

AN ANTHOLOGY OF LEGAL MAXIMS

RULES FOUNDED ON PUBLIC POLICY

1. Salus Populi Est Suprema Lex.
Regard for the public welfare is the highest Law.
2. Necessitas Inducit Privilegium Quoad Jura Privata
Necessity gives a privilege as to private rights.
3. Summa Ratio Est Quae Pro Religione Facit.
The best rule is that which advances religion.
4. Dies Dominicus Non Est Juridicus.
Sunday is not a day for judicial or legal proceedings.

RELATIONG TO THE CROWN

5. Rex Non Debet Esse Sub Homine, Sed Sub Deo Et Sub Lege, Quia Lex Facit Regem
The King is under no man, yet he is under God and the law, for the law makes the King.
6. Rex Nunquam Moritur.
The King never dies.
7. Rex Non Potest Peccare.
The King can do no wrong.

8. Non Potest Rex Gratiam Facere Cum Injuria Et Damno Aloiorum
The King cannot confer a favour on one subject to the injury and damage of others.
9. Nullum Tempus Occurrit Regi.
Lapse of time does not bar the right of the crown.
10. Quando Jus Domini Regis Et subditi Concurrunt Just Regis Praeferri Debet
Where the title of the King and the title of a subject concur, the King's title must be preferred.
11. Roy N'est Lie Per Ascun Statute, Si IL Ne Soit Expressement Nosme.
The King is not bound by any statute, if he be not expressly named to be so bound.
12. Nemo Nec Ligeantiae Debitum Ejurare Possit.
A man cannot abjure his native country nor the allegiance which he owes to his sovereign.

THE JUDICIAL OFFICE

13. Boni Judicis Est Ampliare Jurisdictionem
It is the duty of a judge to extend his jurisdiction.
14. De Fide Et Officio Judicio Non Recipitur
Quaestio, Sed De Scientia Sive Sit Error Juris
Sive Facti.
The honesty and integrity of a judge cannot be questioned, but his decision may be impugned for error either of law or of fact.
15. Qui Jussu Judicis Aliquod Fecerit Non
Videtur Dolo Malo Fecisse, Quia Parere
Necesse Est.
A person who does an act by command of a judge is not considered to act from a wrongful motive, because it is his duty to obey.
16. Ad Quaestionem Facti Non Respondent
Judices: Ad quaestionem Legis Non
Respondent Juratores
It is the office of the judge to instruct the jury in points of law of the jury to decide on matters of fact.
17. In Praesentia Majoris Cessat Potentia Minoris
In presence of the greater the power of the inferior ceases.

THE MODE OF ADMINISTERING JUSTICE

18. Audi Alteram Partem.
No man shall be condemned unheard.
19. Nemo Debet Esse Judex In Propria
Sua Causa.
No man can be judge in his own cause.
20. Actus Curiae Neminem Gravabit.
An act of the Court shall prejudice no man.
21. Actus Legis Nemini Est Damnosus.
An act in law shall prejudice no man.
22. Executio Juris Non Habet Injuriam
Legal process, if regular, does not afford a cause of action.
23. In Fictione Juris Semper Aequitas
Existit
Equity is the life of a legal fiction.
24. Cursus Curiae Est Lex curiae.
The practice of the Court is the law of the Court.
25. Consensus Tollit Errorem
The acquiescence of a party who might take advantage of an error obviates its effect.

26. Omnis Innovation Plus Novitate Perturbat
Quam Utilitate Prodest.
*Every innovation occasions more harm by its
novelty, than benefit by its utility.*

27. Ubi Eadem Ratio Ibi Idem Jus
Like reason doth make like law.

28. Cessante Ratione Legis Cessat Ipsa Lex
*Reason is the soul of the law, and when the
reason of any particular law ceases, so does
the law itself.*

29. De Non Apparentibus Et Non Existentibus
Eadem Est Ratio
*That which does not appear will not be
presumed to exist.*

30. Non Potest Adduci Exceptio Eiusdem Rei
Cujus Petitur Dissolutio
*A matter, the validity of which is at issue in
legal proceedings, cannot be set up as a bar
thereto.*

31. Allegans Contraria Non Est Audiendus
*He is not to be heard who alleges things
contradictory to each other.*

32. Omne Majus Continet In Se
Minus
The greater contains the less.

33. Quod Ab Initio Non Valet In
Tractu Temporis Non Convalescit
*That which was originally void,
does not by lapse of time become
valid.*

FUNDAMENTAL LEGAL PRINCIPLES

34. Ubi Jus Ibi Remedium
*There is no wrong without a
remedy.*

35. Quod Remedio Destituitur Ipsa Re
Valet Si Culpa Absit
*That which is without remedy
avails of itself if there be no fault
in the party seeking to enforce it.*

36. In Jure Non Remota Causa Sed
Proxima Spectatur
*In law the immediate, not the
remote cause of any event is
regarded.*

37. Actus Dei Nemini Facit Injuriam
*The law holds no man responsible for the act
of God.*

38. Lex Non Cogit Ad Impossibilia
The law does not compel a man to do that which he cannot possibly perform.
39. Ignorantia Facti Excusat Ignorantia Juris Non Excusat
Ignorance of fact excuses ignorance of the law does not excuse
40. Volenti Non Fit Injuria
Damage suffered by consent is not a cause of action
41. Nullus Commodum Capere Potest De Injuria Sua Propria
No man can take advantage of his own wrong
42. Acta Exteriora Indicant Interiora Secreta
Acts indicate the intention.
43. Res Ipsa Loquitur
The thing speaks for itself.
44. Actus Non Facit Reum Nisi Mens Sit Rea
The intent and the act must both concur to constitute the crime.
45. Nemo Debet Bis Vexari Pro Una Et Eadem Causa
It is a rule of law that a man shall not be twice vexed for one and the same cause.

**THE MODE OF ACQUIRING
PROPERTY**

46. Qui Prior Est Tempore Potior Est Jure
He has the better title who was first in point of time.

**PROPERTY; ITS RIGHTS AND
LIABILITIES**

47. Sic Uterque Tuo Ut Alienum Non Laedas
Enjoy you own property in such a manner as not to injure that of another person.
48. Cujus Est Solum Ejus Est Usque Ad Coelum
He who possesses land possesses also that which is above it.
49. Quicquid Plantatur Solo Cedit
Whatever is affixed to the soil belongs thereto.
50. Domus Sua Cuique Est Tutissimum Refugium
Every man's house in his castle.