

streets within any subdivision previously made and approved or recorded according to law, but does not include conveyances so as to combine existing lots by deed or other instrument.

**Subdivision map.** A map showing how a larger parcel of land is to be divided into smaller lots, and generally also showing the layout of streets, utilities, etc.

**Subflow.** Those waters which slowly find their way through sand and gravel constituting bed of a stream, or lands under or immediately adjacent to stream. *Maricopa County Municipal Water Conservation Dist. No. 1 v. Southwest Cotton Co.*, 39 Ariz. 65, 4 P.2d 369, 380.

**Subhastare** /səbhæstəriy/. Lat. In the civil law, to sell at public auction, which was done *sub hasta*, under a spear; to put or sell under the spear.

**Subhastatio** /səbhæstéysh(iy)ow/. Lat. In the civil law, a sale by public auction, which was done *under a spear*, fixed up at the place of sale as a public sign of it.

**Subinfeudation** /səbinfyuwdéyshən/. The system which the feudal tenants introduced of granting smaller estates out of those which they held of their lord, to be held of themselves as inferior lords. As this system was proceeding downward *ad infinitum*, and depriving the lords of their feudal profits, it was entirely suppressed by the statute *Quia Emptores*, 18 Edw. I, c. 1, and instead of it alienation in the modern sense was introduced, so that thenceforth the alienee held of the same chief lord and by the same services that his alienor before him held.

**Subirrigate** /səbihrəgèyt/. To irrigate below the surface, as by a system of underground porous pipes, or by natural percolation through the soil.

**Subjacent support** /səbjéysənt səpórt/. The right of land to be supported by the land which lies under it; distinguished from lateral (side) support. *See also* Support.

**Subject.** *Constitutional law.* One that owes allegiance to a sovereign and is governed by his laws. The natives of Great Britain are *subjects* of the British government. Men in free governments are subjects as well as *citizens*; as citizens they enjoy rights and franchises; as subjects they are bound to obey the laws. The term is little used, in this sense, in countries enjoying a republican form of government. *Swiss Nat. Ins. Co. v. Miller*, 267 U.S. 42, 45 S.Ct. 213, 214, 69 L.Ed. 504.

**Legislation.** The matter of public or private concern for which law is enacted. Thing legislated about or matters on which legislature operates to accomplish a definite object or objects reasonably related one to the other. *Crouch v. Benet*, 198 S.C. 185, 17 S.E.2d 320, 322. The matter or thing forming the groundwork of the act. *McCombs v. Dallas County, Tex.Civ.App.*, 136 S.W.2d 975, 982.

The constitutions of several of the states require that every act of the legislature shall relate to but one *subject*, which shall be expressed in the title of the statute. But term "subject" within such constitutional provisions is to be given a broad and extensive meaning

so as to allow legislature full scope to include in one act all matters having a logical or natural connection. *Jaffee v. State*, 76 Okl.Cr. 95, 134 P.2d 1027, 1032.

**Subjection.** The obligation of one or more persons to act at the discretion or according to the judgment and will of others.

**Subject-matter.** The subject, or matter presented for consideration; the thing in dispute; the right which one party claims as against the other, as the right to divorce; of ejection; to recover money; to have foreclosure. *Flower Hospital v. Hart*, 178 Okl. 447, 62 P.2d 1248, 1252. Nature of cause of action, and of relief sought. In trusts, the *res* or the things themselves which are held in trust. *Restatement, Second, Trusts*, § 2.

**Subject matter jurisdiction.** Term refers to court's power to hear and determine cases of the general class or category to which proceedings in question belong; the power to deal with the general subject involved in the action. *Standard Oil Co. v. Montecatini Edison S. p. A.*, D.C.Del., 342 F.Supp. 125, 129. *See also* Jurisdiction of the subject matter.

**Subject to.** Liable, subordinate, subservient, inferior, obedient to; governed or affected by; provided that; provided; answerable for. *Homan v. Employers Reinsurance Corp.*, 345 Mo. 650, 136 S.W.2d 289, 302.

**Sub judice** /səb jūdəsiy/. Under or before a judge or court; under judicial consideration; undetermined.

**Sublata causa tollitur effectus** /səblétə kózə tólétər əféktəs/. The cause being removed the effect ceases.

**Sublata veneratione magistratum, res publica ruit** /səblétə vènərəyshiyówniy məjəstrétyuwəm, ríyz pəbləkə rúwət/. When respect for magistrates is taken away, the commonwealth falls.

**Sublato fundamento cadit opus** /səblétow fəndəméntow kéydət ówpəs/. The foundation being removed, the superstructure falls.

**Sublato principali, tollitur adjunctum** /səblétow prinsəpéyilay, tólétər əjəktəm/. When the principal is taken away, the incident is taken also.

**Sublease.** A lease executed by the lessee of land or premises to a third person, conveying the same interest which the lessee enjoys, but for a shorter term than that for which the lessee holds (as compared to assignment, where the lessee transfers the entire unexpired term of the leasehold to a third party). Transaction whereby tenant grants interests in leased premises less than his own, or reserves to himself reversionary interest in term. *Ernst v. Conditt*, 54 Tenn.App. 328, 390 S.W.2d 703, 707. *See also* Lease; Sandwich lease; Subtenant.

A lease of goods the right to possession and use of which was acquired by the lessor as a lessee under an existing lease. U.C.C. § 2A-103(1)(w).

**Subletting.** *See also* Sublease.

**Submerged lands.** Land lying under water. Land lying oceanside of the tideland. *People v. Hecker*, 179 Cal.App.2d 823, 4 Cal.Rptr. 334, 341.