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57. — When branches or roots of any tree encroach upon the adjoining land its owner may give to the owner of the tree notice to cut such branches or roots within a reasonable time. If the owner of the tree does not comply with such notice the owner of the land is entitled to cut and keep the branches or roots, and to receive compensation for damages if he has incurred thereby.

F. 673. G. 910, 911. J. 233. M. 135. S. 637.

58. — Any person is entitled to lead cattle in order to feed or water it over another person's land which is not enclosed, unless :

1. the owner expressly forbids it, or
2. the land is actually planted with trees, rice or other crops.

Siam Lakshana Betset 1 to 6, 8. S. 699.

59. — Any person has a free access into the woods, forests and pasture land owned by another person and can collect fuel or fruits and gather wild growing vegetables, mushrooms and the like according to local custom, in so far as the local authorities have not issued special prohibition

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TITLE III.

Joint-Ownership.

60. — Joint-owners are two or more persons who share the ownership of an undivided thing.

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Shares are presumed to be equal.

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61. — Each of the joint-owners can set up against third persons his right of ownership as extending to the whole thing

G. 1011.

Illustrations : — I. A and B are joint-owners of a piece of land. C claims a right of way over it. A is inclined to recognize the validity of C's claim and refuses to go to law. B alone can deny the validity of C's claim and be the only defendant in the action instituted by C before the Court, as if he was the only owner of the land.

II. A and B are joint-owners of a motorcycle. The motorcycle is stolen. A is absent. B alone can take all the legal steps necessary to secure the restoration of the motorcycle as if he was its only owner.

62. — Each of the joint-owners has over his share the same rights and liabilities as a single owner.

F. 2021. G. 1114. I. 679. S. 646, 800.

Illustration : — A and B are joint-owners of a ship. A may sell his share in the ship. If A is declared bankrupt, the Official Receiver can attach and sell A's share in the ship.

63. — No joint-owner can dispose of the thing without the consent of the other joint-owners.

Siam Dika No. 27, 40/117; 193, 232/118 ; 106, 140/119 ; 17, 257/120 ; 705/121 ; 87, 247/122 ; 46, 140, 409, 414, 473/123 ; 82/117.

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