

to the owner thereof in respect of any tree or shrub injured or destroyed.

Power to compound offences :

As amended by 28, 1923, 2.

9. The Principal Forest Officer, the Assistant Principal Forest Officer, an Assistant Conservator of Forests, or the Commissioner of any District may, if specially empowered in this behalf by the High Commissioner, accept from any person reasonably suspected of having committed an offence in any State forest a sum of money by way of compensation for the offence that may have been committed; and when any property has been seized which is liable to confiscation, may release it on payment of its value as estimated by the Principal Forest Officer, the Assistant Principal Forest Officer, an Assistant Conservator of Forests, or Commissioner, or on payment of any less sum, or without payment.

On such payment being made the accused person if in custody shall be discharged, the property seized shall be released, and no further proceedings shall be taken on behalf of the Forest Department against such person or property.

Reward to informer

As amended by 28, 1923, 2.

10. The Principal Forest Officer, the Assistant Principal Forest Officer an Assistant Conservator of Forests, or Commissioner to whom under the provisions of this Law any sum has been paid as compensation for an offence may, in his discretion, pay any portion of the sum, not exceeding one-half to the person who gave such information as caused the sum to be paid.

Court may order costs of vexatious complaint to be paid by complainant.

11. If, on the hearing of any complaint under this Law, the Court shall consider that it was made without due cause, it may order the complainant to pay to the person complained against all costs incurred by him by reason of the proceedings and such reasonable indemnity for loss of time as to the Court may seem fit.

Short title.

12. This Law may be cited as the Forest Law, 1889.

FRAUDULENT TRANSFERS AVOIDANCE.

7 OF 1886.

TO PROVIDE FOR THE SETTING ASIDE OF TRANSFERS OF PROPERTY MADE TO HINDER CREDITORS.

HENRY BULWER.]

[April 24, 1886.

Definitions.

1. In this Law :—The expression “creditors of a debtor” means not only the persons to whom he is actually indebted, but also every sheriff, and every person acting for a sheriff, who shall lawfully put into execution any judgment given against the debtor, and also every person (if any) in whom the property of the debtor or the right to sell and dispose of it shall either by his own act or by operation of law

become vested for the common benefit of all the persons to whom he is indebted; and the expression "judgment debt" means not only a debt for the payment of which a judgment has been given by a competent Court, but also every debt in respect of which the person to whom it is due has duly established his right to rank as a creditor of the person from whom it is due on the distribution of the property of the last-mentioned person under any law providing for the distribution of the property of bankrupts or insolvent persons among their creditors.

2.—(1.) Every gift, sale,

Sec.2 (2) of Law 7 of 1886 (at p.401) has been repealed and the following substituted therefor:-

2 (2) In any application under the provisions of this Law to set aside a transfer or assignment of any property made to any parent, spouse, child, brother, or sister of the transferor or assignor otherwise than in exchange for money or for other property of equivalent value or for good consideration the onus of proving that such transfer or assignment was bona fide and not made with intent to hinder or delay his creditors shall rest upon the transferor or assignor and upon the person to whom such transfer or assignment has been made.

Sec.3 (1) of Law 7 of 1886 has been amended by the insertion in line 3 after the word "Law" of the words "whether made before or after the commencement of an action or other proceeding wherein the right to recover the debt has been established" and the deletion in lines 5 and 6 of the words "the action or other proceeding wherein the right to recover the debt has been established" and the substitution therefor of the words "such action or proceeding"

Vide Law 10 of 1927.

or any judgment creditor made in the action or other proceeding wherein the right to recover the debt has been established, and to the Court before which such action or other proceeding has been heard or is pending.

(2.) No gift, sale, mortgage, or other transfer of any property shall be set aside under the provisions of this Law, except it shall have been made within the period of one year next before the com-

*repealed by
Law 10 of 1927
sec. 4*

become vested for the common benefit of all the persons to whom he is indebted; and the expression "judgment debt" means not only a debt for the payment of which a judgment has been given by a competent Court, but also every debt in respect of which the person to whom it is due has duly established his right to rank as a creditor of the person from whom it is due on the distribution of the property of the last-mentioned person under any law providing for the distribution of the property of bankrupts or insolvent persons among their creditors.

2.—(1.) Every gift, sale, pledge, mortgage or other transfer or disposal of any movable or immovable property made by any person with intent to hinder or delay his creditors or any of them in recovering from him, his or their debts shall be deemed to be fraudulent, and shall be invalid as against such creditor or creditors; and, notwithstanding any such gift, sale, pledge, mortgage or other transfer or disposal, the property purported to be transferred or otherwise dealt with may be seized and sold in satisfaction of any judgment debt due from the person making such gift, sale, pledge mortgage or other transfer or disposal.

Avoidance of
fraudulent
transfers.

(2.) Every transfer or assignment of any property made otherwise than in exchange for money or other property of equivalent value shall be deemed to be fraudulent for the purposes of this Law if it is made to any parent, spouse, child, brother, or sister of the transferor or assignor.

(3.) No sale, mortgage, transfer or assignment made in exchange for money or other property of equivalent value shall be voidable under the provisions of this Law, unless the purchaser, mortgagee, transferee, or assignee shall be shown to have accepted it with knowledge that such sale, mortgage, transfer, or assignment was made by the vendor, mortgagor, transferor, or assignor with intent to delay or defraud his creditors.

3.—(1.) Any gift, sale, pledge, mortgage or other transfer or disposal of any movable or immovable property deemed to be fraudulent under the provisions of section two of this Law may be set aside by an order of the Court, to be obtained on the application of any judgment creditor made in the action or other proceeding wherein the right to recover the debt has been established, and to the Court before which such action or other proceeding has been heard or is pending.

Procedure
to set aside
transfer.

(2.) No gift, sale, mortgage, or other transfer of any property shall be set aside under the provisions of this Law, except it shall have been made within the period of one year next before the com-

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sec. 4

mencement of the action or proceeding in which the application to set it aside is made.

Registration to be rectified.

4. It shall be lawful for the proper officer of Land Registry, on delivery to him of an office copy of any order made under the provisions of the last preceding section to make or cause to be made all such registrations in the books of the Land Registry Office as may be necessary consequent on the order.

Short title.

5. This Law may be cited as the Fraudulent Transfers Avoidance Law, 1886.

FRUIT TREES PROTECTION.

16 OF 1891.

FOR THE BETTER PROTECTION OF FRUIT TREES.

HENRY BULWER.]

[July 31, 1891.

Carob, olive and fruit tree wood not to be sold nor exposed for sale without permit.

1. No carob wood, olive wood, or wood of any fruit trees shall be sold or exposed for sale except under a permit in writing signed by a District Commissioner specially authorizing the sale; and any person who shall sell or expose for sale any such wood without such permit shall be liable to a fine not exceeding five pounds, or to imprisonment not exceeding three months, or to both such penalties, and all carob and olive wood, or wood of any fruit tree sold or offered for sale by any person without such permit shall be confiscated.

Wood when deemed to be exposed for sale.

2. Wood shall be deemed to be exposed for sale within the meaning of the preceding section when it is being transported to any place for sale.

3. No District Commissioner shall issue any such permit, except to a person dwelling within his district.

Duration of permit.

4. No permit issued under this Law shall be valid for a longer period than three months from its date.

Person selling must have permit with him at sale.

5. It shall be the duty of every person selling or exposing for sale olive or carob wood, or wood of any fruit tree to have the permit of sale in his possession at the time when the wood is sold or exposed for sale.

Wood sold without permit may be seized summarily.

6. Any Zaptieh or Police Officer, or any official of the Forest Department, or any Mukhtar or Field Watchman within his village or beat, may call on any person selling or exposing for sale any olive