BLOGS

Frequently asked Legal Maxims

Harshita Gulati · 11 Mar 2021

List of frequently asked Legal Maxims

- Accessorium principale sequitur – An accessory does not lead, but follows, its principal.
- Actor sequitur forum rei – A pursuer follows the forum or court the defender.
- Actus ei nemini facit injuriam – Law holds no man responsible for the act of god.
- Actus non reum facit reum nisi mens sit rea – To constitute a crime, it is not enough that the act is criminal; it must also be accompanied by a blameworthy mind.
- Auctoritate judicis – By Judicial Authority.
- Causa causae est causa causati – The cause of a cause is the cause of the effect.
- Causa proxima et non remota spectator – The immediate and not the remote cause is to be considered.
- Causa sine qua non – Factor essential to the occurring of events.
- Consensus facit jus – Consent makes law.
- Consensus, non concubitus, facit matrimonium – It is the consent of the parties, not their cohabitation which constitutes a valid marriage.
- Damnum sine injuria – Damage without legal injury.
- De die in diem – From day-to-day.
- De minimus non curat lex – The law does not concern itself with trifling matters.
- Debita sequuntur personam debitoris – Debtor follows the person of the debtor.
- Delegatus non potest delegare – A delegated power cannot be further delegated.
- Ejus est periculum cujus est dominium, aut commodum – Risk is with whom the property belongs, or who reaps the advantage.
- Ex nudo pacto non oritur action – An action does not arise from a bare promise.
- Extra territorium judicis – Beyond the territory of the judge.



- Falsa demonstratio non nocet – Mere false description does not vitiate the object.
- Ficri non debt, sed factum valet – It ought not to be done, but if done it is valid.
- Furiosus absentis loco est – An insane person is regarded as an absent person.
- Ignorantia facti excusat – Ignorance of fact is an excuse.
- Ignorantia juris non excusat – Ignorance of the law is no excuse.
- In pari delicto potior est conditio – In equal delict, the position of the defender is the stronger.
- Injuria non excusat injuriam – A wrong does not excuse a wrong.
- Injuria non praesumitur – Wrong is not presumed.
- Is qui omnino desipit – Insane person.
- Judicium a non suo judice nullius est moment – A judgment pronounced by a judge to decide in a matter falling within his jurisdiction is of no effect.
- Judicium simper pro veritate accipitur – A judgment always accepted as true.
- Justo tempore – At the right time.
- Lex est norma recti – Law is a rule of right.

- Lex loci contractus – The law of a place where a contract is made. This is generally the proper law of the contract, i.e., the law by which the contract is to be interpreted.
- Magistratus majores – Superior magistrates.
- Mutual petition – A counter- claim.
- Necessitas facit licitum quod alias non est licitum – Necessity makes that lawful which otherwise unlawful.
- Necessitas publica major est quam private – Public necessity is greater than private.
- Nemo dat qui non habet – No one pass a better title than what he himself has.
- Nemo debet bis vexari pro una delicto – No one should be punished twice for the same offence.
- Nemo debet bis vexari pro una et eadem causa – A man shall not be twice vexed for one and the same cause.
- Nemo est haeres viventis – No one can be heir during the life of his ancestor.
- Nemo potest esse simul actor et judex – No one can be at the same time both pursuer and judge.
- Nemo protest renunciare juri publico – No one can renounce a public right.
- Nemo punitur pro alieno delicto – No one is punished for another's crime.
- Nemo sibi esse judex vel suis jus dicere debet– No one should be judge in his own case or declare the law (pronounce judgment) in his own affair.
- Nemo tenetur seipsum accusare – No man can be compelled to incriminate himself.
- Non jus ex requla ex jure – The law does not arise from the rule or maxim, but the rule / maxim from the law.
- Noscitur a sociis – It is known from its associates.
- Nullus commodum capere potest de injuria sua propria – no man can take advantage of his own wrong.
- Nuptias non concubitus sed consensus facit – No cohabitation but consent make marriage.
- Pacta dant legem contractui – The stipulation of parties constitute the law of the contract.
- Privatum incommodum bono publico pensatur – Private disadvantage is counter balanced by public good.
- Qui facit per alium facit per se– He who acts through another is deemed to act in person; a principal is liable for the acts of his agents.

- Ratio decidendi – The reason of a decision.
- Resaccessoria sequitur rem principalrm – An accessory follows the principal.
- Res ipsa loquitur – The things speak for itself
- Res judicata pro veritate accipitur – A matter adjudged is taken for truth.
- Res nullius naturaliter fit primi occupantis – A thing that has no owner naturally belongs to the first taker.
- Res perit suo domino – The thing perishes to its owner, the laws falls on the owner.
- Rex non potest peccare – The king can do no wrong.
- Rex nunquam moritur – The sovereign never dies.
- Rustica et urbana – Rural and urban.
- Salus populi suprema lex – The welfare of the people is the paramount law.
- Suppressio veri, Expressio falsi – Suppression of the truth is equivalent to the expression of falsehood.
- Testibus non testimoniis credendum est – Credence is given to the witness not to their testimony.
- Transit terra cum onere – The land passes with its burdens.
- Ubi jus, ibi remedium – When there is a right there is a remedy.
- Vicarious non habet vicarium – A substitute has no substitute.
- Void ab initio – Unlawful right of unenforceable rights from the very beginning of the matter or issue or fat.
- Volenti non fit injuria – Damage suffered by consent is not a cause of action.

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