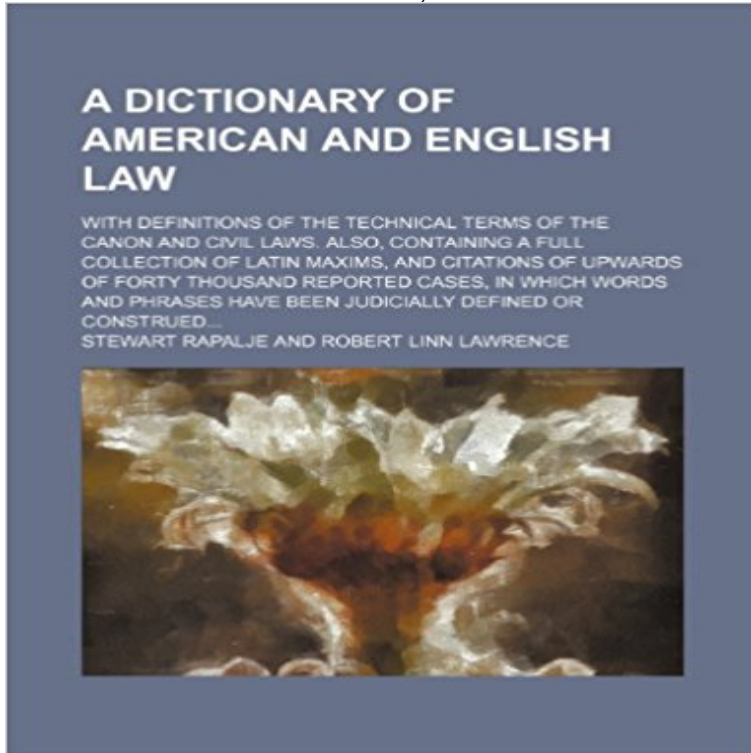


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A dictionary of American and English law; with definitions of the technical terms of the canon and civil laws. Also, containing a full collection of ... cases, in which words and phrases have b



This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1883 Excerpt: ...jubet (Gilb. 35): lie who is able and ought to forbid, commands. Qui primum peccat ille facit rixam (Godb.): lie who sins first, makes the strife. Qui prior est tempore potior est jure (Co. Litt. 14a): lie who is first in point of time is preferred in law. (See Brace r. Duchess of Marlborough, 2 P. Wms. 49, 1, and Marsh v. Lee, 1 White & T. Lead. Cas. 059.) A mortgagee may recover in ejectment without giving notice to quit against a tenant who claims under a lease from the mortgagor, granted after the mortgage without the privity of the mortgagee. The rule stated in this maxim applies as between finders of treasure trove, derelicts, and such like. (See, also, Keech r. Hall, 1 Sm. Lead. Cas. 574.) Where several persons have interests in one property, and equal equities in every point except time, as in the case of a third mortgagee who had no notice of a second mortgage when making his advance, here both mortgagees have equal equities, but the second mortgagee being first in point of time, has the prior right--in this instance, however, the third mortgagee could avail himself of the advantages of tacking. Qui pro me aliquid facit, mihi fecisse videtur (2 Inst. 601): He who does anything for roe, appears to do it to me. Qui providet sibi providet hseredi bus: He who provides for himself, provides for his heirs. Qui rationem in omnibus quaerunt, rationem subvertunt (2 Co. 75): They who seek a reason for everything, subvert reason. Qui scmel actionem renunciaverit amplius repetere non potest (8 Co. 59): He who renounces an action once, cannot any more repeat it. Qui semel est malus, semper prsesumitur esse malus in eodem genere (Cro. Car. 317): He who is once criminal,

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is presumed to be always criminal in the same way. Qui sentit commodum sentir...

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