

# APPENDIX V

## LEGAL LATIN PHRASES AND MAXIMS

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 definitiones*, 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.

### Legal Latin Phrases and Maxims<sup>1</sup>

- **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 the 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 annos** - The action has not accrued within six years.
- **Actio non datur non damnificato** - An action is not given to one who is not injured.

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1. [http://www.inrebus.com/legalmaxims\\_a.php](http://www.inrebus.com/legalmaxims_a.php)

- **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 accidunt 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 iudices; 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 iudicium** - 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 impossibili plurimum valet in lege** - An argument from impossibility is very strong in law.
- **Argumentum ad hominem** - An argument directed at the person.
- **Argumentum ad ignorantiam** - 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.
- **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 iudicis est ampliare jurisdictionem** - It is the part of a good judge to enlarge his jurisdiction, i.e. remedial authority.
- **Boni iudicis est iudicium sine dilatione mandare executioni** - It is the duty of a good judge to cause execution to issue on a judgment without delay.
- **Boni iudicis lites dirimere est** - It is the duty of a good judge to prevent litigation.
- **Bonus iudex secundum aequum et bonum iudicat 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.
- **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 iudice** - 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 appraisal.
- **Crescente malitia crescere debet et poena** - Vice increasing, punishment ought also to increase.
- **Crimen omnia ex se nata vitiat** - Crime vitiates every thing, which springs from it.
- **Crimen trahit personam** - The crime carries the person.
- **Cujus est dare, ejus est disponere** - He who has a right to give has the 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 last is to be confirmed.
- **Cursus curiae est lex curiae** - The practice of the court is the law of the court.
- **Custos morum** - A guardian of morals.
- **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 mans 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.
- **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.
- **Ex gratia** - Out of kindness, voluntary.
- **Ex nihilo nil fit** - From nothing nothing comes.
- **Ex nudo pacto actio non oritur** - No action arises on a contract without a consideration.
- **Ex parte** - Proceeding brought by one 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.
- **Executio est executio juris secundum iudicium** - Execution is the fulfillment of the law in accordance with the judgment.
- **Executio est finis et fructus legis** - An execution is the end and the 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.
- **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.
- **Fatetur facinus qui iudicium fugit** - He who flees judgment confesses his guilt.
- **Felix qui potuit rerum cognoscere causas** - Happy is he who has been able to understand the causes of things.
- **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 (abbreviated 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.
- **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.
- **Habeas corpus** - That you have the body.
- **Habemus optimum testem confitentem reum** - We have the best witness, a confessing defendant.
- **Haereditas est nomen collectum** - Heir is a collective name.
- **Haeres est nomen juris, filius est nomen naturae** - Heir is a term of law, son, one of nature.
- **Haeres legitimus est quem nuptiae demonstrant** - He is the lawful heir whom the marriage indicates.
- **Homo vocabulum est naturae; persona juris civilis** - Man is a term of nature, person of the civil law.
- **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 prodicione nullus potest esse accessorius; 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 Kings 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 futuro** - 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 mens 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 reipublicae 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.
- **Ipsso facto** - By that very fact.

- **Ira furor brevis est** - Anger is brief insanity.
- **Iter arma leges silent** - In war the laws are silent.
- **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 cannot 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.
- **Judices 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 duplex; 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.
- **Justitia nemini neganda est** - Justice is to be denied to no one
- **Leges posteriores priores contrarias abrogant** - Subsequent laws repeal prior conflicting ones.
- **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 impossibilia** - 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 forward, 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 ones 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 aetatem** - 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.
- **Meliores conditionem suam facere potest minor deteriores 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.
- **Multa exercitatione facilius quam regulis percipies** - You will perceive many things more easily by experience than by rules
- **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 iudex 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.
- **Nil facit error nominis cum de corpore constat** - An error of name makes not difference when it appears from the body of the instrument.
- **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 seisin, 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.
- **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 spoliatores** - 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 interpretis est consuetudo** - The best interpreter of laws is custom.
- **Optimus interpretis rerum est usus** - The best interpreter of things is usage.
- **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.
- **Post mortem** - 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.
- **Quaeritur** - 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 forbid 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.
- **Quidquid plantatur solo, solo cedit** - Whatever is planted in or affixed to the soil, belongs to the soil.
- **Quod ab initio non valet, in tractu temporis non convalescit** - What is not valid in the beginning does not become valid by time.
- **Quod constat curiae opere testium non indiget** - What appears to the Court needs not the help of witnesses.
- **Quod necessarie intelligitur, id non deest** - What is necessarily understood is not wanting.
- **Quod necessitas cogit, defendit** - What necessity forces it justifies.
- **Quod non apparet, non est** - What does not appear, is not.
- **Quod non habet principium non habet finem** - What has no beginning has no end.

- **Quod per me non possum, nec per alium** - What I cannot do through myself, I cannot do through another.
- **Quod prius est verius est; et quod prius est tempore potius est jure** - What is first is more true; and what is prior in time is stronger in law.
- **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.
- **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.
- **Reprobata pecunia leberat solventem** - Money refused releases the debtor.
- **Res** - Matter, affair, thing, circumstance.
- **Res gestae** - Things done.
- **Res integra** - 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** - Nobodys 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 nunquma moritur** - The King never dies.
- **Rex quod injustum est facere non potest** - The King cannot do what is unjust.
- **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.
- **Scribere est agere** - To write is to act.
- **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.
- **Sublata causa, tollitur effectus** - The cause being removed, the 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.
- **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

- **Ubi eadem ratio ibi idem jus, et de similibus idem est iudicium** - 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.
- **Verba chartarum fortius accipiuntur contra preferentem** - The words of deeds are accepted more strongly against the person offering them.
- **Verba debent intelligi cum effectum** - Words ought to be understood with effect.
- **Verba intentioni, non e contra, debent inservire** - Words ought to serve the intention, not the reverse.
- **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