A. Act of the Legislature, 18, 19 force of, 20 ,, Abotment (of offences), 126, 429 local extent of, 20 under special circumstances. Action at law, see Civil Suit. 129 Adverse possession, 65 Acceptance (of proposal), 48 "Affirmation" instead of oath, 480. Accession (ownership by), 69 note Accessory, see Abetment. Agent, powers of, 44 (things), 37, note Agent (and prepose) in the French Accident, 25 Forest Service, 458, note; 476, note Accounts (Public Forest), 865, note Aggravation of offence, 134, 433 Accused person, detention of, 153 Aid to Maristrate, 150 examination of at trial, Forest Officer, 399, 415 ,, 163, 169 by police, &c., ,, Acquittal, appeal from, 175 471 Acquitted person, when triable again, refusal, how pro-178, 174 secuted, 430 Act (legal) meaning of, 28 Affray, 110 elements in. 23 Aimer Forest Regulation, 241 ,, ٠. voluntary, 23 Alluvial land, 207 ,, ,, manifested outwardly, 26 "Ancient lights," 79, note 21 when wrongful, 50 Appeal (Criminal), 174 Act of God," 55 sec Forest Settlement. Act authorized by law no offence, 100 Appendant (right), 83 ,, of Judge, &c., 100 Appointment, law of, 450 ,, by misfortune or accident, 101 see Forest Officer. ,, by child, lunatic, &c., 101 Appurtenant (right), 83 ,, by intoxicated person, 101 Arbitration (in timber cases), 421 to provent greater harm, 101 Arrest, legal, power of, 151 44 by consent, 102 by any person, 152, 153 ,, in grave emergency, 103 without warrant, 152, 470 72 under duress, 104 person present in Court, 155 ,, in self-defence -105 use of force in effecting, 151. 11 or omission, when an offence, 92, 472 97 ssault, 117 or very trifling character, 104 ssembly, see Unlawful. • • done with one intention but ressignment of debt, &c., 40 sulting in something else, 99 Attempt '(to commit offence), 131, constituting one or other of two 420 Avulsion," 208

ffences, 99

,,

B.

Bail, 153, note Bailable offenco, 153, 154 " Bár," the (Papjáb), 349 Birth, offences connected with, 116 Boundary marks, 273, 395 injury to, 397 Breach of contract (criminal), 124 see Contract. Breach of trust (criminal), 123, 431 by clerk, &c., 431 Bribery, 462 Buffaloes, 352 Building on another's land, 69, 70 Buying out rights (principles involved), 300, 367 form of compensation, 371 ,,

C.

see Valuation.

German law of, 376

Camel grazing, 340 Canals, Govt. right in, 219, 220 Cantonnement, French law of, 266 Cattle, number of, under grazing right, exclusion of dangerous kinds, ,, 349 Trespass Act, 440 special scale of fees in forest, ,, 441 Certificate of appointment, 459 Charge, The, in criminal trials, 164 Chase, see Hunting. Cheating, 121 Civil law, see Private. Civil suit, right to bring, 29 none lies against F. O. for official act, 467 Claims to rights in a forest, 261 Clearings, fresh, in forest, 261 Closing compartments against grazing.

Code Foresticr of 1827...285

by public servants, 466

reduction of rights under

293, 305

"Cognizable" offences, 153, 154, 159

Commission to try case of misconduct

Court. 161 "Common, rights of," 79 Communal forest, see Private Forest. Companies, &c., not corporate, 34, Compensation, forms of, in buying out forest rights, 371 in land-acquisition, 222 ,, to sufforer by offence, ,, out of fine imposed. for damage (forest cases). ,, 436 Compounding offences, 92, 170 in forest cases-special rule, 473 Compromise, 54 Concession, see Licence. "Condition precedent," 52 "Condition subsequent." 54 Conditions or terms printed on tickets, &c., 44 Conditional liability, 39 Confiscation proceedings, 436 distinction regarding, 438 ,, release of property from, ,, 439 Conquest or cession as affecting private property, 204 Consciousness, 24, 101 Consideration, 43, note, 46 Constitution (legal) of reserved forest. 260 of protected forest, 276 of village forest, 277 Constitutional law, 9 "Continuing" and "continuous"difference, 85, note CONTRACT (in general), 42 forms of, 44, 46 ,, list of kinds, 47 ,, impossible, 45, 56 ,, unlawful or immoral, 45 of a nature to bind legally. •• effect of traud in, 44 •• when "personal," 41 ,, alteration of terms, 54, 56 ,, obligation resembling, 49 ,, execution of Government, ,, イワケ 78

Committal for trial to Sessions or High

Contract, breach of, when criminal, rules deriving force from. 11 express or implied, 21, 453 "Contribution " 89 none among wrongdoors, 51, note Control of rivers and their banks, 411, 412 of timber, &c., in transit, 412. ,, See Rules, River, &c. "Conversion" of forest, as affecting rights of user, 295, 297 Convict. disabilities of, 33 Corporation-Corp. sole, 34, 35 Court of Wards, 33 Court. ses Criminal. Creditor, 38 Crime, what it is, 91 distinguished from tort, 28 CRIMINAL LAW-Substantive-(Table). Adjective --- (Table), 138 Substantive and Adjective, 93 Courts, 143 . Criminal force, 116, 117 misarmropriation, 120 in timber ,, ,, cases, 426 trespass, 429 Criminal Procedure, remarks on, 140 definitions under, .. ,, 142 irregularity in. legal effect of, 181 Criminal trial, how initiated, 161, 162 Crown estates, 203 "Culpable homicide," 114 Cultivation intensive and extensive, 294 in forests, see Land-Clearby burning, see Shifting C. Custom, force of, 19 D,

Dacoity, 119

Damages, 80

&c.), 50 in forest cases, 448 Day, hours of business, &c., 53, note Death, causing, in effecting arrest, 151 in self-defence, 106 see Culpable--- Exceptions, &c. Debitor, 38 Declaration of right and title, 30 Defamation, 124 Definition of term "Forest," 199 of terms used in Criminal Law, 95, 96 of vague forest rights, 307 ,, European law regarding. ,, 820, note necessity for, 313 ,, legal elements of, 321 ,, grants, how interpreted in, ,, how distinct from "regulation," 320 Demarcation of forest, its importance, 231, 395 "Discontinuous" easement, 83 Dismissal from service, 457, 466 Documents, false, 123 Dominant estate, 82 Dominium, 74, note Drift timber, 415 · right to, 416 1, disposal of, 420 ,, Duress, 25 E.

Damages in tort (nominal, substantial

"Easement." term defined, 79 (Forest), German definition of, 82, note "Easement of necessity," 80 Easement, a "thing" having value, 83 capable of legal possession. ,, 83 not to destroy, 84 39 not unlimited. 84 ,, for some benefit, 85 > 3 "perpetual cause" of, 85 7) involves maintenance of 33 estate, 55 indivisible, 86 origin of, 86

Easement, prescriptive, 87 Forest, why under a special law, 1... loss of, 87 ancient regulation of, 187, ٠,, ٠. forest rights in India are, by .. origin, not strictly, 280, ,, term not used in Forest Acts, 11 ,, 318 35 see Right. Elephant grazing, 319 ,, "Enclosure Aots," The, 187 Enhancement of sentence, 177 ,, Enquiry into forest offences, 475 see Trial. ,, Enrolment of police force, &c., 456 Escheat, law of, 205 ,, Estate, forest must form legal, 2 ,, essentials of a forest, 220 ,, "dominant," 82 ٠. its full development allowed for, 326 ,, "servient," 81 "European British subject;" 143 trial of, 178 "Event," meaning of, 28 legal effect of, 26, 27 Evidence, law of, not included, 170 made of record at trials, 170 •• in forest cases recorded on ,, spot, 475 Examination of accused person, 163, "Exceptions," general, in I. P. Code, Execution, sec Sentence. Extortion, 118 r. False evidence, 112, 431 Folony, 92 Fine (under I. P. Code), 188, 172 ,, in Forest cases, 432

"Protected forest," 235, note which Govt. has only some rights, 226, 242 or only the trees are Govt. property, 263 leased to Govt., 189, 102, 243 legal steps to constitute, 260 age of safety for pasture, 356. See also Reserved -- Protected - Private - Village, &c. Forest Act does not exclude operation of other laws, 401 (the draft), original in-,, tention of, as to "Protooted "forest, 231, 232 its definitions explained. ,, method of dealing with ,, practices claimed as rights, 281 points not provided for, Sec. 3 explained, 227, 228 Chap. II. described, 260 ,, Sec. 45...418 ,, Secs. 52-56...437 Sec. 63...470 35 Sec. 67...478 Sec. 71 (powers under), ١, 473 Sec. 79 (action under). 278 Fire, prevention of, in forest, 898 not applied to all forest offences with, 401, 403 land, 232 European law of protection Rules made under the, ,, against, 444 192, 193 Fishery, right of, 71. See Hunting. reasons for its elementary * 3 Floating timber, process of, 416, Dature in India, 808 Force, see Arrest, Criminal, &c. history of the several ,, Forest, why owned by State, 36 Acts, 189--192

definition of the term, 198

transit, 188

229-200

dition, 238, note various classes of (India), 225

produce of, why protected in

area in India, its general con-

abstract of (legal) classes, 228

"Reserved" and "Protected."

Fallacy of reasoning about

	RTMENTAL CODE, 451,	FOREST RIGHTS, origin of, in India, &c.,
452, 457, 458, 461		280
FOREST LAW,	main topics of, 197	,, do not amount to a
,,	in India, 188	share in the forest-
• •	in the Colonies, 186	estato, 285
	in England, 187	in Madana mate about
		237
Forest offences, penaltics for, 432		
L'OREST OFFICE	ens, controlling executive	,, for life or lives, 325
	and protective staff,	cannot be accurately
	458	valued, 311, 312
15	appointment of, 451,	not transferable, 323
••	454	,, personal need the
	meaning of "a," "the,"	measure of, 201,
,,	and "specially em-	323
		Net at 010
	powered," 455	
1)	legal powers of, 470	" subject to toll or pay-
79 °	powers under sec. 71,	ment, 325
	473	,, sec Right, Easement, &c.
,,	,, to compound	Forest Service, organization of, 449
"	offences, 473	FOREST SETTLEMENT, 260
	de commende	nomonica on 219
) 7	prosecutions,	officer armointed
	• • •	,,
	476	260
"	,, to make con-	,, ,, claims to land,
	tracts, 477	262
,,	obligation of, not to	,, ,, claims to rights
•	trade, &c., 460	or easements,
	legal protection ex-	266
,99		enquiry how
	tended to, 467	held, 265
,,	offences against their	
	authority, 479	,, procedure, 270
,,	obstruction of, in	,, appeal, 209
	duty, 480	,, close of the, 273
,,	powers of receipt and	,, ,, power of re-
"	expenditure of pub-	vision, 271
	lio money, 477	Forfeiture, 132, 296
		C it is another for
***	false personation of,	failure of service, 400
	481	
,,	criminal offences by,	Fraud, 25
	465	Frauds (timber) in Burma, 437, note
**	misconduct of, 466	Fuel, see Wood-rights.
23	see also Sorvico.	Fungible "things," 37, note
	his right, 294	-
	his duty to right-holders,	
**	• •	G.
	299	.
13	right to share the pro-	. T. 31. P3
	duce, 297	Game laws in India, 71
**	right to restore armined	Gazette, The, 260, note
••	forest, 296	German law of regulation, &c., of
	right to proper manage-	forest rights, importance of, 311
**	ment, 294, 295	Goats, laws regarding exclusion of
Managh adalah 1		from forest. 350
Tolest Light-1	iolder see Right-holder.	TOUR FORGOT CAN

GOVERNMENT (India) can be sued, 204 its property liable, 204 property in general, 202 ,, property in India, heads ,, of, 205 Ancient State rights of, 99 205 ownership of land, 206 of minerals, ,, 209 of waste 33 lands, 211 of roads and ,, canals, 218 under Land ,, . 33 Acq. Act. 220

Grant of rights, 272 ,, interpretation of, 324 Grass-cutting rights, 335, 359 Grazing, see Pasture. Guarantee, 39

H.

Harbouring affenders, 431
Hazárá Forest Regulation, 241
Himalaya, flocks grazing in the, 333
Homicide, not culpable, 114
,, negligent, 114
,, see Culpable.
House-breaking, 122, 123
Humus, right of collecting, 361
Hunting, rights of, 71
Hunting and fishing rights, 364
Hurt, "simple" and "grievous," 116

I.

"Illegal," meaning of, 97, 481
Illegal gratification, see Bribery.
,, order, see Subordinate.
Impossible contract, 45, 56
Imprisonment, 132, 133
,, in forest cases, 482
Indian Penal Code, 93
,, in forest cases, 401, 423
Indispensable casement, 370
Information to magistrate and police, 151

Information to F. officer, 399 sce Aid. Insane person, trial of, 179 "Intention," 23, 99 Interest on money debt, 41, 42 rate of, in valuation of rights and the componsation for them, 878, 388, 384, 383 Intermission (exercise of easement), 84 International law, 11 Interpretation of Acts. &c., 22 of grants, 324 Interruption (exercise of easyment), 84 Intimidation, 124, 125 Intoxication, effect of, 24 Investigation by police, 155 Irregularity (procedure), effect of, 181

J.

Joinder of charges at trial, 163
Joint liability (contract), 39
,, ownership, 63
Judgment, the, in criminal cases, 171
Jan, see Shifting Cultivation,
Jura in re and in rem, 18, note
Jurisdiction of Criminal Courts, 143,
144

ĸ.

Kanara case, the, 214, 286, 339, note Kangra forests, case of the, 225 ,, grazing customs of, 333, 334 Khot estates, forest lands in, 242

L.

Land "at the disposal of Govt.," 227
,, Acq. Act, procedure under, 220
,, grant of, in compensation for rights, 371
,, claims to, within the forests, 262, 264

- ,, case of Himalayan forests, 263, note
- ,, holding by forest officers, 461 ,, revenue, remission of, as compensation, 375

Lapse of time, effects of, 27

LAW, why Forest Officers study, 1

,, its basis, 6

,, kinds of (public, private, &c.), 9

,, forms in which it is current, 18

,, recognizes rights and obligations,

5-7, rules of interpretation, 22

,, all persons supposed to know, 20 not resorted to when force of contract, &c., suffices, 452, 457

Lease of forests, forest officers not allowed to be interested in, 460 Legal protection, see Protection. "Legally bound," 96, 97 Legislation in India, remarks on, 307 Liability "joint and several," 39

,, no criminal, by reason of relatiouship, 180

,, of forest officer to civil or criminal action, 467, 468 ,, of master for act of servant,

,, of master for act of servant,
40
Licences (tolerance of French'law), re-

marks about, 272, 273 ,, not mentioned in Forest Acts, 273

see also Priviloge.

Limitation, Law-(or Statute) of, 66, note
,, of time for criminal prosecution, 135

"Liquidated damages," 31
Litter rights, 335, 360
Local government (meaning of), 195
"Local" law, 94
Lopping rights, 335, 360
Lost article, title of finder, 68

M.

Magistrate, 144
,, his powers, 146
,, executive powers, 149, 150
Malice, 96
Management, see Forest.
Manwood quoted, 199
Marks (property) criminal law of, 404,
415
,, registration of (timber), 414

Marks, see Boundary. Marriage, offences connected with, 124 Minerals, right to, 209, 210 Minor produce, rights to, 337, 363 Misappropriation, criminal, 119, 426 Mischief, 121 serious forms of, 428 Misconduct, see Commission, Forest Officer Misdemeanour, 92 Mistake, money paid by, 49 of fact, of law, 25 Mixture of goods, 70 in forest cases, 488 Money, payment of compensation in, 872, 875, 399 Mouth (calendar), 186, note Mortgage, 77 Mountain countries, protective forest in, 248 Moveable—immoveable things, 37 as regards theft, 118 Murder, 114

N.

Nazil property, 205, 206
Necessity, act under stress of, 104
,, easement of, 80
Need, actual, the limit of easement, 291
Negative easement, 81
Negligence, 24, 96
"Non-ballable" ease, 154
Non-cognizable case, 153, 154, 159
Novatio, 54
Nuisance not justified by time, 113, 1006

0.

Oath of service, 459
,, see Affirmation.
Obligation, see Right.
Occupatio, 65
"Occupation" of person claiming an
easement, why recorded, 321, note
"Offence," as defined in I. P. Code,
94
as defined in Cr. P. Code,
142

Offence made up of parts, 97, 98	"Persons," disabilities of cortain, 32,
Offences, groups of, described, 108	33
,, against human body, 113	Petition of right, 31
,, ,, property, 118	Pigondé case, the, 324
,, ,, authority of public	Place of trial, 160
servants, 111, 479	Police, statement made to, 160
,, ,, the State, &c., 108	Positive easement, 81
,, classified for procedure pur-	Possession (in general), 58
poses, 153	f, continuous, 58
,, prevention of, 158	,, things regarded us capable
,, (forest), 399	of, 61
,, (forest) described, 400	,, constructive, 59
,, special, under Forest law, 404	,, derivative, 60, note
,, Forest Officers may compound,	by representative, 59
478	,, by tenant, nature of, 60, 61
Official secrets, revelation of, 109	,, by joint owners, 63
Omission, see Act.	,, in case of easements, 62
Orders, executive, legal force of, 21	,, legal consequences of, 64
Ownership, idea of, 7, 64	its importance, 67
,, oxtent of, physical, 73	, loss of, 63
, legal features of, 72	, summary remedy for loss,
,, aggregate of rights in, 74	67
, remains though some	,, (under Criminal Procedure
rights be parted with,	Code), 67, note
74	ar all'antitue unima
mandulabl 0 2 _ 47 7.71 .	,, as anothing crime of theft," 120
interest, 75	Pound (cattle), 441
211001.0009 \$ 15	Powers of magistrates, &c., 144, 147,
	149
Р.	a C Francis a 10 man 1999
••	Pre-emption, 78
Parties to a dealing, 38, 39	Prescription, 27, 65
,, change in the, 40	Prescriptive right, see Right.
A	Presents to officials, 463, note
l'Asture, area requisité per head, 353	Prevention of crime, 149, 158
,, in ruined forest, 354, 355	,, of forest fire and offences,
,, Rutht of, 382, 348	898, 399
,, regulation of (hordsman,	Preventive action of law, 28
bells, &c.), 358	Private law (civil), 0
eason of, 858	,, forests, 243
Payment, place and mode of, 52, 58	,, ,, submission of, to con-
Penalties of special kinds in Forest	servancy by volun
law, 484	tary action, 244
Penalty (in bond), 31	,, ,, interference with, in
,, special rule in forest bonds,	public interest, 245
Hanfarra is 50	,, ,, European law regard
Performance, 52	ing, 248
"Personal" servitude, 81	,, ,, Communal forests, &c.
"Persons," as regarded in law, 6	247
various capacities of, 7	See Mountain, Protective Forest, &c
"normal," "artificial,"	"Privilege" (licence in forest), not
&c., -32	on the terne, 281, note

Procedure, see Criminal, Forest Settlement. Processes, criminal, 153 Proces verbal, 474. note "Proclaimed offender," 155, 156 Produce-casements, remarks on, 85, 86 " Profit à prendre." 79 Prohibitions (F. A. sec. 29), effect of, 194, 276 Promise, legal meaning of, 43 •• PROPERTY of Crown, 35, note, 203 of State, 35, 203 ٠, of Government (India), 203 ٠,, ,, real and personal, 37 private, how affected by conquest or cession of 285 Public law. 9 province, 204, 205 forest regarded as a special ,, form of, 4 offences against, 118 ,, produced at a criminal trial, see Ownership, Marks, Government, Right, Coufiscation, &c. Q. Proposal, 43 PROSECUTION, advice about, 136 power to conduct, 180, of Forest Officer for offi-R. cial act. 468, 469 Rab (Bombay), 336, 361 Prosecutor, the Public, 180 Rakh (Panjab), 217 PROTECTED FOREST, history of provi-Real easements, 81 sions about, in Indian Forest Act. 231, 232 none in Burma 11 or Madras, 276 legal steps to constitute. 276 cannot bo efficiently settled, misuse of the pro-11 vision, 235 cases where useully applied, 336, 237 PROTECTION (legal) of forests, 394 of produce in transit, 496, Res nullius, 65, 66, note, 68 400, 411 in case of timber, 427

indirect? 894

,,

PROTECTION direct. 398 extended to forest officers by law, 467 of rights in general by law, 27 "Protective" forests-Indian law, 243 European law regarding protection of mountain slopes. &c., 248 French law of reboisement and regazonnement, 248 German law, 253 Italy, 256 Switzerland, 257 Proudhon, his views and real meaning, purpose, land required for, 220 servants, offences against lawful authority of, 110, 479 service, general nature of, 450 Punishments (criminal law), 131, 132 see Penalties, &c.

Quasi-contract obligation, 49

Reboisement, law of, in France, 248 Receiving stolen property, 121, 427 Recognizance, 153, note Record of forest rights as admitted, 321 proposed form of, 275 Reduction, see Right, Regazonnement, see Reboisement. Registration of timber marks, 413 Regulation of exercise of rights, 844 Regulation, &c., German law of, 376 see Ajmer, &c. Remedial action of law, 28 RESERVED FOREST, legal constitution of, 260 object of, 365, note Revenue (Forest), recovery of, 476, 477
Revision (Cr. Proc. Code), 176

,, see Forest Settlement.
Revocation of proposal in contract, 43
RIGHT (and obligation), general idea
of. 7

,, legal, and its elements, 17

,, moral, 17

,, arising out of human dealings and events, 28, 42

,, what it consists in, 41

, how made effective, 51

,, how it ceases, 53

,, in land, question of, in India, 211

,, of property, 64

,, over things, not being ownership right, 77

,, of easement, servitude, &c., iu general, 78

RIGHT OF USER IN THE FOREST,

,, separation of, essential to good management, 231

,, legel basis of, in India, 280

,, indefinite character of, 299

,, special features of, 283

,, inherent limits of, 286

,, Ruropean authorities on the subject, 302

,, limitation beneficial to both sides, 288

,, value of, in Europe and in India,

,, actual need as measure of, 291

in relation to other means, 201, 292

,, always confined to a fixed purposo, 832, 833

,, destructive right not recognized, 283

,, may be "real" or "personal" in India, 284

,; may be subject to some payinent, 325

,, itself not transferable, 324

,, produce of, not ordinarily saleable, 323

, list of, 319.

.,

,, not called "easements" in Forest Acts, 318, note.

burden of aggregate rights, 293, 369 RIGHT OF USER IN THE FOREST,

" suspension of, as penalty, 435

", provision for in "workingscheme," 290, 365

, SETTLEMENT of, 265

,, effort made to discover, 261

,, not claimed or discovered, are extinguished, 261

,, if admitted, how dealt with, 265

,, proposed form of register of, 275

,, transferred from forest, 265

,, legal status of place of transfer,

,, new rights cannot grow up, 271

,, practical infringement of rule,

RIGHT CLAIMED IN FOREST, TO LAND, 262

Right of way, 315

,, to extract timber across private land, 816

,, to water-course, 317

,, to use of water, 317

,, none arises from practice of shifting cultivation (jum, &c.), 388

,, See also Wood, Litter, Pasture, &c., Self-Defence, Resement, Definition, Regulation, Buying-out, &c.

RIGHT-HOLDEN, what he is ontitled to, 289

,, limit of his right, 289, 291

,, not a co-owner of forest, 284

"sparing the forest," 292

Ser also Forest-Owner.

Riot, 109

River, law of alluvion, 207, 208

,, timber iloating, incidents of,

" (and banks), control of, 411, 412 "River-Rules," 411

Roads (public), law about, 219. Sec Right of Way.

Robbery, 119

"Royal " trees, 207

Tules about, 242

Rules made under authority of law, 20

legislative and executive not to he mixed, 197

,, under Forest Act, remarks on, 192

" see River, Protection.

, for regulating rights in exercise, 344

,, of Service, &c., legal force of, 21, 452

,, legalized by Ind. Councils Act, 189

8.

Sale of produce of right, 322, 323

,, combination against, 481, note ,, obstruction of lawful, 481

Sale-hammer, see Mark.

Salva re substantia, meaning of, 287 Salving timber, 415

,, ,, rules for, 419 ,, fees, 422

"Sanction," 5, 19

Saw-pits. 418

Search warrant, 156, 157, 472

Secretary of State for India can be sued, 32

Security for good behaviour, 158, 457,

"Seisin," "Seised," 57, note Seiznre of illicit produce, 436

Self-defence, right of, 105

,, act in excess of, 115, note Sentence, how executed, 172

,, can be enhanced on "revision," 177

Servant, master's liability for act of,

Service, public, its nature, 450

,, the Ferest, its organization, 454

.. duration of, 453

,, public and private, difference,

Servient estate, 81

Servitude, term explained, 81 See Right, Easement, &co

Settlement of rights essentials and not a luxury merely, 231

Settlement of Protected Forest not complete, 235

sce Forest Settlement. Right.

Set-off, 55

Several, see Joint.

Shifting cultivation not an ensement, nor gives title to land, 84, and note, 338

"Special law, 93, 94

"Specific performance," 29, 30

Specificatio, 70

Staff (forest officers), the, controlling, &c., 458

State, the, as a corporation, 35

,, reasons for its owning forests, 36 Status, and family rights, not dealt with, 16

Statute law, 18

Streunutzung, 335, 261

Subordinate, obeying illegal order, 100, 468

Summary trial, 167, 168

Summons, the, 154, 155

"Summons pase," 154, 167

Surety, liability of, 39

,, under Cr. Pro. Code, 153, note Suspension of Forest Officer for mis-

conduct, 457, 466 see Right.

Sutlei River waif rules on, 417

T.

Tender of payment, &c., 53, 54 Terms. see Definition.

Theft, 118

., forest cases of, 426

THINGS, regarded by law, 6, 7 classification of, 36

,, classification of, 30 rights of persons over, 57

.. easoments over: 77

Timber awaiting disposal, 420

,, extraction of, over land, 317

,, floating, account of, 416

" see Protection.

Time, calculation of, 53, note

,, reckoning in criminal cases, 186,

lapse of, its effect, 27, 56

Torches, 347

Tort, 49

,, what acts amount to 50, 447 Trading prohibited to Forest Officers, 460

Transfer of property, 72

,, of rights, 266, 267

,, see Sale.

Transit, see Protection.

Treasure-trove, 69

Tree-planting will not supply the place of forest estates, 4, note

in another's soil, 70

Trees "Royal," 207

TRESPASS in house, lurking, &c., 122

,, criminal, 122

,, in forest cases, 400, 401

,, civil law of, 447 see Cattle.

TRIAL (criminal), 160

,, place of, 161

" formal preliminary enquiry, 163

,, before Sessions or High Court, 168

,, summary form of, 167

,, of summons-case, 167

of warrant-case, 167

,, second, under certain circumstances, 173, 174

Trust, see Breach.

U.

Undue influence, 25
Uniform (official), 459
Universitas benerum, 35
Unlawful assembly, 109, 430
Unlimited easement, 84, 290, 306
Unmarked, see Waif.
User, right of, see Easement, Right, Usucapio, 65
Usufruct, 78

duty of holder, 287

٧,

Valuation of forest easements, 372 ,, of land or other means of compensation, 374 Valuation (in compensating forest casements) under Gorman law,

Vexatious charge, compensation for; 182

,, seizure or arrost, 461
"Village community" not a corporation,

34, note

,, ,, how far may be regarded a "dominant" estate, 82, 83

VILLAGE FOREST, 287

,, in Burma, 239
,, policy of Madras
against, 240
,, constitution of, 277
,, rights in assigned

forest, 278
Villago rights not to be recorded en

masse, 271, 326, 333 Voidable, void, 26 Voluntary, 23, note, 99

w.

Waif timber, 68, 417 Warrant, the, 155

,, see Search, ,, case, 154, 166

WASTE LAND (India) at first ignored 3 ,, Government is owner of,

211 ,, Act for sattling claims over, 215, 218

,, use of, does not necessarily imply ownership, 215

,, disposal of, at L. Revenue Settlement, 210

of, 218

,, how regarded in former days, 282

basis of Forest Law, 225

Way, see Right.

Whipping (Act VI. of 1864), 784

Will, 23

Windfall (timber) in rivers, 418 Windsor Forest, 487, note, 203 Wood-Rights for building, &c., 327, 345
,, for boiling cutch, kilns, &c., 331, 347
,, deadwood, 380
,, for fuel, 329, 347

Wood-Rights for implements and industries, 328, 346
"Working-scheme" in relation to forest easements, 299, 365
Wrong affecting the public, 91

THE END,