

A

<i>a contrario</i>	by way of contrast, opposite, on the other hand
<i>a dato</i>	from the date, ie from the date of issue/announcement
<i>a fortiori</i>	more conclusively, with stronger reason, so much more
<i>a limine</i>	from the start
<i>a mensa et toro</i>	separation from board and bed, judicial separation
<i>a posteriori</i>	reasoning from the effect to the cause, inductive reasoning, empirical reasoning
<i>a priori</i>	from the cause to the effect, prior to investigating the case, deductive reasoning [an <i>a priori</i> agreement is an argument based on axioms and not on experience, it is thus not empirical and involves a mode of reasoning from general propositions to particular conclusions]
<i>a quo</i>	from which, whence [the judgment of the court <i>a quo</i> means a judgment of a court of first instance, that is the court before which the matter was heard before it was brought to the present court]
<i>a tempore morae</i>	from the moment the debtor is in default

<i>a verbis legis non recedendum est</i>	the words of a statute must not be departed from
<i>a vinculo matrimonii</i>	from the bond of marriage
<i>ab antiquo</i>	from old times
<i>ab initio</i>	from the beginning, from the start
<i>ab intestato</i>	from a person who had not made a will
<i>abusus non tollit usum</i>	misuse of a thing does not rule out its proper use
<i>ac etiam</i>	and also
<i>accedere ad negotium</i>	come into the case
<i>accessio</i>	accession, increase, addition, accessory [thing]
<i>accessio cedit [rei] principali</i>	the accessory follows the principal thing
<i>actio</i>	action, claim, lawsuit
<i>actio ad exhibendum</i>	action for the production of property
<i>actio auctoritatis</i>	action following a breach of warranty in a sale
<i>actio bonae fidei</i>	equitable action
<i>actio calumniae</i>	action for damages for malicious prosecution
<i>actio commodati</i>	action upon loan for use

<i>actio commodati contraria</i>	counterclaim, action of the borrower
<i>actio commodati directa</i>	action of the lender
<i>actio communi dividundo</i>	action for the division of joint property
<i>actio conducti</i>	action of hiring instituted by the lessee against the lessor for enforcement of the contract
<i>actio damni iniuria</i>	action for damages
<i>actio de constituta pecunia</i>	action to enforce the payment of money by a person who has undertaken to discharge the liability
<i>actio de pauperie</i>	action relating to damage or injury caused to someone by the domestic animal of another
<i>actio directa</i>	direct action [flowing from the words and tenure of a statute or of a manifest and established law]
<i>actio doli</i>	action resulting from fraud
<i>actio in personam</i>	personal action, action against a specific person
<i>actio in rem</i>	real action
<i>actio legis Aquiliae</i>	Aquilian law, action for damages, claim for compensation
<i>actio mandati</i>	action on mandate

<i>actio mixta</i>	mixed action
<i>actio negatoria</i>	action by which the owner of property claims a declaration denying that such property is subject to an alleged servitude
<i>actio negotiorum gestorum</i>	action resulting from the [unauthorized management of the affairs of another
<i>actio perpetua</i>	perpetual action [not limited by any period of prescription]
<i>actio personalis</i>	personal action
<i>actio personalis moritur cum persona</i>	a personal action dies with the person
<i>actio pro socio</i>	action upon partnership
<i>actio Publiciana</i>	action available to a non-owner who obtained possession legally to keep possession of the thing
<i>actio quanti minoris</i>	action for reduction of the purchase price
<i>actio redhibitoria</i>	claim for the return of the purchase price in return for the goods
<i>actio utilis</i>	equitable action, modified, adapted, adjusted or analogous action
<i>actio venditi</i>	action by which the seller is entitled to claim the purchase price
<i>actus curiae nemini nocet</i>	an act of the court prejudices no one

<i>actus legis nemini facit iniuriam</i>	an act of the law injures no one
<i>actus legitimus</i>	legal act
<i>actus non facit reum nisi mens sit rea</i>	the act does not render the perpetrator culpable [criminally responsible] unless he was conscious of its illegality
<i>actus reus</i>	element of action in a crime, guilty action
<i>ad absurdum</i>	to be absurd, ie until it becomes absurd
<i>ad arbitrium iudicis</i>	subject to the discretion of the court
<i>ad curiam</i>	at a court
<i>ad damnum</i>	towards the attainment of financial loss, clause in which the litigant asks the court for money damages
<i>ad diem</i>	to the day appointed
<i>ad factum praestandum</i>	[order] to perform an act
<i>ad fundandam iurisdictionem</i>	[attachment] to found jurisdiction in a court which would otherwise not have jurisdiction
<i>ad hoc</i>	for a special purpose or occasion
<i>ad hominem</i>	pertaining to the person
<i>ad idem</i>	unanimous, of the same mind, agreed
<i>ad infinitum</i>	indefinitely, for ever, unending

<i>ad interim</i>	provisionally, in the meanwhile
<i>ad libitum</i>	at pleasure, to any extent
<i>ad litem</i>	for the purpose of the [pending] suit or case
<i>ad mandatum</i>	as commissioned
<i>ad medium filum viae [aquae]</i>	to the middle of the road [stream]
<i>ad nauseam</i>	to a disgusting extent
<i>ad pecuniam solvendam</i>	[order] for the payment of money
<i>ad quod damnum</i>	to what damage
<i>ad referendum</i>	for further consideration
<i>ad rem</i>	to the point, on the merits, relevant
<i>ad sectam</i>	at the suit of
<i>ad summam</i>	in conclusion
<i>ad valorem</i>	according to the value
<i>adagium</i>	legal maxim
<i>addendum</i>	something added, to be added
<i>aditio</i>	adiate [acceptance of inheritance]
<i>adversus fiscum usucapio non procedit</i>	prescription does not run against the treasury

<i>aedificatum solo, solo cedit</i>	what is built on the land is regarded as becoming part of the land
<i>ager publicus</i>	public land
<i>alia enormia</i>	other wrongs
<i>alias</i>	false or assumed name
<i>alibi</i>	somewhere else, proof that the accused was elsewhere when the crime was committed
<i>alieni iuris</i>	limited or no contractual capacity as opposed to <i>sui iuris</i>
<i>aliter</i>	otherwise
<i>aliunde</i>	from elsewhere, from another place
<i>allocatum</i>	it is allowed
<i>alluvio</i>	alluvium/alluvion deposit of soil from a river or sea
<i>altera pars</i>	the other party in the suit
<i>alteri stipulari nemo potest</i>	no one can stipulate on behalf of another
<i>amicus curiae</i>	friend of the court
<i>animus</i>	design, desire, intention, purpose, motive
<i>animus cancellandi</i>	intention of cancelling
<i>animus contrahendi</i>	intention to conclude a contract

<i>animus domini</i>	intention of being owner
<i>animus donandi</i>	intention of making a gift
<i>animus et factum</i>	combination of the intention with the act
<i>animus furandi</i>	intention of stealing
<i>animus iniuriandi</i>	intention of harming, injuring, offending somebody
<i>animus nocendi</i>	intention of causing harm or damage
<i>animus novandi</i>	intention of renewing a debt
<i>animus quo</i>	intention with which
<i>animus revertendi</i>	intention of returning
<i>animus revocandi</i>	intention to revoke
<i>animus testandi</i>	intention to make a will
<i>animus vicino nocendi</i>	intention of harming your neighbour
<i>anno domini [ad]</i>	in the year of our Lord
<i>annus</i>	year
<i>annus continuus</i>	uninterrupted year
<i>annus luctus</i>	year of mourning [widow]
<i>ante</i>	in advance, prior to, before
<i>ante meridiem [am]</i>	before noon
<i>ante omnia</i>	first of all

<i>antenatus</i>	child born prior to certain event/marriage
<i>appellationis fatalia</i>	period for lodging appeals
<i>approbare</i>	approve, prove
<i>arbitris remotis</i>	in the absence of witnesses
<i>argumentum ab auctoritate est fortissimum in lege</i>	argument from authority [= binding precedent/s] is the strongest in law
<i>argumentum ad hominem</i>	argument directed at a person
<i>argumentum ex iure</i>	legal argument
<i>artifex</i>	artisan
<i>ascendentes</i>	ancestors
<i>auctoritas</i>	authority
<i>audi alteram partem</i>	hear the other side
<i>authentica si qua mulier</i>	a woman is not liable as surety for her husband [Roman law provision no longer in force in South Africa]

B

<i>beneficium</i>	privilege, favour or benefit
<i>beneficium cederarum actionum</i>	benefit of cession of actions
<i>beneficium competentiae</i>	benefit of competency [to insure subsistence]
<i>beneficium de duobus vel pluribus reis debendi</i>	benefit of simultaneous citation and division of debt
<i>beneficium divisionis</i>	benefit of division of debt
<i>beneficium excussionis</i>	benefit of prior excussion
<i>beneficium iuris</i>	benefit conferred by law
<i>beneficium restitutionis in integrum</i>	benefit of restoring to previous legal condition
<i>beneficium separationis</i>	having a clear separation made between property of testator and heir
<i>bona</i>	property
<i>bona adespota</i>	property without an owner
<i>bona errantia</i>	property of which the owner is unknown
<i>bona fide</i>	in good faith
<i>bona fide possessor</i>	possessor in good faith

<i>bona fides</i>	good faith, honesty
<i>bona fides praesumitur</i>	there is a presumption in favour of good faith
<i>bona gestura</i>	good behaviour
<i>bona mobilia et immobilia</i>	movable and immovable property
<i>bona publica</i>	public property
<i>bona vacantia</i>	goods without an apparent owner, unclaimed property, goods without an heir
<i>boni mores</i>	good morals
<i>bonorum cessio</i>	assignment [of an estate]
<i>bonorum communio</i>	community of property
<i>bonorum possessio</i>	possession of property
<i>bonum et aequum</i>	justice and fairness
<i>bonus/diligens paterfamilias</i>	reasonable man, prudent, diligent, careful, circumspect head of a family
<i>brevia testata</i>	early forms of deeds of conveyance
<i>brutum fulmen</i>	a threat to which effect cannot be given

C

<i>cadit quaestio</i>	the question falls away, there is no room for further argument
<i>caeteris paribus</i>	other things being equal
<i>calamitas virtutis occasio est</i>	misfortune is virtue's opportunity
<i>capita selecta</i>	selected chapters
<i>captatio benevolentiae</i>	currying favour
<i>carpe diem</i>	make full use of today
<i>casus</i>	occasion, chance, accident, case
<i>casus omissus</i>	omitted case, omission [contingency] not provided for by the statute
<i>causa</i>	cause, motive
<i>causa causans</i>	immediate cause
<i>causa criminalis non praeiudicat civili</i>	the criminal case [cause] does not prejudice the civil
<i>causa debendi</i>	cause of debt
<i>causa falsa</i>	untrue or false ground or motive
<i>causa iusta</i>	true or just cause, means, motive or ground
<i>causa mortis</i>	because of death

<i>causa perpetua</i>	perpetual or continuous benefit or use [servitude]
<i>causa petendi</i>	ground for a claim
<i>causa piae</i>	charitable purpose
<i>causa remota</i>	remote cause
<i>cautio de damno infecto</i>	security for apprehended, anticipated, speculative damage
<i>cautio de restituendo</i>	security for repayment
<i>caveat</i>	warning, caution
<i>caveat emptor</i>	let the buyer beware
<i>caveat venditor</i>	let the seller beware
<i>cedere foro</i>	become insolvent
<i>certa pecunia</i>	specific sum of money
<i>certus</i>	certain, indubitable
<i>cessante causa, cessat effectus</i>	the cause ceasing, the effect ceases
<i>cessante ratione legis cessat et ipsa lex</i>	after the reason for a law has fallen away, the law itself also falls away
<i>cessat executio</i>	suspending or pending execution
<i>cessio</i>	transfer, cession of a right
<i>circa</i>	about

<i>cives</i>	[Roman] citizens
<i>civilis obligatio</i>	enforceable obligation
<i>civiliter modo</i>	in a civil/reasonable way
<i>clam</i>	stealthily
<i>claudicans negotium</i>	one-sided contract
<i>clavium traditio</i>	delivery by handing over the keys to the purchaser
<i>codicillus</i>	codicil
<i>cognatio</i>	blood relationship
<i>cognitio</i>	judicial inquiry, trial
<i>cognitio extraordinaria</i>	legal procedure during the Principate controlled by the emperor's officials
<i>coitus</i>	sexual intercourse
<i>collega</i>	colleague
<i>collegium</i>	corporate body
<i>colloquium</i>	background, introductory statement [in pleadings in a libel suit] to prepare the ground for an innuendo in words, which as such will not be defamatory
<i>collusio</i>	collusion
<i>commendatarius</i>	one to whom something is entrusted
<i>commendatio in specie</i>	express warranty

<i>commixtio</i>	mixture, mixing, particularly of non-fluids as distinct from <i>confusio</i> [2]
<i>commodum</i>	advantage
<i>communio pro partibus indivisis</i>	joint ownership in undivided shares
<i>communis error</i>	common error
<i>communis opinio</i>	current view, prevailing opinion
<i>compensatio lucri cum damno</i>	set-off of profit and loss
<i>compos mentis</i>	of sound mind, sane, in one's right mind
<i>concursum creditorum</i>	simultaneous claim by several creditors
<i>[condicio] sine qua non</i>	essential condition
<i>condictio</i>	action by which things are reclaimed
<i>condictio furtiva</i>	suit for the recovery of stolen property
<i>condictio indebiti</i>	suit for return of a sum not owing but paid
<i>condictio sine causa</i>	suit for repayment of a sum of money paid without [valid] consideration

<i>confusio</i>	[1] mixture of debts, merger of rights [where juristic qualities are merged or combined in the same person, eg debtor and creditor, or the owner of the dominant and servient tenements] [2] intermixture [of fluids]
<i>consensus</i>	agreement, consent
<i>consensus ad idem</i>	agreement as to the same thing, unanimity
<i>consensus facit legem</i>	consent makes law, parties to a contract are legally bound to do what they have agreed to
<i>consensus tollit errorem</i>	consent eliminates an error
<i>considerans</i>	preamble [of a law]
<i>consignatio</i>	payment into court
<i>consortium</i>	technical term for the marriage relationship
<i>constante matrimonio</i>	during the subsistence of the marriage
<i>constitutum possessorium</i>	transfer of possession where A, with the intention of transferring his ownership in a thing to B, declares that he will henceforth hold the thing for B
<i>consuetudinis magna vis est</i>	the influence of custom is great

<i>contra</i>	against, opposing
<i>contra bonos mores</i>	contrary to good morals, immoral
<i>contra naturam [suam]</i>	contrary to its own nature
<i>contra naturam sui generis</i>	against the nature of its kind
<i>contra non valentem agere non currit praescriptio</i>	prescription does not run against a party who cannot take action
<i>contradictio in terminis</i>	contradiction in terms in the words/ wording of a phrase, statement or regulation
<i>contrectatio</i>	removal, illegal appropriation
<i>contumelia</i>	insult, contempt
<i>coram</i>	before, in the presence of
<i>coram iudice rei sitae</i>	before the court of the place where the property is situated
<i>corpus</i>	body, thing, person's body
<i>corpus delicti</i>	facts which constitute the tangible object of the crime, eg the corpse
<i>crimen falsi</i>	fraud, deceit
<i>crimina dolosa</i>	crimes for which intent is a requirement
<i>cui bono</i>	to whose advantage, who stood to gain

<i>cuius est solum eius est caelum</i>	the owner of the property is the owner of the sky above it
<i>culpa</i>	wrongful default, negligence
<i>culpae auctor</i>	the negligent party
<i>culpae reus</i>	guilty of negligence
<i>culpam committere</i>	commit a reprehensible act
<i>cura et diligentia</i>	care and circumspection
<i>curator ad litem</i>	curator for the conduct of litigation
<i>curator bonis</i>	curator of property
<i>curia</i>	the court, the bench
<i>curia advisari vult</i> <i>[cur adv vult]</i>	the court wishes to consider its verdict, to reserve judgment
<i>curriculum vitae [cv]</i>	biographical sketch of one's life, usually containing details of educational qualifications, experience and achievements
<i>custodes pacis</i>	keepers of the peace

D

<i>damnosa hereditas</i>	unprofitable inheritance [not viable]
<i>damnum</i>	damage, loss, prejudice

<i>damnum culposum</i>	damage resulting from negligence
<i>damnum emergens</i>	actual damage suffered through breach of contract, loss arising
<i>damnum iniuria datum</i>	unlawful damage [resulting] from delict, wrongful damage
<i>damnum irreparabile</i>	irreparable damage
<i>de bene esse</i>	subject to review
<i>de bonis propriis</i>	from personal funds, out of own pocket
<i>de die in diem</i>	from day to day
<i>de facto</i>	in fact, indeed, judged according to the factual position, actual, as a matter of fact
<i>de fide et officio iudicis non recipitur quaestio</i>	the integrity of a judge may not be called in question
<i>de homine libero exhibendo</i>	a court order requiring a detained person to be brought before the court to investigate the lawfulness of the detention, a writ requiring a person to be brought before a judge to investigate the lawfulness of his restraint
<i>de industria</i>	purposely, intentionally
<i>de integro</i>	anew, afresh, as before
<i>de iure</i>	to the law, in law by right and just title, of right, judged according

<i>de iure suo decedere</i>	waive one's right
<i>de lege ferenda</i>	concerning the law as it ideally should be [in contrast to what the law is]
<i>de lege lata</i>	concerning the law already passed
<i>de manu in manum</i>	from the one hand to the other
<i>de minimis non curat lex</i>	the law does not concern itself with trivialities
<i>de momento in momentum</i>	from moment to moment
<i>de novo</i>	anew, afresh
<i>de restituendo</i>	concerning the return of
<i>debitor principalis</i>	principal debtor
<i>debitum</i>	debt
<i>debitum certum</i>	specific debt
<i>debitum connexum</i>	debt giving rise to a lien
<i>debitum in praesenti, solvendum in futuro</i>	owed at present and payable or to be performed in the future
<i>debitum liquidum</i>	indisputable, liquid debt
<i>defraudare</i>	deceive, defraud
<i>dei gratia</i>	by the grace of God
<i>delatio</i>	charge, accusation
<i>delator</i>	accuser, informer

<i>delegatus non potest delegare</i>	a delegate cannot delegate
<i>delictum</i>	delict, crime
<i>deminutio iuris</i>	invasion or encroachment of a right
<i>depositum</i>	deposit, bailment
<i>destinatio</i>	determining, fixing, appointment
<i>detentio</i>	detention of a thing
<i>detentor</i>	holder, possessor
<i>detrimentum</i>	damage, prejudice, loss
<i>dicta et promissa</i>	express warranties
<i>dictum</i>	observation
<i>dies</i>	day, term
<i>dies induitiae</i>	court day, time to enter appearance
<i>dies non induitiae</i>	non-court day
<i>dies venit</i>	day on which the debt becomes claimable or due
<i>difficultas praestandi</i>	difficulty of performance
<i>dignitas</i>	dignity
<i>diligentia</i>	diligence, care, caution
<i>doli capax</i>	capable of being liable for criminal and unlawful acts, answerable, accountable, responsible

<i>doli incapax</i>	incapable of crime, not answerable, irresponsible, unaccountable
<i>dolus</i>	fraud, wilful injury, deceit, intention
<i>dolus directus</i>	actual intent, design
<i>dolus eventualis</i>	intention imputed because of an awareness of possibility
<i>dolus ex proposito</i>	deliberate fraud, deceit
<i>dolus generalis</i> <i>[indeterminatus]</i>	indeterminate intention [not directed to a specific person as victim]
<i>dolus praemeditatus</i>	premeditated intention
<i>domicilium citandi et executandi</i>	domicile of summons and execution
<i>dominium</i>	ownership
<i>dominus</i>	owner
<i>dominus habetur qui possidet donec contrarium probetur</i>	the possessor is regarded as the owner till the opposite is proved
<i>dominus litis</i>	the principal in a suit
<i>donatarius</i>	donee
<i>donatio</i>	gift
<i>donatio inter virum et uxorem</i>	gift between spouses

<i>donatio mortis causa</i>	gift of personal property in anticipation of death
<i>donatio non prae-sumitur</i>	a gift is not presumed
<i>donatio propter nuptias</i>	settlement made on the wife by a husband
<i>dubii iuris</i>	of doubtful law, moot point
<i>duces tecum</i>	writ, subpoena to appear and bring along an exhibit, eg a document
<i>dum sola</i>	unmarried
<i>duplum</i>	for double the amount
<i>durante vita</i>	during life

E

<i>eadem duobus nupta esse non potest</i>	a woman cannot be married to two men at the same time
<i>ebriosus</i>	alcoholic
<i>ebrius</i>	drunken person
<i>edictum</i>	edict
<i>effectus</i>	legal effect, validity
<i>efficax obligatio</i>	enforceable obligation

<i>efficio</i>	accomplish, perform, effect
<i>eiusdem generis</i>	of the same kind, identical
<i>emancipatus</i>	emancipated person, one set free from guardianship
<i>emptio venditio</i>	contract of sale
<i>enormis</i>	unusual, immoderate
<i>eo ipso</i>	by that very act/fact, [and therefore] automatically
<i>eo nomine</i>	in that name
<i>eodem modo quo quid constituitur, eodem modo destruitur</i>	a thing is made and destroyed by one and the same means
<i>ergo</i>	therefore
<i>erogare pecuniam</i>	spend money
<i>errare humanum est</i>	to err is human
<i>error</i>	error, mistake, oversight
<i>error calculi</i>	error in calculation
<i>error facti</i>	error of fact
<i>error in corpore</i>	error regarding the identity of a thing
<i>error in persona</i>	error regarding the person
<i>error in qualitate</i>	error regarding the quality

<i>error in substantia</i>	fundamental error, error regarding a vital [material, essential] quality of the thing sold
<i>error iuris</i>	error of law
<i>essentialia</i>	essential elements
<i>et sequentes [et seq]</i>	and those following
<i>evictio</i>	eviction
<i>ex abundanti cautela</i>	for the sake of greater caution, make doubly sure
<i>ex aequo et bono</i>	in fairness and justice
<i>ex animo</i>	sincerely
<i>ex arbitrio iudicis</i>	in accordance with the discretion of the judge
<i>ex asse heres institutus</i>	appointed as sole heir
<i>ex capite fraudis/doli</i>	on the ground of fraud, fraudulantly
<i>ex cathedra</i>	from the chair
<i>ex causa lucrativa</i>	gratuitously
<i>ex causa mandati</i>	by reason of mandate
<i>ex contemptu vel contumacia</i>	from contempt or stubborn resistance, insubordination
<i>ex contractu</i>	arising from contract
<i>ex decreto iudicis</i>	pursuant to an order of court

<i>ex delicto</i>	arising from delict, tort
<i>ex empto</i>	arising from a purchase or sale
<i>ex facie</i>	evidently, on the face of it, as would appear [from the document]
<i>ex gratia</i>	as a favour, out of goodwill
<i>ex hypothesi</i>	in accordance with the hypothesis, upon the supposition
<i>ex industria</i>	intentionally
<i>ex integro</i>	anew, afresh
<i>ex lege</i>	according to law, as a matter of law, by operation of law, by force of law
<i>ex maleficio non oritur contractus</i>	a contract cannot arise out of an illegal act, no contract arises from crime
<i>ex mandato</i>	as instructed
<i>ex mero motu</i>	spontaneously, voluntarily, of own accord, of own free will
<i>ex mora</i>	by reason of default
<i>ex nihilo nihil fit</i>	from nothing, nothing comes into being
<i>ex nudo pacto non oritur actio</i>	no action arises from a nude contract [contract without consideration]
<i>ex officio</i>	by virtue of his office
<i>ex pacto</i>	as agreed, by agreement

<i>ex parte</i>	as the sole interested party, by or from one party, an application in judicial proceedings
<i>ex post facto</i>	by hindsight, arising from a subsequent event, judging retrospectively
<i>ex proprio motu</i>	of his own accord [by the judge]
<i>ex tempore</i>	impromptu, off the cuff, unprepared
<i>ex usu</i>	sprung from custom
<i>exactissima diligentia</i>	strictest diligence
<i>exceptio</i>	exception [plea in defence]
<i>exceptio doli</i>	exception of fraud
<i>exceptio errore calculi</i>	exception of an error of miscalculation
<i>exceptio ex iure tertii</i>	exception based on the rights of a third party
<i>exceptio litis pendentis</i>	exception of suit pending
<i>exceptio non adimpleti contractus</i>	exception of unfulfilled contract, exception that the plaintiff, too, is in default
<i>exceptio non numeratae pecuniae</i>	exception of non-payment of loan, plea of default of payment
<i>exceptio plurium litis consortium</i>	exception on the ground that others should be made parties to the suit

<i>exceptio probat regulam</i>	the exception proves the rule
<i>exceptio rei venditae ac traditae</i>	defence that the thing was sold and delivered
<i>exceptio res iudicatae</i>	exception [plea] of matter adjudged
<i>excessus mandati</i>	overstepping or exceeding limits of mandate
<i>exempli gratia [eg]</i>	for example
<i>existit condicio</i>	the condition is being fulfilled
<i>expensae</i>	expenses, costs
<i>expensae litis</i>	expenses of the cause [case]
<i>expropriatio</i>	expropriation

F

<i>facilitas</i>	inclination, readiness, frivolity
<i>facio damnum</i>	incur loss, damage
<i>facio furtum</i>	commit theft
<i>facta probanda</i>	facts to be proved to establish the cause of action, what needs to be proved

<i>facta probantia</i>	facts proving the <i>facta probanda</i> , facts proving the facts that need to be proved
<i>factum</i>	act, deed
<i>factum infectum fieri nequit</i>	a thing done cannot be undone
<i>facultas</i>	ability, faculty, assets, capacity
<i>falsum</i>	forgery
<i>falsus in uno falsus in omnibus</i>	false in one thing, false in everything
<i>fama</i>	good name, public opinion
<i>familia</i>	family
<i>favendum est libertati</i>	the court should lean in favour of freedom
<i>festina lente</i>	hurry slowly
<i>fiat</i>	let it be done
<i>fiat experimentum in corpore vili</i>	try your skill in gilt first and then in gold
<i>fiat iustitia</i>	let justice be done
<i>fiat lux</i>	let there be light
<i>fideicommissarius</i>	beneficiary under <i>fideicommissum</i>
<i>fideicommissum</i>	<i>fideicommissum</i> , bequest in trust

<i>fideicommissum residui</i>	<i>fideicommissum</i> of the remainder
<i>fideiussio</i>	suretyship, bail
<i>fides bona contraria est fraudi et dolo</i>	good faith is opposed to fraud and deceit
<i>filius nullius</i>	bastard, illegitimate child
<i>finis finem litibus imponit</i>	a fine puts an end to legal proceedings
<i>flagitium</i>	disgraceful act
<i>fons et origo</i>	source and origin
<i>forum</i>	court [of justice]
<i>forum competens</i>	competent court
<i>forum delicti commissi</i>	court of the place where the crime was committed
<i>forum domicilii</i>	court or forum of domicile
<i>forum rei sitae</i>	court or forum of place where the thing in question is situated
<i>fractionem diei non recipit lex</i>	the law does not recognize any fraction of a day
<i>fronti nulla fides</i>	appearances are deceptive
<i>fructus</i>	fruits, produce
<i>fructus pendentes</i>	fruits not yet harvested

<i>fructus pendentes pars fundi videntur</i>	ungathered fruits are regarded as part of the land
<i>fugam fecit</i>	he has made flight, fled
<i>functus officio</i>	no longer in office officiating, having discharged his duty
<i>furandi animus</i>	intention of stealing
<i>furiosus</i>	insane person
<i>furor</i>	insanity, mental discord
<i>furtum</i>	theft
<i>furtum possessionis</i>	theft of possession
<i>furtum usus</i>	theft of the use [of a thing]

G

<i>generalia specialibus non derogant</i>	general words do not derogate from the particular
<i>generalibus specialia derogant</i>	special things derogate from the general
<i>genus</i>	class, origin, stock
<i>glossa</i>	gloss, word or note inserted between lines or margins as an explanatory equivalent of a foreign or difficult word

<i>gratia</i>	favour, thanks
<i>gratis</i>	free of charge
<i>gratis dictum</i>	said to no purpose
<i>gravamen</i>	material point of a submission [assertion]
<i>gravantia</i>	aggravating circumstances

H

<i>habeas corpus</i>	writ requiring a person to be brought before a judge or into court to investigate the lawfulness of his restraint [have the body]
<i>habitatio</i>	the right of free residence [in the house of another]
<i>heredes</i>	heirs
<i>heredes proximi</i>	closest heirs
<i>hereditas</i>	inheritance, estate
<i>hereditas testamentaria</i>	testamentary inheritance, succession
<i>hic et nunc</i>	here and now
<i>homicidium</i>	manslaughter, homicide
<i>homicidium culposum</i>	negligent killing

<i>homicidium dolosum</i>	murder, intentioned killing
<i>homicidium necessarium</i>	unavoidable homicide, homicide in self defence
<i>homo sapiens</i>	wise man [scientific name for man]
<i>honoris causa</i>	honours [degree]

I

<i>ibidem [ibid]</i>	in the same passage [quoted], in the same place
<i>idem</i>	the same
<i>id est [ie]</i>	that is
<i>ignominia</i>	disgrace, dishonour
<i>ignorantia</i>	ignorance
<i>ignorantia facti</i>	ignorance of fact
<i>ignorantia iuris</i>	ignorance of the law
<i>ignorantia iuris non excusat</i>	ignorance of the law excuses no one
<i>illata et invecata</i>	things brought into the house [by tenant]
<i>illegitimus</i>	illegitimate child

<i>immobilia situm sequuntur</i>	immovables follow their site, immovables are governed by the law of the place where they are situated
<i>imperitia culpa adnumeratur</i>	want of skill is regarded as a fault [an artisan is reckoned to ply his trade with skill]
<i>impossibilis condicio pro non scripto habetur</i>	an impossible condition is considered as not written
<i>imprimatur</i>	let it be printed
<i>impune</i>	with impunity
<i>in absentia</i>	in his absence, by default
<i>in arbitrium iudicis</i>	to the discretion of the judge, for the judge to decide
<i>in articulo mortis</i>	at death's door
<i>in camera</i>	in private, hearing of a case in chambers, behind closed doors
<i>in casu</i>	in the case in question, in the present case
<i>in commendam</i>	in trust
<i>in consimili casu</i>	in a similar case
<i>in continenti</i>	immediately, forthwith
<i>in curia</i>	in open court
<i>in custodia legis</i>	in the custody of the law

<i>in diem addictio</i>	sale under a suspensive condition [that no better offer be made within a given time]
<i>in esse</i>	in being, actually, existing [as against <i>in fieri</i>]
<i>in extenso</i>	at full length, from beginning to end, extensively
<i>in extremis</i>	at the point of death, in the last extremity, at death's door
<i>in fieri</i>	coming into being, coming about [see <i>in esse</i>]
<i>in fine</i>	at the end
<i>in forma pauperis</i>	in the character of a pauper, may sue without being liable for costs
<i>in forma specifica</i>	by way of specific performance
<i>in foro</i>	in a [the] court
<i>in fraudem creditorum</i>	to the prejudice of [his] creditors
<i>in futuro</i>	in the future
<i>in futurum</i>	with a view to the future
<i>in imperio esse</i>	to hold a high office
<i>in infinitum</i>	without limit
<i>in integrum</i>	to its former or original state
<i>in invitum</i>	against a reluctant person

<i>in iudicio</i>	before a judge, in the course of a trial
<i>in iure cessio</i>	transfer [of ownership]
<i>in ius vocare</i>	call to court, summons
<i>in ius vocatio</i>	summons [to appear]
<i>in limine</i>	at the very outset of the hearing, initially, at the beginning [of a case]
<i>in loco</i>	in the place of
<i>in loco parentis</i>	in the place of a parent, in the position of a parent
<i>in longum tempus</i>	for a long term [leases of ten years plus]
<i>in memoriam</i>	in memory of
<i>in mora</i>	in default
<i>in natura</i>	in kind [as opposed to money]
<i>in nomine</i>	in the name of
<i>in nuce</i>	in short
<i>in pari delicto potior est condicio defen- dentis</i>	in a case of equal wrong [delict] by both parties the defendant is in the stronger position
<i>in pari materia</i>	in an analogous case, concerning a similar subject
<i>in perpetuum</i>	forever, in perpetuity
<i>in pleno</i>	in full

<i>in praesenti</i>	at the present time
<i>in propria persona</i>	in his own person, in person
<i>in re</i>	in the matter of, in the case of
<i>in rem</i>	real right against the whole world
<i>in rem suam</i>	concerning [in] one's own affairs
<i>in securitatem debiti</i>	to secure a debt
<i>in situ</i>	in its original place or position
<i>in solidum</i>	for the full amount, joint and several liability
<i>in solutum datio</i>	tendering in payment
<i>in spe</i>	in expectation
<i>in specie</i>	specific, in its own form and essence, not its equivalent
<i>in statu quo [ante]</i>	in its previous condition
<i>in stricto sensu</i>	in the strict sense, strictly speaking
<i>in subsidium</i>	in support, in aid of
<i>in summa</i>	in short
<i>in suspenso</i>	pending
<i>in tantum</i>	to that extent
<i>in toto</i>	completely, entirely, as a whole
<i>in totidem verbis</i>	in so many words

<i>in transitu</i>	on the way, in transit
<i>in utero</i>	in the womb, unborn child
<i>in vacuo</i>	in an empty space
<i>in vino veritas</i>	the truth [dwells] in wine
<i>incola</i>	resident
<i>incuria</i>	carelessness, negligence
<i>index</i>	list of names/subjects
<i>indicia</i>	directions, proof
<i>indicta causa</i>	without a hearing
<i>indutiae</i>	days of grace
<i>infantes</i>	children under the age of seven years
<i>infirmare</i>	render void
<i>infra</i>	below
<i>infra dignitatem</i>	beneath one's dignity
<i>inhonestus</i>	immoral, disgraceful
<i>iniuria</i>	injury to personal dignity
<i>iniuria non excusat iniuriam</i>	one wrong does not justify another
<i>iniurias persequi</i>	to avenge an insult
<i>inops consilii</i>	without advice
<i>inquisitio</i>	inquiry

<i>insignia</i>	badges of rank/honour
<i>intendere actionem</i>	institute an action
<i>intentio</i>	declaration, part of the formula containing the claim
<i>inter absentes</i>	between parties not present
<i>inter alia</i>	among other things
<i>inter nos</i>	between ourselves
<i>inter partes</i>	between parties
<i>inter se</i>	as to one another, each other
<i>inter vivos</i>	between living persons
<i>intercedere</i>	be surety for
<i>interest reipublicae ne maleficia remaneant impunita</i>	it is in the interest of the state that crimes should not go unpunished
<i>interim</i>	in the meantime, meanwhile
<i>interponere fidem suam</i>	become surety
<i>interruptio</i>	interruption [of prescription]
<i>intestabilis</i>	incapable of testifying
<i>intestatus</i>	intestate
<i>intra vires</i>	within the powers of, within the authority

<i>ipse dixit</i>	“he himself said it”: this could mean either that the statement is authoritative or it could mean the statement is a bare assertion
<i>ipsissima verba</i>	the identical words, the very words
<i>ipsissimis verbis</i>	in the identical terms [the very selfsame words]
<i>ipso facto</i>	by the very fact, by the mere fact, obviously
<i>ipso iure</i>	by the law as such, by unquestioned right, by operation of law
<i>irritus</i>	null and void, invalid
<i>iudex a quo</i>	the judge against whose finding an appeal is noted
<i>iudex ad quem</i>	the judge to whom an appeal is taken
<i>iudex loci</i>	the competent local judge
<i>iudicis est ius dicere non dare</i>	it is the province of a judge to expound [interpret] the law and not to make it
<i>iudicium</i>	judgement, finding of court
<i>iura publica anteferenda privatis</i>	public rights are to be preferred to private rights
<i>iure belli</i>	by the right [law] of war
<i>iurisprudentia</i>	jurisprudence

<i>ius</i>	[1] (subjective) right, claim [2] the (objective/positive) law, a legal system
<i>ius accrescendi</i>	right of accrual or accretion
<i>ius aequum</i>	equitable law, equity
<i>ius civile</i>	civil law, private law
<i>ius commercii</i>	commercial law
<i>ius commune</i>	common law
<i>ius controversum</i>	controversial point of law, moot point
<i>ius criminale</i>	criminal law
<i>ius disponendi</i>	the right of disposal [alienation]
<i>ius divinum</i>	divine law
<i>ius ex non scripto</i>	unrecorded customary law
<i>ius gentium</i>	law of nations
<i>ius in personam</i>	personal right
<i>ius in re</i>	real right, right to a thing
<i>ius in re aliena</i>	right to the thing of another
<i>ius in re propria</i>	right to one's own thing
<i>ius in rem</i>	right against the world at large
<i>ius mariti</i>	right of a husband, marital power
<i>ius possessionis</i>	right of possession
<i>ius scriptum</i>	written part of law [statutes]

<i>ius tertii</i>	right of a third party
<i>iusta causa</i>	just cause, lawful ground
<i>iustitia</i>	justice
<i>iustus error</i>	reasonable, pardonable error
<i>iustus titulus</i>	just title

L

<i>lacuna</i>	gap, omission, loss
<i>laesio enormis</i>	enormous loss, sold for less than half its value or purchased for more than double
<i>lapsus</i>	slip, blunder
<i>lapsus calami</i>	clerical error, slip of the pen
<i>lapsus linguae</i>	slip of the tongue
<i>lapsus memoriae</i>	slip of memory
<i>latro</i>	robber
<i>lectori salutem</i>	to whom it may concern
<i>legare</i>	bequeath
<i>legatum</i>	legacy
<i>legatum nominis</i>	legacy of debt

<i>legem abrogare</i>	replace an old law by a new law
<i>legem antiquare</i>	reject a bill
<i>legem iubere</i>	ratify a law
<i>legem perferre</i>	carry a law
<i>legem tollere</i>	abolish a law
<i>legis actio</i>	statutory procedure, litigation in accordance with the provisions of the statute [= Twelve Tables]
<i>legis auctoritas</i>	authority of the law
<i>legis vigor</i>	force of law
<i>legitimus</i>	legal, legitimate
<i>lex</i>	[1] any rule of law [2] a law [3] condition [4] objective or positive law
<i>lex Aquilia</i>	Aquilian law providing for compensation for damage to property
<i>lex causae</i>	the system of law governing the case [suit]
<i>lex civilis</i>	positive (objective) law
<i>lex commissoria</i>	resolutive condition in a contract of sale or of letting and hiring to the effect that in the event of default at the expiry of the agreed term the other party shall be entitled to cancel or resile from the sale

<i>lex delicti commissi</i>	law of the place where the crime or delict was committed
<i>lex domicilii</i>	law of personal domicile
<i>lex fori</i>	law of the court in which a case is tried
<i>lex generalis</i>	general legal rule as distinct from <i>lex specialis</i>
<i>lex imperfecta</i>	legal rule lacking a sanction, unenforceable rule
<i>lex loci celebrationis</i>	law of the place where the marriage was concluded
<i>lex loci contractus</i>	law of the place where the contract was concluded, alternatively the law by which it was agreed that the contract should be governed
<i>lex loci executionis</i>	law of the place of performance or payment
<i>lex loci rei sitae</i>	law of the place where the thing is situated
<i>lex mercatoria</i>	law merchant, mercantile law
<i>lex non cogit ad impossibilia</i>	the law does not compel the impossible
<i>lex non curat de minimis</i>	the law does not regard trifles
<i>lex non scripta</i>	unwritten law, common law, customary law

<i>lex patriae</i>	positive law, national and municipal law
<i>lex posterior</i>	subsequent law
<i>lex posterior derogat priori</i>	a later act repeals an earlier one
<i>lex scripta</i>	written law, statute law
<i>lex situs</i>	law of the place where the property is situated
<i>lex specialis</i>	special legal rule, exception to the general rule
<i>lex talionis</i>	law of retaliation
<i>libellus famosus</i>	defamatory publication, libel
<i>liberare</i>	release from, set free
<i>libertas</i>	freedom
<i>linea directa</i>	direct line of descent
<i>lis</i>	suit, dispute, action at law
<i>lis alibi pendens</i>	suit pending elsewhere
<i>lis finita</i>	concluded action
<i>lis sub iudice</i>	case not yet decided
<i>lite pendente</i>	pending the suit or action
<i>lites componere</i>	settle suits

<i>litis contestatio</i>	the moment when the suit is instituted between the parties, close of pleadings, joining issue
<i>locatio conductio</i>	lease agreement, contract of letting and hiring
<i>locatio conductio fortior est emptio</i>	lease goes before sale, lease overrides sale
<i>loco citato</i>	in the place/passage quoted
<i>locum tenens</i>	substitute, deputy, holding the place
<i>locus</i>	place
<i>locus classicus</i>	authoritative or leading case
<i>locus contractus regit actum</i>	the law of the place of the contract governs the act
<i>locus criminis</i>	place where the crime was committed
<i>locus delicti</i>	place where the delict occurred
<i>locus in quo</i>	the place where
<i>locus rei sitae</i>	the place where the [real] thing is situated
<i>locus standi in iudicio</i>	standing in court, right of appearance in court as an interested party, capacity to litigate, right to be heard in court
<i>luce clarius</i>	crystal clear
<i>lucidum intervallum</i>	temporary sanity
<i>lucris causa</i>	lucrative consideration, for profit

<i>lucrum cessans</i>	gain lost [forfeited, forgone]
<i>luctus</i>	mourning
<i>lustrum</i>	period of five years
<i>lusus naturae</i>	freak of nature
<i>luxuria</i>	luxury, luxuriance

M

<i>magna cum laude</i>	with great distinction
<i>magna negligentia culpa est; magna culpa dolus est</i>	gross negligence is fault; gross fault is fraud
<i>magnum opus</i>	great work, main or major work/publication
<i>mala</i>	acts morally wrong, offences against the conscience, wrongs in themselves
<i>mala fide</i>	in bad faith
<i>male fide possessor</i>	possessor in bad faith
<i>mala fides</i>	bad faith
<i>mala fides superveniens non nocet</i>	subsequent bad faith causes no prejudice
<i>mala mens</i>	evil intention, malice

<i>maleficia</i>	wrongful deeds
<i>malo animo</i>	with evil intent, with malice
<i>mancipatio</i>	formal juristic act which served to transfer ownership
<i>mandamus</i>	court order compelling or commanding someone to do something
<i>mandatarius</i>	mandatary
<i>mandatarius terminos sibi positos transgredi non potest</i>	a mandatary cannot exceed the limits imposed upon him
<i>mandator</i>	mandator
<i>manes manium</i>	ghosts
<i>manu propria</i>	with his own hand
<i>mare</i>	the sea
<i>mare liberum</i>	the open sea
<i>mater non habet nothos</i>	a mother makes no bastard
<i>matrimonium</i>	marriage
<i>matrimonium ratum</i>	marriage formally concluded
<i>matrimonium subsequens</i>	subsequent marriage
<i>me iudice</i>	in my opinion
<i>mea culpa</i>	my fault

<i>medicina forensis</i>	forensic medicine
<i>medium se gerere</i>	be neutral
<i>memorabilia</i>	things to be remembered
<i>mens rea</i>	guilty mind, evil or criminal intention or purpose, wrongful intent
<i>mens sana in corpore sano</i>	a sound mind in a sound body
<i>mente captus</i>	[habitually] insane
<i>mero motu</i>	spontaneously, voluntarily
<i>millennium</i>	a thousand years
<i>minima circumstantia variat causam</i>	each case must be determined according to its own circumstances
<i>minutiae</i>	details, trifles
<i>mirabile dictu</i>	wonderful to relate
<i>miserabilis persona</i>	destitute, infirm, indigent, needy person
<i>mobilia</i>	movables
<i>mobilia non habent sequelam</i>	movables cannot be followed up [cannot be vindicated from third parties]
<i>mobilia non habent situm</i>	movables have no locality
<i>moderatio</i>	moderation
<i>modus</i>	[1] way, method [2] measure [3] mode

<i>modus operandi</i>	manner of operation, procedure
<i>modus procedendi</i>	procedure in court, [manner of] procedure at law
<i>modus vivendi</i>	compromise with a view to peaceful co-existence or to promote harmony
<i>montes auri polliceri</i>	make extravagant promises
<i>mora</i>	default, [culpable] delay
<i>mora creditoris</i>	default of the creditor
<i>mora creditoris [vel debitoris] perpetuat obligationem</i>	default on the part of the creditor [or debtor] perpetuates the obligation
<i>mora debitoris</i>	default of the debtor
<i>moratorium</i>	suspension of legal remedies against debtors
<i>mortis causa</i>	in contemplation of death
<i>mutatis mutandis [mm]</i>	the necessary changes being made [in points of detail], with the necessary alterations, the things to be changed having been changed
<i>mutua petitio</i>	counterclaim
<i>mutuum</i>	loan for consumption, loan of fungibles
<i>mutuus dissensus</i>	arrangement to cancel an agreement