

**20 GCA REMEDIES
MAXIMS OF JURISPRUDENCE**

**PART 4
MAXIMS OF JURISPRUDENCE**

§ 15101.

The maxims of jurisprudence hereinafter set forth are intended not to qualify any of the foregoing provisions of this Title, [*nor Titles 18, 19 or 21 of this Code*], but to aid in their just application.

SOURCE: CC § 3509.

NOTE: The Compiler added the matter in italics to indicate everything that was included in the original reference to "this Code" in the original Civil Code.

§ 15102.

When the reason for a rule ceases, so should the rule itself.

SOURCE: CC § 3510.

§ 15103.

Where the reason is the same, the rule should be the same.

SOURCE: CC § 3511.

§ 15104.

One must not change his purpose to the injury of another.

SOURCE: CC § 3512.

§ 15105.

Anyone may waive the advantage of a law intended solely for his benefit. But a law established for a public reason cannot be contravened by a private agreement.

SOURCE: CC § 3513.

§ 15106.

One must so use his own rights as not to infringe upon the rights of another.

SOURCE: CC § 3514.

§ 15107.

He who consents to an act is not wronged by it.

SOURCE: CC § 3515.

§ 15108.

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Acquiescence in error takes away the right of objecting to it.

SOURCE: CC § 3516.

§ 15109.

No one can take advantage of his own wrong.

SOURCE: CC § 3517.

§ 15110.

He who has fraudulently dispossessed him-self of a thing may be treated as if he still had possession.

SOURCE: CC § 3518.

§ 15111.

He who can and does not forbid that which is done on his behalf is deemed to have bidden it.

SOURCE: CC § 3519.

§ 15112.

No one should suffer by the act of another.

SOURCE: CC § 3520.

§ 15113.

He who takes the benefit must bear the burden.

SOURCE: CC § 3521.

§ 15114.

One who grants a thing is presumed to grant also whatever is essential to its use.

SOURCE: CC § 3522.

§ 15115.

For every wrong there is a remedy.

SOURCE: CC § 3523.

§ 15116.

Between those who are equally in the right, or equally in the wrong, the law does not interpose.

SOURCE: CC § 3524.

§ 15117.

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Between rights otherwise equal, the earliest is preferred.

SOURCE: CC § 3525.

§ 15118.

No man is responsible for that which no man can control.

SOURCE: CC § 3526.

§ 15119.

The law helps the vigilant, before those who sleep on their rights.

SOURCE: CC § 3527.

§ 15120.

The law respects form less than substance.

SOURCE: CC § 3528.

§ 15121.

That which ought to have been done is to be regarded as done, in favor of him to whom, and against him from whom, performance is due.

SOURCE: CC § 3529.

§ 15122.

That which does not appear to exist is to be regarded as if it did not exist.

SOURCE: CC § 3530.

§ 15123.

The law never requires impossibilities.

SOURCE: CC § 3531.

§ 15124.

The law neither does nor requires idle acts.

SOURCE: CC § 3532.

§ 15125.

The law disregards trifles.

SOURCE: CC § 3533.

§ 15126.

Particular expressions qualify those which are general.

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SOURCE: CC § 3534.

§ 15127.

Contemporaneous exposition is in general the best.

SOURCE: CC § 3535.

§ 15128.

The greater contains the less.

SOURCE: CC § 3536.

§ 15129.

Superfluity does not vitiate.

SOURCE: CC § 3537.

§ 15130.

That is certain which can be made certain.

SOURCE: CC § 3538.

§ 15131.

Time does not confirm a void act.

SOURCE: CC § 3539.

§ 15132.

The incident follows the principal, and not the principal the incident.

SOURCE: CC § 3540.

§ 15133.

An interpretation which gives effect is preferred to one which makes void.

SOURCE: CC § 3541.

§ 15134.

Interpretation must be reasonable.

SOURCE: CC § 3542.

§ 15135.

When one of two innocent persons must suffer by the act of a third,

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he, by whose negligence it happened, must be the sufferer.

SOURCE: CC § 3543.

§ 15136.

Every Child is Entitled to an Adequate Public Education.

SOURCE: Added by P.L. 28-045:24.
