Bona fide - Sincere, in good faith

Bona vacantia - Goods without an owner

Boni judicis est ampliare jurisdictionem -It is the part of a good judge to

enlarge his jurisdiction, i.e.

remedial authority.

Boni judicis est judicium sine dilation

mandare executioni - It is the duty of a good judge to

cause execution to issue on a judgment without delay.

Boni judicis lites dirimere est - It is the duty of a good judge to

prevent litigation.

Bonus judex secundum aequum et bonum

judicat et aequitatem stricto juri praefert - A good judge decides according

to justice and right and prefers

equity to strict law.

Breve judiciale non cadit pro defectu formae - A judicial writing does not fail

through defect of form.

 \mathbf{C}

Cadit quaestio -The matter admits of no further

argument.

Cassetur billa (breve) - Let the writ be quashed.

Casus fortuitus non est spectandus; et nemo

tenetur divinare - A fortuitous event is not to be

foreseen and no person is bound

to divine it.

Catalla reputantur inter minima in lege - Chattels are considered in law

among the minor things.

Causa proxima, non remota spectatur - The immediate, and not the

remote cause is to be considered.

Caveat emptor - Let the purchaser beware.

Caveat venditor - Let the seller beware.

Cepi corpus et est languidum - I have taken the body and the

prisoner is sick.

Cepi corpus et paratum habeo -I have taken the body and have it

ready.

Ceteris paribus - Other things being equal.

Consensu - Unanimously or, by general

consent.

Consensus ad idem - Agreement as to the same things.

Consuetudo loci observanda est -The custom of the place is to be

observed.

Contemporanea expositio est optima et

fortissima in lege - A contemporaneous exposition is

best and most powerful in law.

Contra - To the contrary.

Contra bonos mores - Against good morals.

Contra non valentem agere nulla currit praescriptio - No prescription runs against a

person not able to act.

Contractus est quasi actus contra actum -A contract is an act as it were against an act. Conventio et modus vincunt legem -A contract and agreement overcome the law. Conventio privatorum non potest publico juri derogare -An agreement of private persons cannot derogate from public right. Coram Domino Rege -In the presence of our Lord the King. Coram non judice -Before one who is not a judge. Corpus -Body. Corpus delicti -The body, i.e. the gist of crime. Corpus humanum non recipit aestimationem -A human body is not susceptible of appraisement. Crescente malitia crescere debet et poena -Vice increasing, punishment ought also to increase. Crimen omnia ex se nata vitiat -Crime vitiates everything, which springs from it. Crimen trahit personam -The crime carries the person. He who has a right to give has the Cujus est dare, ejus est disponere right to dispose of the gift. Cujus est solum, ejus est usque ad coelam; et ad inferos -He who owns the soil owns it up to the sky; and to its depth. Cum duo inter se pugnantia reperiuntur in testamentis ultimum ratum est -When two things repugnant to each other are found in a will, the

Cursus curiae est lex curiae -

Custos morum -

last is to be confirmed.

A guardian of morals.

law of the court.

The practice of the court is the

D

Damnum sine injuria - damage without legal injury.

De bonis asportatis - Of goods carried away.

De bonis non administratis - Of goods not administered.

De die in diem - From day to day.

De facto - In fact.

De futuro -In the future.

De integro - As regards the whole.

De jure - Rightful, by right.

De minimis lex non curat -The law does not notice trifling

matters.

De novo - Starting afresh.

Debile fundamentum fallit opus -Where there is a weak

foundation, the work fails.

Debita sequuntur personam debitoria -Debts follow the person of the

debtor.

Debitor non praesumitur donare -A debtor is not presumed to make

a gift.

Debitum et contractus sunt nullius loci -Debt and contract are of no

particular place.

Debitum in praesenti, solvendum in futuro -A present debt is to be discharged

in the future.

Delegata potestas non potest delegari -A delegated authority cannot be

again delegated.

Derivativa potestas non potest esse major primitiva - The power which is derived

cannot be greater than that from

which it is derived.

Deus solus haeredem facere potest, non homo - God alone, not man, can make an

heir.

Dies Dominicus non est juridicus -Sunday is not a day in law.

Discretio est discernere per legem quid sit justum -Discretion is to discern through law what is just. Doli incapax -Incapable of crime. Dominium -Ownership. Domus sua cuique est tutissimum refugium -Every man s house is his safest refuge. Dona clandestina sunt semper suspiciosa -Clandestine gifts are always suspicious. Dormiunt leges aliquando, nunquam moriuntur -The laws sometimes sleep, but never die. Doti lex favet; praemium pudoris est; ideo parcatur -The law favors dower; it is the reward of chastity, therefore let it be preserved. **Dubitante** -Doubting the correctness of the decision. Duo non possunt in solido unam rem possidere -Two cannot possess one thing each in entirety. \mathbf{E} Ei incumbit probatio qui -The onus of proving a fact rests upon the man. Ei incumbit probatio qui dicit, non qui negat -The burden of the proof lies upon him who affirms, not he who denies. Error, qui non resistitur approbatur -An error not resisted is approved. Et cetera -Other things of that type. Ex cathedra -With official authority. Ex concessis -In view of what has already been accepted/ Ex dolo malo actio non oritur -A right of action cannot arise out of fraud. Ex facie -On the fact of it.

Out of kindness, voluntary.

Ex gratia -

Ex nihilo nil fit -From nothing nothing comes. Ex nudo pacto actio non oritur -No action arises on a contract without a consideration. Proceeding brought by one Ex parte person in the absence of another. Ex post facto -By reason of a subsequent act. Ex praecedentibus et consequentibus optima fit interpretatio -The best interpretation is made from things preceding and following. Ex turpi causa non oritur actio -No action arises on an immoral contract. Exceptio probat regulam -An exception proves the rule. Execution is the fulfillment of the Executio est executio juris secundum judicium aw in accordance with the judgment. An execution is the end and the Executio est finis et fructus legis fruit of the law. Executio legis non habet injuriam -Execution of the law does no injury. Extra legem positus est civiliter mortuus -One out of the pale of the law (i.e. an outlaw) is civilly dead. F Faciendum -Something which is to be done. Factum -An act or deed. Facultas probationum non est angustanda -The right of offering proof is not to be narrowed. Falsa demonstratio non nocet -A false description does not vitiate.

He who flees judgment confesses

his guilt.

Fatetur facinus qui judicium fugit -

Felix qui potuit rerum cognoscere causas - understand the causes of things.	Happy is he who has been able to
Felonia implicatur in qualibet proditione -	Felony is implied in every treason.
Festinatio justitiae est noverca infortunii -	The hurrying of justice is the stepmother of misfortune.
Fictio cedit veritati; fictio juris non est, ubi veritas -	Fiction yields to truth. Where truth is, fiction of law does not exist.
Fides servanda est -	Good faith is to be preserved.
Fieri facias (abreviated fi. fa.) -	That you cause to be made.
Filiatio non potest probari -	Filiation cannot be proved.
Firmior et potentior est operatio legis	
quam dispositio hominis -	The operation of law is firmer and more powerful than the will of man.
Forma legalis forma essentialis est -	Legal form is essential form.
Fortior est custodia legis quam hominis -	The custody of the law is stronger than that of man.
Fractionem diei non recipit lex -	The law does not regard a fraction of a day.
Fraus est celare fraudem -	It is a fraud to conceal a fraud.
Fraus est odiosa et non praesumenda -	Fraud is odious and is not to be presumed.
Fraus et jus nunquam cohabitant -	Fraud and justice never dwell together.
Fructus naturales -	Vegetation which grows naturally without cultivation.
Frustra probatur quod probatum non relevat -	That is proved in vain which when proved is not relevant.

Furor contrahi matrimonium non sinit,

quia consensus opus est -Insanity prevents marriage from

being contracted because consent

is needed.

G

Generale nihil certum implicat - A general expression implies

nothing certain.

Generalia praecedunt, specialia sequuntur - Things general precede, things

special follow.

Generalia specialibus non derogant -Things general do not derogate

from things special.

Generalis regula generaliter est intelligenda - A general rule is to be generally

understood.

Gravius est divinam quam temporalem

laedere majestatem - It is more serious to hurt divine

than temporal majesty.

I

Id est (i.e) - That is.

Id quod commune est, nostrum esse dicitur -That which is common is said to

be ours.

Idem - The same person or thing.

Idem nihil dicere et insufficienter dicere est -It is the same to say nothing as

not to say enough.

Ignorantia facti excusat, ignorantia juris non excusat - Ignorance of fact excuses,

ignorance of law does not excuse.

Imperium in imperio - A sovereignty within a

sovereignty.

Impotentia excusat legem -Impossibility is an excuse in the

law.

Impunitas semper ad deteriora invitat -Impunity always leads to greater

crimes.

In aequali jure melior est conditio possidentis -When the parties have equal rights, the condition of the

possessor is better.

In alta proditione nullus potest esse acessorius;

sed principalis solum modo -In high treason no one can be an

accessory; but a principal only.

In Anglia non est interregnum -In England there is no

interregnum.

In camera - In private.

In casu extremae necessitatis omnia sunt communia - In a case of extreme necessity

everything is common.

In criminalibus probationes debent esse luce clariores - In criminal cases the proofs ought

to be cleared than the light.

In curia domini regis, ipse in propria persona

jura discernit - In the King's Court, the King

himself in his own person

dispenses justice.

In delicto - At fault.

In esse - In existence.

In extenso - At full length.

In fictione legis aequitas existit - A legal fiction is consistent with

equity.

In foro conscientiae -In the forum of conscience.

In futoro - In the future.

In jure non remota causa sed proxima spectatur -In law not the remote but the

proximate cause is looked at.

In limine - At the outset, on the threshold.

In loco parentis -In place of the parent.

In mortua manu - In a dead hand.

In novo casu novum remedium apponendum est - In a new case a new remedy is to

be applied.

In omni re nascitur res quae ipsam rem exterminat - In everything is born that which destroys the thing itself.

In omnibus -In every respect.

In pari delicto potior est conditio possidentis - When the parties are equally in

the wrong the condition of the

possessor is better.

In personam - Against the person.

In pleno - In full.

In quo quis delinquit in eo de jure est puniendus - In whatever thing one offends in

that he is to be punished

according to law.

In re dubia magis inficiatio quam affirmatio

intelligenda - In a doubtful matter the negative

is to be understood rather than the

affirmative.

In republica maxime conservanda sunt jura belli - In a State the laws of war are to

be especially observed.

In situ - In its place.

In terrorem - As a warning or deterrent.

In testamentis plenius testatoris intentionem

scrutamur - In wills we seek diligently the

intention of the testator.

In traditionibus scriptorum non quod dictum est,

sed quod gestum est, inspicitur - In the delivery of writings

(deeds), not what is said but what

is done is to be considered.

In verbis, non verba sed res et ratio quaerenda est - In words, not words, but the thing

and the meaning are to be

inquired into.

Indicia - Marks, signs.

Injuria non excusat injuriam - A wrong does not excuse a

wrong.

Intentio inservire debet legibus, non leges intentioni - Intention ought to be subservient to the laws, not the laws to the

intention.

Inter alia - Amongst other things.

Interest reipublicae res judicatas non rescindi - It is in the interest of the State

that things adjudged be not

rescinded.

Interest reipublicae suprema hominum

testamenta rata haberi - It is in the interest of the State

that men s last wills be sustained.

Interest reipublicae ut quilibet re sua bene utatur - It is in the interest of the State

that every one use properly his

own property.

Interest reipublicase ut sit finis litium - It is in the interest of the State

that there be an end to litigation.

Interim - Temporary, in the meanwhile.

Interpretare et concordare leges legibus est

optimus interpretandi modus -To interpret and harmonize laws

is the best method of

interpretation.

Interpretatio fienda est ut res magis valeat

quam pereat - Such a construction is to be made

that the thing may have effect rather than it should fail.

Interruptio multiplex non tollit praescriptionem

semel obtentam - Repeated interruption does not

defeat a prescription once

obtained.

Invito beneficium non datur -A benefit is not conferred upon

one against his consent.

Ipsissima verba - The very words of a speaker.

Ipso facto - By that very fact.

Ira furor brevis est - Anger is brief insanity.

Iter arma leges silent -In war the laws are silent. J Judex est lex loquens -A judge is the law speaking. Judex non potest esse testis in propira causa -A judge cannot be witness in his own cause. Judex non potest injuriam sibi datam punire -A judge cannon punish a wrong done to himself. Judex non reddit plus quam quod petens ipse requirit - A judge does not give more than the plaintiff himself demands. Judiciis posterioribus fides est adhibenda -Faith must be given to later decisions. Judicis est judicare secundum allegata et probata -It is the duty of a judge to decide according to the allegations and the proofs. Judicium non debet esse illusorium, suum effectum habere debet -A judgment ought not to be illusory; it ought to have its proper effect. Juduces non tenentur exprimere causam sententiae suae -Judges are not bound to explain the reason of their judgment. Jura naturae sunt immutabilia -The laws of nature are immutable. Jura publica anteferenda privatis juribus -Public rights are to be preferred to private rights. Juramentum est indivisibile et non est admittendum in parte verum et in parte falsum -An oath is indivisible and it is not to be held partly true and partly false. Jurare est Deum in testem vocare, et est actus divini cultus -To swear is to call God to witness

and is an act of divine worship.

Jus – A right that is recognised in law.

Jus accrescendi praefertur oneribus - The right of survivorship is

preferred to incumbrances.

Jus ad rem; jus in re - A right to a thing; a right in a

thing.

Jus dicere, non jus dare -To declare the law, not to make

the law.

Jus est norma recti; et quicquid est contra normam

recti est injuria - The law is a rule of right; and

whatever is contrary to a rule of

right is an injury.

Jus naturale - Natural justice.

Jus naturale est quod apud omnes homines eandem

habet potentiam - Natural right is that which has the

same force among all men.

Jus scriptum aut non scriptum -The written law or the unwritten

law.

Jusjurandum inter alios factum nec nocere

nec prodesse debet -An oath made between third

parties ought neither to hurt nor

profit.

Justitia est duplec; severe puniens et vere praeveniens - Justice is two-fold; severely

punishing and in reality prohibiting (offences).

Justitia firmatur solium -The throne is established by

justice.

Non decipitur qui scit se decipi - Justice is to be denied to no one

Leges posteriores priores contrarias abrogant - Subsequent laws repeal prior conflicting ones.

conflicting one

Legibus sumptis desinentibus legibus naturae

utendum est - When laws imposed by the State

fail, we must use the laws of

nature.

Lex aliquando sequitur aequitatem -The law sometimes follows

equity.

Lex citius tolerare vult privatum damnum quam

publicum malum - The law would rather tolerate a

private injury than a public evil.

Lex dabit remedium - The law will give a remedy.

Lex dilationes abhorret – The law abhors delays.

Lex est judicum tutissimus ductor - The law is the safest guide for

judges.

Lex est sanctio sancta jubens honesta et

prohibens contraria - The law is a sacred sanction,

commanding what is right and

prohibiting the contrary.

Lex indendit vicinum vicini facta scire - The law presumes that one

neighbor knows the acts of

another.

Lex necessitatis est lex temporis i.e. instantis - The law of necessity is the law of

time, that is time present.

Lex neminem cogit ad vana seu impossiblia - The law compels no one to do

vain or impossible things.

Lex nil frustra facit - The law does nothing in vain.

Lex non a rege est violanda - The law must not be violated

even by the King.

Lex non deficere potest in justitia exhibenda - The law cannot fail in dispensing

justice.

Lex non novit patrem, nec matrem; solam veritatem - The law does not know neither father nor mother, only the truth.

Lex non oritur ex injuria - The law does not arise from a

mere injury.

Lex non requirit verificari quod apparet curiae - The law does not require that to

be proved which is apparent to

the Court.

Lex non favet delicatorum votis - The law does not favor the

wishes of the dainty.

Lex plus laudatur quando ratione probatur -The law is the more praised when

it is supported by reason.

Lex prospicit not respicit - The law looks forwared, not

backward.

Lex punit mendaciam - The law punishes falsehood.

Lex rejicit superflua, pugnatia, incongrua - The law rejects superfluous,

contradictory and incongruous

things.

Lex spectat naturae ordinem -The law regards the order of

nature.

Lex succurrit ignoranti - The law succors the ignorant.

Lex tutissima cassis, sub clypeo legis nemo decipitur - Law is the safest helmet; under

the shield of the law no one is

deceived.

Lex uno ore omnes alloquitur -The law speaks to all through one

mouth.

Longa possessio est pacis jus -Long possession is the law of

peace.

Longa possessio parit jus possidendi et tollit

actionem vero domino - Long possession produces the

right of possession and takes away from the true owner his

action.

Magister rerum usus; magistra rerum experientia - Use is the master of things;

experience is the mistress of

things.

Major continet in se minus -The greater contains the less.

Majus est delictum se ipsum occidere quam alium - It is a greater crime to kill one s

self than another.

Mala fide - In bad faith.

Mala grammatica non vitiat chartam - Bad grammar does not vitiate a

deed.

Mala in se - Bad in themselves.

Mala prohibita - Crimes prohibited.

Malitia supplet aesatem - Malice supplies age.

Malo animo - With evil intent.

Mandamus - We command.

Maximus magister erroris populus est - The people are the greatest

master of error.

Melior est conditio possidentis, ubi neuter jus habet - Better is the condition of the

possessor where neither of the

two has the right.

Melior testatoris in testamentis spectanda est - In wills the intention of a testator

is to be regarded.

Meliorem conditionem suam facere potest

minor deteriorem nequaquam - A minor can make his position

better, never worse.

Mens rea - Guilty state of mind.

Mentiri est contra mentem ire - To lie is to act against the mind.

Merito beneficium legis amittit, qui legem

ipsam subvertere intendit -He justly loses the benefit of the

law who seeks to infringe the

law.

Minatur innocentibus qui parcit nocentibus -He threatens the innocent who spares the guilty. Misera est servitus, ubi jus est vagum aut incertum -It is a miserable slavery where the law is vague or uncertain. Mors dicitur ultimum supplicium -Death is called the extreme penalty. Muilta exercitatione facilius quam regulis percipies -You will perceive many things more easily by experience than by rules. N Nam nemo haeres viventis -For no one is an heir of a living person. Naturae vis maxima est -The force of nature is the greatest. Necessitas inducit privilegium quoad jura privata -With respect to private rights necessity induces privilege. Necessitas non habet legem -Necessity has no law. Necessitas publica est major quam privata -Public necessity is greater than private necessity. Negligentia semper habet infortuniam comitem -Negligence always has misfortune for a companion. Nemo admittendus est inhabilitare se ipsum -No one is allowed to incapacitate himself. Nemo bis punitur pro eodem delicto -No one can be twice punished for the same offence. Nemo cogitur suam rem vendere, etiam justo pretio -No one is bound to sell his own property, even for a just price. Nemo contra factum suum venire potest -No man can contradict his own deed. Nemo debet esse judex in propria causa -No one can be judge in his own case.

Nemo plus juris transferre ad alium potest

quam ipse habet -No one can transfer to another a larger right than he himself has. Nemo potest contra recordum verificare per patriam -No one can verify by the country, that is, through a jury, against the record. Nemo potest esse tenens et dominus -No one can at the same time be a tenant and a landlord (of the same tenement). Nemo potest facere per alium, quod per se non potest - No one can do through another what he cannot do himself. Nemo potest mutare consilium suum in alterius injuriam -No one can change his purpose to the injury of another. Nemo praesumitur esse immemor suae aeternae salutis et maxime in articulo mortis -No one is presumed to be forgetful of his eternal welfare, and particularly in the hour of death. Nemo prohibetur pluribus defensionibus uti -No one is forbidden to make use of several defences. Nemo punitur pro alieno delicto -No one is punished for the crime of another. Nemo se accusare debet, nisi coram Deo -No one should accuse himself except in the presence of God. Nemo tenetur accusare se ipsum nisi coram Deo -No one is bound to accuse himself except in the presence of God. Nemo tenetur armare adversarium contra se -No one is bound to arm his adversary against himself. Nexus -Connection Nihil quod est inconveniens est licitum -Nothing inconvenient is lawful.

An error of name makes not difference when it appears from the body of the instrument.

Nil facit error nominis cum de corpore constat -

Nisi - Unless

Non compus mentis - Not of sound mind and

understanding

Non constat - It is not certain

Non decipitur qui scit se decipi - He is not deceived who knows

that he is deceived.

Non definitur in jure quid sit conatus - What an attempt is, is not defined

in law.

Non est arctius vinculum inter homines

quam jusjurandum - There is no stronger link among

men than an oath.

Non est factum - It is not his deed

Non est informatus - He is not informed.

Non facias malum ut inde veniat bonum - You shall not do evil that good

may come of it.

Non jus, sed seisina, facit stipitem -Not right, but seisin makes a

stock (from which the inheritance

must descend).

Non refert quid notum sit judici si notum

non sit in forma judicii - It matters not what is known to

the judge if it is not known

judicially.

Non sequitur - An inconsistent statement, it does

not follow

Nullus commodum capere potest ex sua injuria

propria - No one can derive an advantage

from his own wrong.

Nullus recedat e curia cancellaria sine remedio - No one should depart from a

Court of Chancery without a

remedy.

Post mortem -

Omne sacramentum debet esse de certa scientia -	Every oath ought to be of certain knowledge.
Omnia delicta in aperto leviora sunt -	All crimes (committed) in the open are (considered) lighter.
Omnia praesumuntur contra spoliatorem -	All things are presumed against a wrongdoer.
Omnis innovatio plus novitate perturbat	
quam utilitate prodeat -	Every innovation disturbs more by its novelty than it benefits by its utility.
Optima legum interpres est consuetudo -	The best interpreter of laws is custom.
Optimus interpres rerum est usus -	The best interpreter of things is usage.
P	
Pacta privata juri publico non derogare possunt -	Private contracts cannot derogate from public law.
Par delictum -	Equal fault.
Pari passu -	On an equal footing.
Partus sequitur ventrem -	The offspring follows the mother.
Pater est quem nuptiae demonstrant -	The father is he whom the marriage points out.
Peccata contra naturam sunt gravissima -	Wrongs against nature are the most serious.
Pendente lite nihil innovetur -	During litigation nothing should be changed.
Per curiam -	In the opinion of the court.
Per minas -	By means of menaces or threats.
Per quod -	By reason of which.

After death.

Prima facie - On the face of it.

Prima impressionis - On first impression.

Pro hac vice - For this occasion.

Pro rata - In proportion.

Pro tanto - So far, to that extent.

Pro tempore - For the time being.

Publici juris - Of public right.

Q

Quaeitur - The question is raised.

Quantum - How much, an amount.

Qui facit per alium, facit per se - He who acts through another acts

himself.

Qui haeret in litera, haeret in cortice -He who stices to the letter, sticks

to the bark.

Qui in utero est, pro jam nato habetur, quoties de

ejus commodo quaeritur -He who is in the womb is

considered as already born as far as his benefit is considered.

Qui non habet potestatem alienandi, habet

necessitatem retinendi -He who has not the power of

alienating is under the necessity

of retaining.

Qui non habet, ille non dat -He who has not, does not give.

Qui non improbat, approbat -He who does not disapprove,

approves.

Qui non obstat quod obstare potest facere videtur - He who does not prevent what he

is able to prevent, is considered

as committing the thing.

Qui non prohibet quod prohibere potest

assentire videtur -	He who does not prohibit when he is able to prohibit, is in fault.
Qui peccat ebrius, luat sobrius -	He who does wrong when drunk must be punished when sober.
Qui potest et debet vetare et non vetat jubet -	He who is able and ought to forbit and does not, commands.
Qui prior est tempore potior est jure -	He who is prior in time is stronger in right.
Qui sentit commodum, debet et sentire onus -	He who derives a benefit ought also to bear a burden.
Qui tacet consentire videtur -	He who is silent appears to consent.
Quid pro quo -	Consideration. something for something.
Quidcquid plantatur solo, solo cedit -	Whatever is planted in or affixed to the soil, belongs to the soil.
Overal ab initia man valet in treate temperarie man	
Quod ab initio non valet, in tractu temporis non	
convalescit -	What is not valid in the beginning does not become valid by time.
	beginning does not become valid
convalescit -	beginning does not become valid by time. What appears to the Court needs
convalescit - Quod constat curiae opere testium non indiget -	beginning does not become valid by time. What appears to the Court needs not the help of witnesses. What is necessarily understood is
Convalescit - Quod constat curiae opere testium non indiget - Quod necessarie intelligitur, id non deest -	beginning does not become valid by time. What appears to the Court needs not the help of witnesses. What is necessarily understood is not wanting.
Convalescit - Quod constat curiae opere testium non indiget - Quod necessarie intelligitur, id non deest - Quod necessitas cogit, defendit -	beginning does not become valid by time. What appears to the Court needs not the help of witnesses. What is necessarily understood is not wanting. What necessity forces it justifies.
Convalescit - Quod constat curiae opere testium non indiget - Quod necessarie intelligitur, id non deest - Quod necessitas cogit, defendit - Quod non apparet, non est -	beginning does not become valid by time. What appears to the Court needs not the help of witnesses. What is necessarily understood is not wanting. What necessity forces it justifies. What does not appear, is not. What has no beginning has no

tempore potius est jure -

What is first is more true; and what is prior in time is stronger in

Quod vanum et inutile est, lex non requirit -

The law does not require what is vain and useless.

Quoties in verbis nulla est ambiguitas, ibi nulla

expositio contra verba expressa fienda est -

When there is no ambiguity in words, then no exposition contrary to the expressed words is to be made.

R

Ratio est legis anima, mutata legis ratione

mutatur et lex -

Reason is the soul of the law; when the reason of the law changes the law also is changed.

Re -

In the matter of.

Recognition is the greatest motivator -

Agnitio est maioribus motivator

Reprobata pecunia leberat solventem -

Money refused releases the

debtor.

Res -

Matter, affair, thing, circumstance.

Things done.

Res integra -

Res gestae -

A matter untouched (by

decision).

Res inter alios acta alteri nocere non debet -

Things done between strangers ought not to affect a third person,

who is a stranger to the

transaction.

Res judicata accipitur pro veritate -

A thing adjudged is accepted for

the truth.

Res nulis -

Nobody s property.

Respondeat superior -

Let the principal answer.

Rex est major singulis, minor universis -The King is greater than individuals, less than all the people. Rex non debet judicare sed secundum legem -The King ought not to judge but according to the law. Rex non potest peccare -The King can do no wrong. Rex nunguma moritur -The King never dies. Rex quod injustum est facere non potest -The King cannot do what is unjust. S Salus populi est suprema lex -The safety of the people is the supreme law. Sciens -Knowingly. Scienter -Knowingly. Scire facias -That you cause to know. To write is to act. Scribere est agere -Se defendendo -In self defence. Secus -The legal position is different, it is otherwise.

Semper praesumitur pro legitimatione puerorum - Everything is presumed in favor of the legitimacy of children.

Semper pro matriomonio praesumitur -It is always presumed in favor of marriage.

Sententia interlocutoria revocari potest,

definitiva non potest -An interlocutory order can be revoked, a final order cannot be.

Servitia personalia sequuntur personam - Personal services follow the person.

Sic utere tuo ut alienum non laedas - So use your own as not to injure

another s property.

Simplex commendatio non obligat -A simple recommendation does not bind. Stare decisis -To stand by decisions (precedents). Stet -Do not delete, let it stand. Sub modo -Within limits. Sub nomine -Under the name of. Sub silentio -In silence. The cause being removed, the Sublata causa, tollitur effectus effect ceases. Sublato fundamento, cadit opus -The foundation being removed, the structure falls. **Subsequens matrimonium tollit peccatum praecedens -** A subsequent marriage removes the preceding wrong. Suggestio falsi -The suggestion of something which is untrue. Sui generis -Unique. Summa ratio est quae pro religione facit -The highest reason is that which makes for religion, i.e. religion dictates. Suppressio veri -The suppression of the truth. Suppressio veri expressio falsi -A suppression of truth is equivalent to an expression of falsehood. \mathbf{T}

Talis qualis - Such as it is.

Terra firma - Solid ground.

Testamenta latissimam interpretationem

habere debent -Testaments ought to have the

broadest interpretation.

Traditio loqui chartam facit - Delivery makes a deed speak.

Transit terra cum onere -The land passes with its burden IJ Ubi eadem ratio ibi idem jus, et de similibus idem est judicium -When there is the same reason, then the law is the same, and the same judgment should be rendered as to similar things. Ubi jus ibi remedium est -Where there is a right there is a remedy. Ubi non est principalis, non potest esse accessorius -Where there is no principal, there can be no accessory. Ubi nullum matrimonium, ibi nulla dos es -Where there is no marriage, there is no dower. Ultima voluntas testatoris est perimplenda secundum veram intentionem suam -The last will of a testator is to be fulfilled according to his true intentio. Ut poena ad paucos, metus ad omnes, perveniat -That punishment may come to a few, the fear of it should affect all. Utile per inutile non vitiatur -What is useful is not vitiated by the useless. V Verba chartarum fortius accipiuntur contra preferentem -The words of deeds are accepted more strongly against the person

Verba debent intelligi cum effectu -

Words ought to be understood with effect.

Verba intentioni, non e contra, debent inservire -

Words ought to serve the intention, not the reverse.

offering them.

Verbatim - Word by word, exactly.

Vi et armis - With the force and arms.

Via antiqua via est tuta -The old way is the safe way.

Vice versa -The other way around.

Vide - See.

Vigilantibus non dormientibus jura subveniunt - The laws serve the vigilant, not

those who sleep.

Vir et uxor consentur in lege una persona - A husband and wife are regarded

in law as one person.

Visitationem commendamus - We recommend a visitation.

Volens - Willing.

Volenti non fit injuria - An injury is not done to one

consenting to it.

Voluntas in delictis non exitus spectatur -In offences the intent and not the

result is looked at.

Voluntas reputatur pro facto -The will is taken for the deed.