

MAXIMS

These maxims of law have been compiled to support The Common Economic Protocols for the administration of extra-jurisdictional justice. They contain thoughts on law from learned practitioners of the trade. Many originated as far back as Roman times and some earlier.

Regardless of how experienced any practitioner may be, his or her experience is minute compared to the accumulated experience of the centuries. Some of these maxims which do not seem applicable to current readers may have important application in some future situation that is not yet imagined. The accumulated experience of centuries is to be treated with respect; it may be important in ways that we don't presently understand. The editing of these maxims defaulted to retaining a maxim rather than eliminating it.

Bear in mind that many of these maxims may be used allegorically as well as (or rather than) literally.

A maxim is an established principle or proposition. A principle of law universally admitted, as being both just and consistent with reason. Maxims in law are similar to axioms in geometry. They are principles and authorities, and part of the general custom. The true method of making the application is to ascertain how the maxim arose, and to consider whether the case to which it is applied is of the same character, or whether it is an exception to an apparently general rule.

If further information is required, consult Bouvier's 1856 Law Dictionary, from which these were originally drawn.

THE MAXIMS

1. There should be no departure from common observance or usage.
2. No one is bound to do what is impossible.
3. An absolute unqualified sentence or proposition, needs no expositor.
4. Abundant caution does no harm.
5. An accessory follows the nature of his principal.
6. The accessory does not lead, but follows its principal.
7. No one ought to accuse himself, unless before God.
8. External actions show internal secrets.
9. An action is not given to him who has received no damages.
10. A personal action dies with the person. This must be understood of an action for a tort only.
11. He ought not to be heard who advances a proposition contrary to the principles of law.
12. The plaintiff must follow the forum of the thing in dispute.

13. When the plaintiff does not prove his case, the defendant is absolved.
14. The act of God does no injury; that is, no one is responsible for inevitable accidents.
15. An act already begun, the completion of which depends upon the will of the parties, may be recalled; but if it depend on the consent of a third person, or of a contingency, it cannot be recalled.
16. An act done by me against my will, is not my act.
17. An act does not make a person guilty, unless the intention be also guilty. This maxim applies only to criminal cases; in civil matters it is otherwise.
18. Acts required to be done, admit of no qualification.
19. The antecedent bears relation to what follows next, unless it destroys the meaning of the sentence.
20. The estimation of a crime committed never increased from a subsequent fact.
21. A hidden ambiguity of the words is supplied by the verification, for whatever ambiguity arises concerning the deed itself is removed by the verification of the deed.
22. The water yields or accompanies the soil. The grant of the soil or land carries the water.
23. Water runs and ought to run.
24. Equity acts upon the person.
25. The proof lies upon him who affirms, not on him who denies.
26. To conceal is one thing, to be silent another.
27. An alternate petition is not to be heard.
28. It is to the intention that all law applies.
29. The intention of the party is the soul of the instrument.
30. Points of law are not laws.
31. An award is a judgment.
32. An argument from the greater to the less is of no force negatively; conversely it is.
33. An argument arising from a division is most powerful in law.
34. An argument drawn from what is inconvenient is good in law, because the law will not permit any inconvenience.
35. A twisting of language is unworthy of a judge.

36. Natural equity or good faith do not allow us to demand twice the payment of the same thing.
37. It is the duty of a good judge to remove the cause of litigation.
38. The good of a defendant arises from a perfect case, his harm from some defect.
39. A good judge decides according to justice and right, and prefers equity to strict law.
40. Necessary good is not good beyond the bounds of necessity.
41. A fortuitous event is not to be foreseen, and no person is held bound to divine it.
42. A case omitted and given to oblivion is left to the disposal of the common law.
43. Chattels justly possessed cannot be lost.
44. Chattels are considered in law among the minor things.
45. The immediate, and not the remote cause, is to be considered.
46. Let the purchaser beware.
47. Beware of fragments.
48. The cause ceasing, the effect must cease.
49. It is the crime which causes the shame, and not the scaffold.
50. A charter or deed of a thing not in being, is not valid.
51. A deed or bond found with the debtor is presumed to be paid.
52. Circuity is to be avoided.
53. Unusual clauses always induce a suspicion.
54. A clause in a law which precludes its abrogation, is invalid from the beginning.
55. A useless clause or disposition is not supported by a remote presumption, or by a cause arising afterwards.
56. No one is punished for merely thinking of a crime.
57. No man ought to derive any benefit of his own wrong.
58. A confession made in court is of greater effect than any proof.
59. No one can confirm before the right accrues to him.
60. A confirmation is null where the preceding gift is invalid.
61. The union of a man and a woman is of the law of nature.

62. Consent, not lying together, constitutes marriage.
63. Consent makes the law. A contract is a law between the parties, which can acquire force only by consent.
64. Consent removes or obviates a mistake.
65. Those consenting and those perpetrating are embraced in the same punishment.
66. A consequence ought not to be drawn from another consequence.
67. Advice, unless fraudulent, does not create an obligation.
68. A custom introduced against reason ought rather to be called an usurpation than a custom.
69. The construction of law works not an injury.
70. A custom ought to be certain.
71. Custom is the best expounder of the law.
72. Custom is another law.
73. The custom of the place is, generally, to be observed.
74. A prescriptive and legitimate custom overcomes the law.
75. Custom once disallowed cannot again be produced.
76. Custom leads the willing, law compels or draws the unwilling.
77. An issue requires terms of contradiction; that is, there can be no issue without an affirmative on one side and a negative on the other.
78. A contemporaneous exposition is the best and most powerful in the law.
79. There is no disputing against or denying principles.
80. No prescription runs against a person unable to act.
81. The law never suffers anything contrary to truth. But sometimes it allows a conclusive presumption in opposition to truth.
82. The agreement of the parties makes the law of the contract.
83. A contract founded on a base and unlawful consideration, or against good morals, is null.
84. The agreement of the parties prevails.
85. Coupling words together shows that they ought to be understood in the same sense.
86. A personal injury does not receive satisfaction from a future course of proceeding.

87. Every one should be believed skillful in his own art.
88. He who receives the benefit should also bear the disadvantage.
89. He who has a right to give, has the right to dispose of the gift.
90. Whoever pays by mistake what he does not owe, may recover it back; but he who pays, knowing he owes nothing; is presumed to give.
91. He who owns the soil, owns up to the sky.
92. Which ever of two parties has the division, the other has the choice.
93. The principal part of everything is the beginning.
94. A fault finds its own.
95. It is a fault to meddle with what does not belong to or does not concern you.
96. Let the punishment be proportioned to the crime.
97. A concealed fault is equal to a deceit.
98. He to whom the people is father, has not a father.
99. One making a voluntary confession, is to be dealt with more mercifully.
100. When two things repugnant to each other are found in a will, the last is to be confirmed.
101. Children born under a legitimate marriage follow the condition of the father.
102. When the proofs of facts are present, what need is there of words?
103. A curious and captious interpretation in the law is to be reproved.
104. Time runs against the slothful and those who neglect their rights.
105. Of the credit and duty of a judge, no question can arise; but it is otherwise respecting his knowledge, whether he be mistaken as to the law or fact.
106. The judges answer to the law, the jury to the facts.
107. The law does not notice or care for trifling matters.
108. When the death of a human being may be the consequence, no delay is too long to admit of inquiring into facts.
109. The reason is the same respecting things which do not appear, and those which do not exist.
110. From similars to similars, we are to proceed by the same rule.
111. Concerning similars the judgment is the same.
112. There ought to be an end of law suits.

113. Every one ought to be subject to the law of the place where he offends.
114. Where there is a weak foundation, the work falls.
115. Debts follow the person of the debtor.
116. A debtor is not presumed to make a gift.
117. Debt and contract are of no particular place.
118. A delegated authority cannot be again delegated.
119. A delegate or deputy cannot appoint another.
120. The power which is derived cannot be greater than that from which it is derived.
121. To derogate from a law is to enact something contrary to it; to abrogate a law, is to abolish it entirely.
122. The appointment or designation of one is the exclusion of another; and that expressed makes that which is implied cease.
123. The day of undertaking or commencement of the business is held as complete.
124. A day uncertain is held as a condition.
125. Delays in law are odious.
126. Unequal things ought not to be joined.
127. A dispensation is a wound which wounds a common right.
128. Of dissimilars the rule is dissimilar.
129. It is a guess not interpretation which altogether departs from the letter.
130. A deceiver deals in generals.
131. The fraud of a possessor does not prejudice the successor.
132. Fraud is not purged by circuitry.
133. Every man's house is his castle.
134. The habitation of each one is an inviolable asylum for him.
135. A gift is rendered complete by the possession of the receiver.
136. A gift is not presumed.
137. He that gives never ceases to possess until he that receives begins to possess.
138. Two cannot possess one thing each in entirety.
139. It is not allowed to double a possibility.

140. That interpretation is to be received, which will not intend a wrong.
141. The burden of the proof lies upon him who affirms, not he who denies.
142. To whom nothing is base, nothing is sufficient.
143. He who may consent tacitly, may consent expressly.
144. He who has the risk has the dominion or advantage.
145. When there is concurrence of means, he who has chosen one cannot have recourse to another.
146. Election once made, and plea witnessed, suffers not a recall.
147. Elections should be made in due form and freely, without any interruption.
148. Enumeration affirms the rule in cases not enumerated.
149. Equality is equity.
150. Equity suffers not a right without a remedy.
151. Equity looks upon that as done, which ought to be done.
152. Error artfully colored is in many things more probable than naked truth; and frequently error conquers truth and reasoning.
153. Error of law is injurious.
154. An error not resisted is approved.
155. An error made by a clerk ought not to injure; a clerical error may be corrected.
156. To refer errors to their origin is to refute them.
157. Violence may also put on the mask of law.
158. The best interpretation is made from antecedents and consequents.
159. From length of time, all things are presumed to have been done in due form.
160. Out of fraud no action arises.
161. Law arises out of fact; that is, its application must be to facts.
162. A contract cannot arise out of an act radically wrong.
163. From the great number of signs true identity may be ascertained.
164. No actions arises on a naked contract without a consideration.
165. The construction or resolution should arise out of the whole subject matter.
166. No action arises out of an immoral consideration.
167. No action arises on an immoral contract.

168. A wrong in capital cases is excused or palliated which would not be so in civil matters.
169. There can be no plea of that thing of which the dissolution is sought.
170. A false plea is the basest of all things.
171. The exception affirms the rule in contrary cases.
172. The exception affirms the rule in cases not excepted.
173. There can be no plea against an action which entirely destroys the plea.
174. An exception proves the rule concerning things not excepted.
175. The exception also declares the rule.
176. An exception is always to be put last.
177. An execution is the end and the first fruit of the law.
178. The execution of the law causes no injury.
179. Examples illustrate and do not restrict the law.
180. It is for the common good that there be an end of litigation.
181. Things expressed may be prejudicial; things not expressed are not.
182. The expression of those things which are tacitly implied operates nothing.
183. The expression of one thing is the exclusion of another.
184. What is expressed renders what is implied silent.
185. One out of the pale of the law, (an outlaw,) is civilly dead.
186. One who exercises jurisdiction out of his own is not obeyed with impunity.
187. Facts are more powerful than words.
188. An act of a judge which does not relate to his office, is of no force.
189. Negative facts are not proof.
190. It cannot be called a deed which does not hold out or persevere.
191. The deed of one should not hurt the other.
192. The faculty or right of offering proof is not to be narrowed.
193. A false or mistaken description does not vitiate.
194. False spelling or false grammar do not vitiate a grant.
195. False in one thing, false in everything.
196. Let justice be done, though the heavens should fall.
197. The hurrying of justice is the stepmother of misfortune.

198. Let nothing be done rashly.
199. Fiction is against the truth, but it is to have truth.
200. The end of a thing is to be attended to.
201. The end puts an end to litigation.
202. The end of one day is the beginning of another.
203. The disposition of law is firmer and more powerful than the will of man.
204. Rivers and ports are public, therefore the right of fishing there is common to all.
205. Legal form is essential form.
206. When form is not observed a nullity of the act is inferred.
207. A forestaller is an oppressor of the poor, and an enemy to the whole community.
208. The custody of the law is stronger than that of man.
209. The disposition of the law is stronger and more powerful than that of man.
210. It is a fraud to conceal a fraud.
211. Fraud is odious and not to be presumed.
212. Fraud and deceit should excuse no man.
213. Fraud and justice never agree together.
214. Fraud lies hid in general expressions.
215. Fraud deserves fraud. This is very doubtful morality.
216. Hanging fruits make part of the land.
217. Gathered fruits do not make a part of the house.
218. The power which never comes to be exercised is vain.
219. Laws are made to no purpose unless for those who are subject and obedient.
220. Vainly does he who offends against the law, seek the help of the law.
221. Vainly you ask that which you will immediately be compelled to restore to another.
222. It is vain to prove that which if proved would not aid the matter in question.
223. The insane is compared to the absent.
224. A madman is punished by his madness alone.

- 225. It is not theft where the commencement of the detention arises through the owner of the thing.
- 226. What is general prevails or is worth as much among things general, as what is particular among things particular.
- 227. A general expression is to be construed generally.
- 228. A general expression implies nothing certain.
- 229. General things are to be put before particular things.
- 230. General words are understood in a general sense.
- 231. A general clause does not extend to those things which are previously provided for specially.
- 232. God and not man, make the heir.
- 233. Heir is a collective name.
- 234. Heir is a term of law, son one of nature.
- 235. An heir is either by right of property or right of representation.
- 236. An heir is another self, and a son is a part of the father.
- 237. The heir is the same person with the ancestor.
- 238. The heir of my heir is my heir.
- 239. He is the lawful heir whom the marriage demonstrates.
- 240. He who has committed iniquity, shall not have equity.
- 241. He who will have equity done to him, must do equity to the same person.
- 242. Law is established for the benefit of man.
- 243. What belongs to us cannot be transferred to another without our consent.
- 244. That is certain which may be rendered certain.
- 245. One cannot be agent and patient, in the same matter.
- 246. It is the same thing to do a thing as not to prohibit it when in your power.
- 247. What does not appear and what is not is the same; it is not the defect of the law, but the want of proof.
- 248. It is the same thing to say nothing and not to say it sufficiently.
- 249. To be able to know is the same as to know. This maxim is applied to the duty of every one to know the law.
- 250. It is the same thing not to exist and not to appear.
- 251. The same is always referred to its next antecedent.

- 252. True identity is collected from a number of signs.
- 253. That is perfect which is complete in all its parts.
- 254. We may do what is allowed by law.
- 255. Ignorance of fact may excuse, but not ignorance of law.
- 256. The ignorance of the judge is the misfortune of the innocent.
- 257. An ignorance of terms is to be ignorant of the art.
- 258. That which is not otherwise permitted, necessity allows, and necessity makes a privilege which supersedes the law.
- 259. Ignorance, or want of skill, is considered a negligence, for which one who professes skill is responsible.
- 260. Impersonality neither concludes nor binds.
- 261. Impossibility excuses the law.
- 262. Impunity offers a continual bait to a delinquent.
- 263. In alternatives there is an election of the debtor.
- 264. A stone badly placed in a building is not to be removed.
- 265. When the parties have equal rights, the condition of the possessor is the better.
- 266. If in a contract for a loan there is inserted a clause that the borrower shall not be answerable for fraud, such clause is void.
- 267. In conjunctives each part ought to be true.
- 268. In similar cases the remedy should be similar.
- 269. In contracts, the interpretation or construction should be liberal; in wills, more liberal; in restitutions, more liberal.
- 270. In the agreements of the contracting parties, the rule is to regard the intention rather than the words.
- 271. In criminal cases, the proofs ought to be clearer than the light.
- 272. In criminal cases a general intention is sufficient, when there is an act of equal or corresponding degree.
- 273. In disjunctives, it is sufficient if either part be true.
- 274. In doubtful cases the more worthy is to be taken.
- 275. In doubtful cases there is no presumption in favor of the will.
- 276. In a doubtful case, that is the construction of the law which the words indicate.

277. In doubt, the gentler course is to be followed.
278. In doubt, the safer course is to be adopted.
279. The less is included in the greater.
280. In a deed which may be considered good or bad, the law looks more to the good than to the bad.
281. In things favored what does good is more regarded than what does harm.
282. In a fiction of law, equity always subsists.
283. In judicial proceedings, infancy is aided or favored.
284. In law none is credited unless he is sworn. All the facts must when established, by witnesses, be under oath or affirmation.
285. In law the proximate, and not the remote cause, is to be looked to.
286. In the greater sum is contained the less.
287. He who ratifies a bad action is considered as having ordered it.
288. No commerce should be in illicit goods.
289. In the greater power is included the smaller license.
290. In obscure cases, the milder course ought to be pursued.
291. All things are presumed in odium of a despoiler.
292. In everything, the thing is born which destroys the thing itself.
293. In every contract, whether nominate or innominate, there is implied a consideration.
294. In all affairs, and principally in those which concern the administration of justice, the rules of equity ought to be followed.
295. In all obligations when no time is fixed for the payment, the thing is due immediately.
296. In the presence of the superior power, the minor power ceases.
297. In an equal case, better is the condition of the possessor.
298. When the parties are equally in the wrong, the condition of the possessor is better.
299. No one can be judge in his own cause.
300. In whatever thing one offends, in that he is rightfully to be punished.
301. It is extremely unjust that any one should be judge in his own cause.
302. In a doubtful matter, the negative is to be understood rather than the affirmative.

303. In the state the laws of ware are to be greatly preserved.
304. The heir succeeds to the restitution not the penalty.
305. The most favorable construction is made in restitutions.
306. Every one is more dull in his own business than in that of another.
307. A part is included in the whole.
308. In the delivery of writing, not what is said, but what is done is to be considered.
309. Things uncertain are held for nothing.
310. An uncertain quantity vitiates the act.
311. It is improper to pass an opinion on any part of a sentence, without examining the whole.
312. The inclusion of one is the exclusion of another.
313. An inconvenience does not solve an argument.
314. The undefined is equivalent to the whole.
315. The undefined supplies the place of the whole.
316. The voyage insured is an independent or distinct thing from the voyage of the ship.
317. Speech is the index of the mind.
318. In a gift there may be manner, condition and cause; as, (ut), introduces a manner; if, (si), a condition; because, (quia), a cause.
319. That which is infinite or endless is reprehensible in law.
320. It is inequitable to permit some to trade, and to prohibit others.
321. It is against equity for any one to be judge in his own cause.
322. It is against equity to deprive freemen of the free disposal of their own property.
323. A wrong is not presumed.
324. One's own wrong shall not benefit the person doing it.
325. It is a slander of him who a reproachful thing is said, or concerning whom an infamous song is made.
326. A hidden intention is bad.
327. Intentions ought to be subservient to the laws, not the laws to intentions.
328. My intent gives a name to my act.
329. It concerns the community that crimes do not remain unpunished.

- 330. It concerns the community that things adjudged be not rescinded.
- 331. It concerns the community that men's last wills be sustained.
- 332. In concerns the community that there be an end of law suits.
- 333. To interpret and reconcile laws so that they harmonize is the best mode of construction.
- 334. That construction is to be made so that the subject may have an effect rather than none.
- 335. In ambiguous things, such a construction is to be made, that what is inconvenient and absurd is to be avoided.
- 336. Repeated interruptions do not defeat a prescription once obtained.
- 337. Useless labor and without fruit, is not the effect of law.
- 338. No one is obliged to accept a benefit against his consent. if he does not dissent he will be considered as assenting.
- 339. The laws themselves require that they should be governed by right.
- 340. A judge ought always to have equity before his eyes.
- 341. A good judge should do nothing from the dictates of his private wishes; but he should pronounce according to law and justice.
- 342. The judge ought to decide according to the allegation and the proof.
- 343. The judge is the speaking law.
- 344. A judge cannot be a witness in his own cause.
- 345. A judge cannot punish a wrong done to himself.
- 346. The judge is condemned when the guilty are acquitted.
- 347. The judge does demand more than the plaintiff demands.
- 348. To a judge who exceeds his office or jurisdiction no obedience is due.
- 349. It is punishment enough for a judge that he is responsible to God.
- 350. Judgments frequently become matured by deliberation, never by hurried process.
- 351. The latter decisions are stronger in law.
- 352. Judgments are, as it were, the dicta or sayings of the law.
- 353. Faith or credit is to be given to the last decisions.
- 354. The judge in his decision ought to follow the rule, when the exception is not made apparent.
- 355. A judge ought to decide according to the allegations and proofs.

- 356. A judgment given by an improper judge is of no moment.
- 357. A judgment ought not to be illusory, it ought to have its consequence.
- 358. In presumption of law, a judgment is given against inclination.
- 359. The right of blood and kindred cannot be destroyed by any civil law.
- 360. The laws of nature are unchangeable.
- 361. Laws are abrogated or repealed by the same means by which they are made.
- 362. An oath is indivisible, it cannot be in part true and in part false.
- 363. He who makes oath is to be believed in judgment.
- 364. To swear is to call God to witness, and is an act of religion.
- 365. Juries are the judges of the facts.
- 366. The effect of a law consists in the execution.
- 367. The right of survivorship does not exist among merchants for the benefit of commerce.
- 368. The right of survivorship is preferred to encumbrances.
- 369. The right of survivorship is preferred to a last will.
- 370. A right descends, not the land.
- 371. Law is the science of what is good and evil.
- 372. Right and fraud never go together.
- 373. A right cannot arise from a wrong.
- 374. A public right cannot be changed by private agreement.
- 375. Law regards equity.
- 376. A right owing to a possessor accrues to a successor.
- 377. Justice is an excellent virtue and pleasing to the Most high.
- 378. Justice is not to be denied.
- 379. Justice is not to be denied nor delayed.
- 380. Justice knows neither father nor mother, justice looks to truth alone.
- 381. Conscience is the most changeable of rules.
- 382. Gross negligence is equal to fraud.
- 383. The contract makes the law.
- 384. A legacy is confirmed by the death of the testator, in the same manner as a gift from a living person is by delivery alone.

385. Subsequent laws repeal those before enacted to the contrary.
386. Human laws are born, live and die.
387. Laws, not words, are imposed on things.
388. When laws imposed by the state fail, we must act by the law of nature.
389. The construction of law does no wrong.
390. The custom of fixing and refixing (making and annulling) laws is most dangerous.
391. The construction of law obtains the force of law.
392. One who commands lawfully must be obeyed.
393. Fictions arise from the law, and not law from fictions.
394. The law delights in equity; it covets perfection; it is a rule of right.
395. A beneficial law affords a remedy in a similar case.
396. The law provides for the future, the judge for the past.
397. The law ought not to fail in dispensing justice.
398. The law always abhors delay.
399. The law is from everlasting.
400. Law is the dictate of reason.
401. Law is a rule of right.
402. Law is the perfection of reason, which commands what is useful and necessary and forbids the contrary.
403. Law is a sacred sanction, commanding what is right and prohibiting the contrary.
404. The law favors dower.
405. Law feigns where equity subsists.
406. The law presumes that one neighbor knows the actions of another.
407. The law judges of things which must necessarily be done, as if actually done.
408. The law of necessity is the law of time, that is, time present.
409. The law forces no one to do vain or useless things.
410. The law does wrong to no one.
411. The law never works an injury, or does him a wrong.
412. The law does nothing and commands nothing in vain.

- 413. The law requires nothing impossible.
- 414. The law does not regard small matters.
- 415. The forces not to impossibilities.
- 416. The law commands not useless things, because useless labor is foolish.
- 417. The law does not fail in showing justice.
- 418. The law intends not anything impossible.
- 419. The law does not require that to be proved, which is apparent to the court.
- 420. The law is the more praised when it is consonant to reason.
- 421. The law looks forward, not backward.
- 422. The law punishes falsehood.
- 423. The law rejects superfluous, contradictory and incongruous things.
- 424. The law dislikes delay.
- 425. The law always gives a remedy.
- 426. The law regards the order of nature.
- 427. The laws succor the ignorant.
- 428. The law always intends what is agreeable to reason.
- 429. The law speaks to all with one mouth.
- 430. Liberty is an inestimable good.
- 431. The body of a freeman does not admit of valuation.
- 432. Although the grant of a future interest be inoperative, yet a declaration precedent may be made, which may take effect, provided a new act intervene.
- 433. The right line is always preferred to the collateral.
- 434. The place of the contract governs the act.
- 435. Long possession is the law of peace.
- 436. Long possession produces the right of possession, and takes away from the true owner his action.
- 437. Long time and long use, beyond the memory of man, suffices for right.
- 438. We speak as the common people, we must think as the learned.
- 439. Use is the master of things; experience is the mistress of things.
- 440. Gross negligence is a fault, gross fault is a fraud.
- 441. Great neglect is equivalent to fraud.

- 442. Mayhem is the least of great crimes, and the greatest of small.
- 443. Mayhem is incipient homicide.
- 444. A greater inheritance comes to every one of us from right and the law than from parents.
- 445. The greater number contains in itself the less.
- 446. One affected with a greater punishment than is provided by law, is not infamous.
- 447. The greater includes the less.
- 448. The more worthy or the greater draws to it the less worthy or the lesser.
- 449. Bad grammar does not vitiate a deed; but in the construction of instruments, bad grammar, as far as it can be done, is to be avoided.
- 450. It is a bad construction which corrupts the text.
- 451. Evil deeds ought not to remain unpunished, for impunity affords continual excitement to the delinquent.
- 452. Evil deeds are distinguished from evil purposes.
- 453. Malice is sour, it is the quality of a bad mind.
- 454. Malice supplies age.
- 455. The malice of men is to be avoided.
- 456. Evil is not presumed.
- 457. The more common the evil, the worse.
- 458. An evil custom is to be abolished.
- 459. Lawful commands receive a strict interpretation, but unlawful, a wide or broad construction.
- 460. Unless a mandate is gratuitous it is not a mandate.
- 461. Manifest things require no proof.
- 462. The union of husband and wife is founded on the law of nature.
- 463. Marriages ought to be free.
- 464. A subsequent marriage cures preceding criminality.
- 465. A maxim is so called because its dignity is chiefest, and its authority most certain, and because universally approved by all.
- 466. The greatest enemies to peace are force and wrong.
- 467. That justice which justly prevents a crime, is better than that which severely punishes it.

468. Better is the condition of the possessor and that of the defendant than that of the plaintiff.
469. The cause of the possessor is preferable.
470. Better is the condition of the possessor, where neither of the two has a right.
471. A minor can improve or make his condition better, but never worse.
472. It is better to suffer every wrong or ill, than to consent to it.
473. It is better to recede than to proceed in evil.
474. It is better to restrain or meet a thing in time, than to see a remedy after a wrong has been inflicted.
475. In wills, the intention of the testator is to be regarded.
476. To lie is to go against the mind.
477. Merchandise is whatever can be sold.
478. The term merchandise belongs to movable things only.
479. The smallest bodily punishment is greater than any pecuniary one.
480. Things which have had a certain interpretation are to be altered as little as possible.
481. A minor before majority cannot act in a case of property, nor even agree.
482. A minor ought not to be guardian of a minor, for he is unfit to govern others who does not know how to govern himself.
483. It is a miserable slavery where the law is vague or uncertain.
484. The more mildly one commands the better is he obeyed.
485. Movable things follow the person, immovable their locality.
486. The smallest circumstance may change the law.
487. Manner and agreement overrule the law.
488. The manner gives law to a gift.
489. Money is the just medium and measure of all commutable things, for, by the medium of money, a convenient and just estimation of all things is made.
490. Delay is disapproved of in law.
491. Death is denominated the extreme penalty.
492. To be dead born is not to be born.
493. Many things are conceded indirectly which are not allowed directly.

- 494. You will perceive many things more easily by practice than by rules.
- 495. The law forbids many things, which yet it has silently condemned.
- 496. Many things pass as a whole which would not pass separately.
- 497. Many men know many things, no one knows everything.
- 498. Multiplicity and indistinctness produce confusion; the more simple questions are the more lucid.
- 499. The increase of punishment should be in proportion to the increase of crime.
- 500. The multitude of those who err is no excuse for error.
- 501. A multitude of ignorant practitioners destroys a court.
- 502. Nature aspires to perfection, and so does the law.
- 503. Nature makes no leap, nor does the law.
- 504. Nature makes no vacuum, the law no supervacuum.
- 505. The force of nature is greatest; nature is doubly great.
- 506. That is necessity which cannot be dispensed with.
- 507. Necessity is the law of a particular time and place.
- 508. Necessity excuses or extenuates delinquency in capital cases, but not in civil.
- 509. Necessity makes that lawful which otherwise is unlawful.
- 510. Necessity gives a preference with regard to private rights.
- 511. Necessity has no law.
- 512. Necessity defends what it compels.
- 513. Necessity overcomes the law.
- 514. The negative of a conclusion is error in law.
- 515. A negative destroys a negative, and both make an affirmative.
- 516. A double negative is an affirmative.
- 517. Negligence has misfortune for a companion.
- 518. No man ought to be wiser than the law.
- 519. No one is allowed to incapacitate himself.
- 520. No man acts against himself; therefore no man can be a judge in his own cause.
- 521. No one alleging his own turpitude is to be heard as a witness.

- 522. No one can be punished twice for the same crime or misdemeanor.
- 523. No one is bound to sell his property, even for a just price.
- 524. No man can contradict his own deed.
- 525. No one is considered as committing damages, unless he is doing what he has no right to do.
- 526. No one can give who does not possess.
- 527. No one should be judge in his own cause.
- 528. No one ought to gain by another's loss.
- 529. No one should interfere in what no way concerns him.
- 530. No one should lose his property without his act or negligence.
- 531. No one is an heir to the living.
- 532. No one can improve his condition by a crime.
- 533. No man ought to be burdened in consequence of another's act.
- 534. No man is bound for the advice he gives.
- 535. No one can be a witness in his own cause. But to this rule there are many exceptions.
- 536. No man ought to be condemned unheard, unless he be contumacious.
- 537. No one is born an artist.
- 538. One cannot transfer to another a right which he has not.
- 539. One is not present unless he understands.
- 540. No man can be at the same time tenant and landlord of the same tenement.
- 541. No one can do that by another which he cannot do by himself.
- 542. No one can owe to himself.
- 543. No one is presumed to have preferred another's posterity to his own.
- 544. No one is presumed to give.
- 545. No man is presumed to be forgetful of his eternal welfare, and particularly at the point of death.
- 546. No one is presumed to be bad.
- 547. No one is presumed to trifle at the point of death.
- 548. No one is restrained from exercising several kinds of business or arts.
- 549. No one is restrained from using several defenses.

- 550. No wise one punishes that things done may be revoked, but that future wrongs may be prevented.
- 551. No one is to be punished for the crime or wrong of another.
- 552. No one is punished unless for some wrong, act or default.
- 553. He who may condemn may acquit.
- 554. No one is bound to accuse himself.
- 555. No one is bound to an impossibility.
- 556. No one is bound to arm his adversary.
- 557. No one is bound to foretell.
- 558. No one is bound to inform about a thing he knows not, but he who gives information is bound to know what he says.
- 559. No one is bound to testify to his own baseness.
- 560. No one is bound to expose himself to misfortune and dangers.
- 561. No man is bound to accuse himself.
- 562. One cannot complain of having been deceived when he knew the fact and gave his consent.
- 563. He gives nothing who has nothing.
- 564. Nothing accrues to him, who, when the right accrues, has nothing in the subject matter.
- 565. An error in the name is nothing when there is certainty as to the person.
- 566. The court has nothing to do with what is not before it.
- 567. Nothing in law is more intolerable than to apply the law differently to the same cases.
- 568. Nothing is more just than what is necessary.
- 569. Nothing is perfect while something remains to be done.
- 570. We can do nothing against truth.
- 571. Nothing against reason is lawful.
- 572. Nothing inconvenient is lawful.
- 573. Nothing is invented and perfected at the same moment.
- 574. It is very natural that an obligation should not be dissolved but by the same principles which were observed in contracting it.
- 575. Nothing is more conformable to natural equity, than to confirm the will of an owner who desires to transfer his property to another.

576. Nothing should be rashly changed.
577. An error in the name is immaterial, if the body is certain.
578. Too much subtlety is reprobated in law.
579. By too much altercation truth is lost.
580. No man is presumed to do anything against nature.
581. No man shall take by deed but parties, unless in remainder.
582. No man can hold the same land immediately of two several landlords.
583. No man shall set up his infamy as a defense.
584. Necessity creates equity.
585. When doubts arise the most generous and benign presumptions are to be preferred.
586. A name is, as it were, the note of a thing.
587. A name does not suffice if there be not a thing by law or by fact.
588. If you know not the names of things, the knowledge of things themselves perishes.
589. Names are mutable, but things immutable.
590. Names are the symbols of things.
591. Words ought not to be accepted to import a false demonstration which have effect by way of true limitation.
592. A person may not be punished differently than according to what the sentence enjoins.
593. Summonses or citations should not be granted before it is expressed under the circumstances whether the summons ought to be made.
594. One who wishes to perish ought not to be heard.
595. He who errs does not consent.
596. He who is permitted to do the greater, may with greater reason do the less.
597. He is not deceived who knows himself to be deceived.
598. What an attempt is, is not defined in law.
599. Those things which agree in substance though not in the same words, do not differ.
600. The intention amounts to nothing unless some effect follows.
601. There is no stronger link among men than an oath.

- 602. There is no disputing against a man denying principles.
- 603. There is no departing from a common observance.
- 604. There is no rule but what may fail.
- 605. There is no disputing about rules of law.
- 606. You are not to do evil that good may come of it.
- 607. A derogatory clause does not prevent things or acts from being dissolved by the same power, by which they were originally made.
- 608. The laws consist not in being read, but in being understood.
- 609. That which is permitted only at a loss, is not permitted to be done.
- 610. A law is not obligatory unless it be promulgated.
- 611. If the form is not observed, it is inferred that the act is annulled.
- 612. Everything which is permitted is not becoming.
- 613. Not every loss produces an injury.
- 614. A reason cannot always be given for the institutions of our ancestors.
- 615. A plea of the same matter, the dissolution of which is sought by the action, cannot be brought forward. When an action is brought to annul a proceeding, the defendant cannot plead such proceeding in bar.
- 616. A thing which has no effect in law, is not an impediment.
- 617. Not what is said, but what is done, is to be regarded.
- 618. It is immaterial whether a man gives his assent by words or by acts and deeds.
- 619. What may be gathered from words of tantamount meaning, is of no consequence when omitted.
- 620. It matters not what is known to the judge, if it is not known to him judicially.
- 621. It matters not whether a revocation be by words or by acts.
- 622. Not only what is permitted, but what is proper, is to be considered.
- 623. There is no prolixity where nothing can be omitted.
- 624. Not to believe rashly is the nerve of wisdom.
- 625. One is not considered as acquiring property in a thing which he is bound to restore.
- 626. He who errs is not considered as consenting.
- 627. He does not appear to have retained his consent, if he have changed anything through the means of a party threatening.

- 628. A novation is not presumed.
- 629. Novelty benefits not so much by its utility, as it disturbs by its novelty.
- 630. A new judgment does not make a new law, but declares the old.
- 631. No one ought to enrich himself at the expense of others.
- 632. No one shall take advantage of his own wrong.
- 633. Impossibilities and dishonesty are not to be presumed.
- 634. There is no rule without a fault.
- 635. No one can have a servitude over his own property.
- 636. No example is the same for all purposes.
- 637. Nothing unjust is presumed in law.
- 638. No simile is the same.
- 639. No one shall take advantage of his own wrong.
- 640. Cohabitation does not make the marriage, it is the consent of the parties.
- 641. A reasonable custom is to be obeyed like law.
- 642. The attempt becomes of consequence, if the effect follows.
- 643. Every act is to be estimated by the intention of the doer.
- 644. The greater contains in itself the less.
- 645. Always the greater is embraced in the minor.
- 646. Every will is consummated by death.
- 647. Every oath ought to be founded on certain knowledge.
- 648. All crimes committed openly are considered lighter.
- 649. All things are presumed against a wrong doer.
- 650. All things are presumed to be done legitimately, until the contrary is proved.
- 651. All things are presumed to be done in due form.
- 652. All things are presumed to be done solemnly.
- 653. Every action is a complaint.
- 654. Every conclusion of a good and true judgment arises from good and true premises.
- 655. Every consent removes error.
- 656. Every divination in law is perilous, and but a little may reverse it.

- 657. An exception is, in itself, a rule.
- 658. Every innovation disturbs more by its novelty than it benefits by its utility.
- 659. The interpretation of instruments is to be made, if they will admit of it, so that all contradictions may be removed.
- 660. Every interpretation either declares, extends or restrains.
- 661. All rules of law are liable to exceptions.
- 662. Every privation presupposes former enjoyment.
- 663. Every consent given to what has already been done, has a retrospective effect and equals a command.
- 664. Once a fraud, always a fraud.
- 665. Once a mortgage always a mortgage.
- 666. Once a recompense always a recompense.
- 667. One should be just before he is generous.
- 668. One may not do an act to himself.
- 669. A thing, to be brought to judgment, must be certain or definite.
- 670. A thing, to be sold, must be certain or definite.
- 671. He is the best judge who relies as little as possible on his own discretion.
- 672. The best mode of interpreting laws is to make them accord.
- 673. Usage is the best interpreter of things.
- 674. Custom is the best interpreter of laws.
- 675. The order of pleading being preserved, the law is preserved.
- 676. The origin of a thing ought to be inquired into.
- 677. Force and wrong are greatly contrary to peace.
- 678. By a contract something is permitted, which, without it, could not be admitted.
- 679. An equal has no power over an equal. Example: One of two judges of the same court cannot commit the other for contempt.
- 680. Things unite with similar things.
- 681. When opinions are equal, a defendant is acquitted.
- 682. An integral part being taken away, the whole is taken away.
- 683. The offspring of a legitimate bed knows not his mother more certainly than his father.

684. Things differ but little which agree in substance.
685. It is not enough that sentence should be given unless it is put in execution.
686. It avails little to know what ought to be done, if you do not know how it is to be done.
687. Paternal power should consist in affection, not in atrocity.
688. The father is he whom the marriage points out.
689. Offences against nature are the heaviest.
690. He adds one offence to another, who, when he commits a crime, joins to it the protection of a defense.
691. It is in the nature of things that he who denies a fact is not bound to prove it.
692. By various acts experience framed the law.
693. That is perfect which wants nothing in addition to the measure of its perfection or nature.
694. It is dangerous to introduce new and dangerous things.
695. The purchaser runs the risk of the loss of a thing sold, though not delivered.
696. It is a perpetual law that no human or positive law can be perpetual; and a clause in a law which precludes the power of abrogation is void.
697. Perpetuities are odious in law and equity.
698. A person united equal one's own interest. This means that a personal connection, as nearness of blood or kindred, may in some cases, raise a use.
699. Plain truths need not be proved.
700. A pirate is an enemy of the human race.
701. The plural number is contained in two.
702. Pluralities are odious in law.
703. Several co-heirs are as one body, by reason of the unity of right which they possess.
704. Several partners are as one body, by reason of the unity of their rights.
705. Examples hurt more than offences.
706. The instigator of a crime is worse than he who perpetrates it.
707. One eye witness is better than ten ear ones.
708. A punishment inflicted on a few, causes a dread to all.

- 709. Punishment may have an end, crime is perpetual.
- 710. Punishments should rather be softened than aggravated.
- 711. One of two opposite positions being affirmed, the other is denied.
- 712. Possession of the termor, possession of the reversioner.
- 713. Possession is a good title, where no better title appears.
- 714. Possessor has right against all men but him who has the very right.
- 715. Possibility cannot be on a possibility.
- 716. Posterior laws derogate former ones.
- 717. Power ought to follow, not to precede justice.
- 718. Useless power is vain.
- 719. A man may relinquish, for himself and his heirs, a right which was introduced for his own benefit.
- 720. Power should be strictly interpreted.
- 721. Supreme power can dissolve, but cannot bind itself.
- 722. Better is the condition of the defendant, than that of the plaintiff.
- 723. Better is the condition of the possessor.
- 724. Hasty counsels are seldom prosperous.
- 725. Prevention is better than cure.
- 726. Strong presumption is full proof.
- 727. Strong presumption avails in law.
- 728. Under pretext of legality, what is illegal ought not to be admitted.
- 729. The practice of the judges is the interpreter of the laws.
- 730. Precedents that pass sub silentio are of little or no authority.
- 731. The presence of the body cures the error in the name; the truth of the name cures an error in the description.
- 732. The price stands in the place of the thing sold.
- 733. The radical element of justice is equality.
- 734. Given principles follow their concomitants.
- 735. Principles prove, they are not proved.
- 736. There is no reasoning of principles.
- 737. The principle of a thing is its most powerful part.

- 738. He who is before in time, is preferred in right.
- 739. A privilege is a personal benefit and dies with the person.
- 740. A privilege is, as it were, a private law.
- 741. The necessity of proving lies with him who makes the charge.
- 742. Proofs ought to be made evident, that is, clear and easy to be understood.
- 743. The extremes being proved, the intermediate proceedings are presumed.
- 744. The process of the law is a grievous vexation; the execution of the law crowns the work.
- 745. It is prohibited to do on one's own property that which may injure another's.
- 746. He who is nearer excludes him who is near; he who is near, him who is remote; he who is remote, him who is more remote.
- 747. The propriety of words is the safety of property.
- 748. Protection draws to it subjection, subjection, protection.
- 749. A proviso is to provide for the present and the future, not the past.
- 750. He is next whom no one precedes; he is last whom no one follows.
- 751. He acts prudently who obeys the commands of the law.
- 752. Children are of the blood of their parents, but the father and mother are not the blood of their children.
- 753. Purchaser without notice not obliged to discover to his own hurt.
- 754. Things taken from public enemies immediately become the property of the captors.
- 755. Words spoken to one end, ought not to be perverted to another.
- 756. Things which belong to the person ought not to be separated from the person.
- 757. Laws which derogate from the common law ought to be strictly construed.
- 758. Things introduced contrary to the reason of the law, ought not to be drawn into precedents.
- 759. Whatever is inserted for the purpose of removing doubt, does not hurt or affect the common law.
- 760. Whatever is done directly and certainly, appears already in existence.
- 761. Whatever is done in court is presumed to be rightly done.
- 762. Things which cannot be divided into parts are rendered entire severally.

763. Transactions between strangers may benefit, but cannot injure, persons who are parties to them.
764. Things bad in the commencement seldom end well.
765. Things which do not avail singly, when united have an effect.
766. What is prohibited in the nature of things, cannot be confirmed by law.
767. Whatever appears within the reason of the law, ought to be considered within the law itself.
768. Every grant is to be taken most strongly against the grantor.
769. Every jurisdiction has its bounds.
770. Every corporal punishment, although the very least, is greater than pecuniary punishment.
771. Inquire into them, is the way to know what things are really true.
772. A quality which ought to form a part, is easily presumed.
773. What is reasonable time, the law does not define; it is left to the discretion of the judges.
774. Although, in itself, a thing may not be had, yet, if it holds out a bad example, it is not to be done.
775. Although the law speaks generally, it is to be restrained when the reason on which it is founded fails.
776. A defect in the provision of the party is supplied by a provision of the law.
777. When anything is prohibited directly, it is prohibited indirectly.
778. When a deed contains a general clause, and afterwards descends to special words, consistent with the general clause, the deed is to be construed according to the special words.
779. When two persons are liable on a joint obligation, if one makes default the other must bear the whole.
780. When a disposition may be made to refer to two things, so that according to one reference, it would be vitiated, and by the other it would be made effectual, such a reference must be made to the disposition which is to have effect.
781. When two different acts are required to the formation of an estate, the law chiefly regards the original act.
782. When two rights concur in one person, it is the same as if they were in two separate persons.
783. When the law gives anything, it gives the means of obtaining it.
784. When the law gives anything, it gives tacitly what is incident to it.

785. When the law is special, but its reason is general, the law is to be understood generally.
786. When the greater is allowed, the less seems to be allowed also.
787. When more is done than ought to be done, that shall be considered as performed, which should have been performed; as, if a man having a power to make a lease for ten years, make one for twenty years, it shall be void for the surplus.
788. When the words and the mind agree, there is no place for interpretation.
789. In the same manner that judges do not answer to questions of fact, so jurors do not answer to questions of law.
790. Let him who accuses be of a clear fame, and not criminal.
791. He who takes away the means, destroys the end.
792. He who decides anything, a party being unheard, though he should decide right, does wrong.
793. He who questions well, learns well.
794. He who distinguishes well, learns well.
795. He who grants anything, is considered as granting that, without which his grant would be idle, without which the thing itself could not exist.
796. He who confirms does not give.
797. He who condemns the precept, condemns the party giving it.
798. He who contracts, knows, or ought to know, the quality of the person with whom he contracts, otherwise he is not excusable.
799. He who destroys the means, destroys the end.
800. He who ought to inherit from the father, ought to inherit from the son.
801. He who is born of an illicit union, is not counted among the children.
802. He who overthrows the cause, overthrows its future effects.
803. He who acts by or through another, acts for himself.
804. He who has jurisdiction to loosen, has jurisdiction to bind.
805. He who adheres to the letter, adheres to the bark.
806. He who does not know what he ought to pay, does not want probity in not paying.
807. He who is in the womb, is considered as born, whenever it is for his benefit.
808. He who uses his legal rights, harms no one.

- 809. He who does anything by command of a judge, will not be supposed to have acted from an improper motive, because it was necessary to obey.
- 810. He who acts badly, hates the light.
- 811. He who proves most, recovers most.
- 812. He who is born out of lawful matrimony, follows the condition of the mother.
- 813. Those are vain fears which do not affect a man of a firm mind.
- 814. He who does not willingly speak the truth, is a betrayer of the truth.
- 815. He who does not prevent what he can, seems to commit the thing.
- 816. He who does not forbid what he can forbid, seems to assent.
- 817. He who does not repel a wrong when he can, induces it.
- 818. He who obstructs an entrance, destroys a convenience.
- 819. He who says all, excludes nothing.
- 820. He who spares the guilty, punishes the innocent.
- 821. He who offends drunk, must be punished when sober.
- 822. He who does anything through another, is considered as doing it himself.
- 823. He who acts fraudulently acts in vain.
- 824. He who can and ought to forbid, and does not, commands.
- 825. He who first offends, causes the strife.
- 826. He who is first or before in time, is stronger in right.
- 827. He who provides for himself, provides for his heirs.
- 828. He who seeks a reason for everything, subverts reason.
- 829. He who renounces his action once, cannot any more repeat it.
- 830. He who is once bad, is presumed to be always so in the same degree.
- 831. He who derives a benefit from a thing, ought to feel the disadvantages attending it.
- 832. He who is silent appears to consent.
- 833. He who pays tardily, pays less than he ought.
- 834. They who fear, take care and avoid.
- 835. Let him who wishes to be deceived, be deceived.
- 836. Whatever is acquired by the servant, is acquired for the master.
- 837. Whatever is affixed to the soil belongs to it.

- 838. Whatever is affixed to the soil or the realty, thereby becomes a parcel.
- 839. Whatever is against the rule of right, is a wrong.
- 840. Whatever is done in excess is prohibited by law.
- 841. Whatever is subject to the authority of a judge, is not subject to novelty.
- 842. Whatever is paid, is paid according to the manner of the payer.
- 843. Whoever wishes to be a lawyer, let him continually study, and desire to be taught everything.
- 844. What is not good in the beginning cannot be rendered good by time. This, though true in general, is not universally so.
- 845. All men are equal before the natural law.
- 846. What is otherwise good and just, if sought by force or fraud, becomes bad and unjust.
- 847. What is clearly apparent need not be proved.
- 848. What appears to the court needs not the help of witnesses.
- 849. What is done contrary to the law, is considered as not done. No one can derive any advantage from such an act.
- 850. What has been admitted against the spirit of the law, ought not to be heard.
- 851. What is added to a thing sufficiently palpable, for the purpose of demonstration, is vain.
- 852. When you doubt, do not act.
- 853. What is introduced of necessity, is never introduced except when necessary.
- 854. What is inconvenient or contrary to reason, is not allowed in law.
- 855. What is necessary is lawful.
- 856. Doubtful and ambiguous clauses ought to be construed according to the intentions of the parties.
- 857. What ought not to be done, when done, is valid.
- 858. What is done without consideration or reflection, upon better consideration we should revoke or undo.
- 859. What avails in the less, will avail in the greater; and what will not avail in the greater, will not avail in the less.
- 860. What avails in one of two similar things, will avail in the other.
- 861. Time cannot render valid an act void in its origin.

- 862. What is mine cannot be taken away without my consent.
- 863. What is necessarily understood is not wanting.
- 864. What necessity forces, it justifies.
- 865. What appears not does not exist, and nothing appears judicially before judgment.
- 866. What has no beginning has no end.
- 867. What is not read, is not believed.
- 868. What is not good in its principle, will not be good as to accessories or consequences; and what is not of force as regards things near, will not be of force as to things remote.
- 869. What belongs to no one, naturally belong to the first occupant.
- 870. Those things which cannot be acquired as property, cannot be the object of an agreement.
- 871. What is in suspense is considered as not existing.
- 872. What I cannot do in person, I cannot do by proxy.
- 873. What is proved by the record, ought not to be denied.
- 874. What the people have last enacted, let that be the established law.
- 875. What is first is truest; and what comes first in time, is best in law.
- 876. What is lawful in the less, is lawful in the greater.
- 877. He who suffers a damage by his own fault, has no right to complain.
- 878. Let every one employ himself in what he knows.
- 879. What is without a remedy is valid by the thing itself.
- 880. That which is granted or reserved under a certain form, is not to be drawn into a valuation.
- 881. Whatever is built on the soil is an accessory of the soil.
- 882. What is tacitly understood does not appear to be wanting.
- 883. Law does not require what is vain and useless.
- 884. Whenever there is a doubt between liberty and slavery, the decision must be in favor of liberty.
- 885. When there is no ambiguity in the words, then no exposition contrary to the words is to be made.
- 886. Ratification is equal to a command.
- 887. Reason is the formal cause of custom.

888. Reason is the soul of the law; the reason of the law being changed, the law is also changed.
889. Reason is the brightest light in the world.
890. Reason in law is perfect equity.
891. Reason is not confined to any place.
892. Reason may be alleged when the law is defective, but it must be true and legal reason, and not merely apparent.
893. Compacts are accustomed to be clothed by thing itself, by words, by writing, by consent, by delivery.
894. Records are vestiges of antiquity and, frequently, of truth.
895. We must have recourse to what is extraordinary, when what is ordinary fails.
896. In default of the law, the maxim rules.
897. A mandate of an illegal thing is void.
898. Reference is a fiction of law, and intent to one thing.
899. Reference should always be had in such a manner that a disposition in a will should avail.
900. Relation never defeats collateral acts.
901. Relation shall never make good a void grant or devise of the party.
902. Of things relating to each other, one being known, the other is known.
903. Remainder can depend upon no estate but what beginneth at the same time the remainder doth.
904. Remainder must vest at the same instant that the particular estate determines.
905. Remainder to a person not of a capacity to take at the time of appointing it, is void.
906. Remedies ought to be reciprocal.
907. Remedies for rights are ever favorably extended.
908. The impediment being removed the action arises.
909. Rent must be reserved to him from whom the state of the land moveth.
910. An infamous person is repelled or prevented from taking an oath.
911. Money refused liberates the debtor. But this must be understood with a qualification.
912. Reputation is a vulgar opinion where there is no truth.

913. The progress of time shows many things, which at the beginning could not be guarded against, or foreseen.
914. Every one is the manager and disposer of his own.
915. A thing is named from its principal part.
916. It is a miserable state of things where the law is vague and uncertain.
917. The word things has a general signification, which comprehends corporeal and incorporeal objects, of whatever nature, sort or specie.
918. Things done between strangers ought not to injure those who are not parties to them.
919. The value of a thing is estimated by its worth in money, and the value of money is not estimated by reference to one thing.
920. The destruction of the thing is the loss of its owner.
921. A reservation ought not to be of the profits themselves, because they are granted, but from the new rent out of the profits.
922. Resignation is the spontaneous relinquishment of one's own right.
923. Let the principal answer.
924. The answer of one witness shall not be heard at all. This is a maxim of the civil law, where everything must be proved by two witnesses.
925. Rights never die.
926. A traitor is punished, that by the death of one, all may not perish.
927. An oath has in it three component parts - truth, justice and judgment; truth in the party swearing; justice and judgment in the judge administering the oath.
928. A foolish oath, though false, makes not perjury.
929. Often it is the new road, not the old one, which deceives the traveler.
930. Frequently where the propriety of words is attended to, the meaning of truth is lost.
931. The wisdom of law cannot be valued by money.
932. Satisfaction should be made to that fund which has sustained the loss.
933. It is better to search the fountain than to cut rivulets. It is better to drink at the fountain than to sip in the streams.
934. The knowledge of smatterers is mixed ignorance.
935. A wrong is not done to one who knows and wills it.
936. Equal knowledge on both sides makes the contracting parties equal.

- 937. To know the laws, is not to observe their mere words, but their force and power.
- 938. To know properly is to know the reason and cause of a thing.
- 939. You ought to know with whom you deal.
- 940. To write is to act.
- 941. Written obligations are dissolved by writing, and obligations of naked assent by similar naked assent.
- 942. It is natural that he who bears the charge of a thing, should receive the profits.
- 943. Whatever is once bad, is presumed to be so always in the same degree.
- 944. Let the reference always be so made that the disposition may avail.
- 945. The claimant is always bound to prove: the burden of proof lies on him.
- 946. Presumption is always in favor of the sentence.
- 947. Special clauses are always comprised in general ones.
- 948. The meaning of words is the spirit of the law.
- 949. The sense of words is to be taken from the occasion of speaking them, and discourses are always to be interpreted according to the subject-matter.
- 950. The sentence gives the right, and the interpretation has the force of law.
- 951. An interlocutory sentence or order may be revoked, but not a final.
- 952. Sentence is not given upon a thing which is not clear.
- 953. Power should follow justice, not precede it.
- 954. Speech is an index of the mind.
- 955. A speech relating to the person is to be understood as relating to his condition.
- 956. If you can be relieved by accustomed remedies, new ones should not be tried.
- 957. If you judge, understand.
- 958. If many are better led by love, more are corrected by fear.
- 959. If there be no conjecture which leads to a different result, words are to be understood, according to the proper meaning, not in a grammatical, but in a popular and ordinary sense.
- 960. If a guardian behave fraudulently to his ward, he shall be removed from the guardianship.

961. If a man dies, leaving his wife pregnant, he shall not be considered as having died childless.
962. If the suggestion of a patent is false, the patent itself is void.
963. If anything is due to a corporation, it is not due to the individual members of it, nor do the members individually owe what the corporation owes.
964. Such an interpretation is to be made, that the words may have an effect.
965. So use your own as not to injure another's property.
966. As nature does nothing by a bound or leap, so neither does the law.
967. Laws are silent amidst arms.
968. Simplicity is favorable to the law.
969. There can be no prescription without possession.
970. What is planted in the soil belongs to the soil.
971. God alone makes the heir.
972. The payment of the price stands in the place of a sale.
973. The hope of impunity holds out a continual temptation to crime.
974. Spoil ought to be restored before anything else.
975. He promises to use the skill of his art.
976. A presumption will stand good until the contrary is proved.
977. An affirmative statute does not take from the common law.
978. When the words of a statute are special, but the reason of it general, it is to be understood generally.
979. One special statute does not take away from another special statute.
980. Remove the cause and the effect will cease.
981. Remove the foundation, the structure or work fall.
982. If the principal be taken away, the adjunct is also taken away.
983. Superfluities do no injury.
984. Surplusage does no harm.
985. Things silent are sometimes considered as expressed.
986. Interpretation is always to be made in such a manner, that what is absurd and inconvenient is to be avoided, so that the judgment be not nugatory.
987. What is like is not the same, for nothing similar is the same.
988. Things are worth what they will sell for.

989. A term of years ought to be certain and determinate.
990. Land passes with the incumbrances.
991. Wills ought to have the broadest interpretation.
992. The last will of a testator is to be fulfilled according to his real intention.
993. When the number of witnesses is equal on both sides, the more worthy are to be believed.
994. An eye witness outweighs others.
995. Fears, which have no fixed persons for their object, are vain.
996. That which I may defeat by my entry, I make good by my confirmation.
997. The fund which has received the benefit should make the satisfaction.
998. Things shall not be void which may possibly be good.
999. Trusts survive.
1000. The whole is preferable to any single part.
1001. Everything is permitted, which is not forbidden by law.
1002. Every exception not watched tends to assume the place of the principle.
1003. Let smiths perform the work of smiths.
1004. Delivery makes the deed speak.
1005. When transgression is multiplied, let the infliction of punishment be increased.
1006. Trial ought always to be had where the jury have the best knowledge.
1007. That part is bad which accords not with the whole.
1008. That guardianship is secure which trusts to itself alone.
1009. It is safer to err on the side of mercy.
1010. When anything is impeded by one single cause, if that be removed the impediment is removed.
1011. When a common remedy ceases to be of service, recourse must be had to an extraordinary one.
1012. Where there is culpability, there punishment ought to be.
1013. Where there is the same reason, there is the same law.
1014. Where damages are given, the losing party should pay the costs of the victor.
1015. Where there is no deed committed, there can be no consequence.

1016. Where there is a right, there is a remedy.
1017. Where the law is uncertain, there is no law.
1018. Where the law compels a man to show cause, the cause ought to be just and legal.
1019. Where the law is special and the reason of it is general, it ought to be taken as being general.
1020. Where there is no direct law, the opinion of the judges ought to be taken, or reference made to similar cases.
1021. Where there is no principal there is no accessory.
1022. Where there is no marriage there is no dower.
1023. He at whose risk a thing is, should receive the profits arising from it.
1024. Where a thing is concealed generally, this exception arises, that there shall be nothing contrary to law and right.
1025. Let a man be punished when he commits the offence.
1026. Wherever there is a wrong, there damages follow.
1027. The last will of a testator is to be fulfilled according to his true intention.
1028. What is beyond possibility cannot exist, and the reverse, what cannot exist is not possible.
1029. One person can scarcely supply the place of two.
1030. Things universal are better known than things particular.
1031. An university or corporation is not said to do anything unless it be deliberated upon collegiately, although the majority should do it.
1032. One absurdity being allowed, an infinity follow.
1033. Vain is that power which is never brought into action.
1034. In the same manner in which a thing is bound, it is loosened.
1035. That which is the principal part of a thing is the thing itself.
1036. Everything is dissolved by the same mode in which it is bound together.
1037. Usury is odious in law.
1038. That by the punishment of a few, the fear of it may affect all.
1039. That the thing may rather have effect than be destroyed.
1040. What is useful is not vitiated by the useless.
1041. It shall have effect as far as it can have effect.
1042. Vain is that power which is never brought into action.

1043. Vain are those fears which affect not a valiant man.
1044. Facility of pardon is an incentive to crime.
1045. Words are to be taken so as to have effect.
1046. Equivocal words and those in a doubtful sense are to be taken in their best and most effective sense.
1047. The words current money, refer to the time of payment.
1048. Words spoken of the person are to be understood of the condition of the person.
1049. Words are to be taken most strongly against him who uses them.
1050. General words are to be generally understood.
1051. General words must be confined or restrained to the nature of the subject or the aptitude of the person.
1052. Words ought to be made subservient to the intent, not contrary to it.
1053. Words are to be so understood that the subject-matter may be preserved rather than destroyed. It is better that words should have no operation, than to operate absurdly.
1054. Words added for the purpose of certainty are to be referred to preceding words, in which certainty is wanting.
1055. Words referred to other words operate chiefly by the reference which appears to be implied towards them.
1056. A verdict is, as it were, the saying of the truth, in the same manner that a judgment is the saying of the law.
1057. Truth fears nothing but concealment.
1058. By too much altercation truth is lost.
1059. He who does not speak the truth, is a traitor to the truth.
1060. A deputy cannot appoint a deputy.
1061. The laws serve the vigilant, not those who sleep upon their rights.
1062. That is a viperous exposition which gnaws or eats out the bowels of the text.
1063. Force is inimical to the laws.
1064. Clerical errors ought not to hurt.
1065. The will of a testator is ambulatory until his death; that is, he may change it at any time.
1066. In offences, the will and not the consequences are to be looked to.

1067. The will is to be taken for the deed.
1068. He who consents cannot receive an injury.
1069. What a man cannot transfer, he cannot bind by articles.
1070. When the law presumes the affirmative, the negative is to be proved.
1071. When no time is limited, the law appoints the most convenient.
1072. When the law gives anything, it gives a remedy for the same.
1073. When the foundation fails, all fails.
1074. Where there is equal equity, the law must prevail.
1075. To rigorously define terms is not an undue hardship, it is the essence of certainty.
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