

Most Important 101 Legal Maxims

1. Ab Initio – From the beginning.
2. Actio personalis moritur cum persona – A personal right of action dies with the person.
3. Actori incumbit onus probandi – The burden of proof is on the plaintiff.
4. Actus me invito factus non est meus actus – An act done by me against my will is not my act.
5. Actus non facit reum nisi mens sit rea – An act does not make one guilty unless it is accompanied by a guilty mind.
6. Actus Dei Nemini Facit Injuriam: An act of God does injury to no one.
7. Alibi – At another place.
8. Amicus Curiae – A friend of court.
9. Assentio mentium – The meeting of minds, i.e. mutual assents.
10. Audi alteram partem – let the other party be heard
11. Bona fide – In good faith.
12. Caveat actor – Let the doer beware.
13. Caveat emptor – Let the buyer beware.
14. Caveat venditor -Let the seller beware.
15. Certiorari – A writ by which orders passed by an inferior court is quashed.
16. Consensus ad Idem - Agreement to the same thing.
17. Damnum sine injuria – Damages without injuries.
18. Injuria sine damnum – Injury without damage.
19. De facto – In fact
De jure – By law
20. Delegatus non potest delegare - A delegate cannot delegate.
21. De minimis – About minimal things.
22. De Minimis Non Curat Lex – The law does not govern trifles
(unimportant things).

23. De novo – To make something anew, from the beginning.
24. Dictum – Statement of law made by the judge in the course of the decision but not necessary to the decision itself.
25. Obiter Dicta - Things said in passing judgment.
26. Ratio Decidendi - The reason for the decision.
27. Doli capax – Capable of forming necessary intent to commit a crime.
28. Doli incapax - Inapable of forming necessary intent to commit a crime.
29. Detinue – Tort of wrongfully holding goods that belong to someone else.
30. Estoppel – Prevented from denying.
31. Ex gratia – As favour.
32. Ex officio – Because of an office held.
33. Ex parte – Proceedings in the absence of the other party.
34. Ex post facto – Out of the aftermath, or after the fact.
35. Falsus in uno falsus in omnibus – It means false in one thing, false in everything.
36. Factum probandum – The facts that need to be proved.
37. Factum probans – Relevant fact.
38. Furiosi nulla voluntas est – "a madman has no will" or "a person of unsound mind has no free will".
39. Habeas corpus - A writ to have the body of a person to be brought in before the judge.
40. Ignorantia facti excusat, Ignorantia juris non-excusat – Ignorance of fact is an excuse, but ignorance of the law is no excuse.
41. Ipso facto – By the mere fact.
42. In lieu of – Instead of, in place of.
43. In personam – A proceeding in which relief is sought against a specific person.
44. In rem - A proceeding or other legal action directed towards a property.
45. In status quo – In the present state.
46. Inter alia – Among other things.
47. Inter vivos – Between living people (especially of a gift as opposed to a legacy).

48. Interest Reipublicae Ut Sit Finis Litium – It means it is in the interest of the state that there should be an end to litigation.
49. Jus in personam – Right against a specific person (or party).
50. Jus in rem – Right against the world at large.
51. Justitia nemini neganda est – Justice is to be denied to nobody.
52. Lex Non Cogit Ad Impossibilia –The law does not compel the impossible.
53. Lex non a rege est violanda – The law must not be violated even by the king.
54. Locus Standi - The right to bring an action or to be heard in a court.
55. Mala fide – In bad faith.
56. Malum in se or Mala in se (plural) – Wrong or evil in itself, or crime that is considered wrong in and of itself.
57. Malum prohibitum – In a way, opposite of Malum in se. It means ‘crimes are criminal not because they are inherently bad, but because the act is prohibited by the law of the state.
58. Mandamus – ‘We command’.
59. Modus operandi – Way of working, or mode of operation.
60. Mutatis Mutandis – With the necessary changes having been made, with the respective differences having been considered.
61. Nemo bis punitur pro eodem delicto – Nobody can be twice punished for the same offence.
62. Nemo debet bis vexari pro una et eadem causa – It means no man shall be punished twice for the same offence.
63. Nemo debet esse judex in propria causa or Nemo judex in causa sua or Nemo judex in sua causa – Nobody can be the judge in his own case.
64. Nemo moriturus praesumitur mentire – A man will not meet his maker (God) with a lie in his mouth, or, ‘no man at the point of death is presumed to lie.’
65. Novation – Transaction in which a new contract is agreed by all parties to replace an existing contract.
66. Nullum crimen sine lege, nulla poena sine lege - There must be no punishment without law.
67. Particeps criminis – A participator in the actual crime/partner in crime.
68. Per curiam (decision or opinion) – By the court.
69. Per se – By itself.

70. Prima facie – At first sight.
71. Alimony - a legal obligation on a person to provide financial support to their spouse before or after marital separation or divorce.
72. Per incuriam – Because of lack of care.
73. Qui facit per alium, facit per se – He who acts through another acts himself.
74. Qui peccat ebrius luat sobrius – He who does wrong when drunk must be punished when sober.
75. Quid pro quo – Something for something.
76. Qui sentit commodum, sentire debet et onus – It means he who receives advantage must also bear the burden.
77. Quo warranto – By what authority.
78. Respondeat superior – Let the master answer.
79. Res ipsa loquitur – The thing speaks for itself.
80. Res Judicata – A matter already judged.
81. Res Judicata Pro Veritate Accipitur – It means that a judicial decision must be accepted as correct.
82. Salus populi est suprema lex or Suprema lex salus populi – The welfare of the people is the supreme law.
83. Stare Decisis - To stand by things decided.
84. Sine qua non – “Without which nothing”.
85. Suo Motu – On its own motion.
86. Uberrima fides (sometimes uberrimae fidei) – Utmost good faith.
87. Ubi jus ibi remedium – where there is a right, there is a remedy.
88. Actus legis nemini facit injuriam - The act of the law does injury to no one.
89. Vis major – Act of God.
90. Volenti non fit injuria – Damage suffered by consent gives no cause of action.
91. Expressio Unius Exclui Alterius – Express mention of one is exclusion of another.
92. Contemporanea Expositio Est Optima et Fortissima in lege – Contemporaneous exposition is best and strongest in law.

93. Noscitur a Sociis - A word is known by the company it keeps.
94. Ejusdem generis - Of the same kind or nature.
95. Ut Res Magis Valet Quam Pareat - It is better for a thing to have effect than to be made void.
96. Nemo dat quod non habet - no one can give what he does not have.
97. Qui prior est tempore potior est jure - he who is first in time is better in law.
98. Assignatus utitur jure auctoris - an assignee is clothed with the rights of the assignor.
99. Alienatio rei praefertur juri accrescendi - The law favors alienation to accumulation.
100. Pendent lite nihil innovature - Nothing new should be introduced during the pendency of litigation.
101. Waiver – Voluntarily giving up or removing the conditions.