

writ for the restoring of lands or goods to a debtor who is distrained above the amount of the debt.

**Terris liberandis** /téhɾəs libərándəs/. A writ that lay for a man convicted by attain, to bring the record and process before the king, and take a fine for his imprisonment, and then to deliver to him his lands and tenements again, and release him of the strip and waste. Also it was a writ for the delivery of lands to the heir, after homage and relief performed, or upon security taken that he should perform them.

**Territorial**. Having to do with a particular area; for example, territorial jurisdiction is the power of a court to take cases from within a particular geographical area.

**Territorial courts**. U.S. courts in each territory, such as the Virgin Islands. They serve as both Federal and state courts. Created under U.S.Const., Art. IV, Sec. 3, cl. 2.

**Territorial jurisdiction**. Territory over which a government or a subdivision thereof, or court, has jurisdiction. *State v. Cox*, 106 Utah 253, 147 P.2d 858, 861. Jurisdiction considered as limited to cases arising or persons residing within a defined territory, as, a county, a judicial district, etc. The authority of any court is limited by the boundaries thus fixed. *See also* Extraterritorial jurisdiction; Jurisdiction.

**Territorial property**. The land and water over which the state has jurisdiction and control whether the legal title be in the state itself or in private individuals. Lakes and waters wholly within the state are its property and also the marginal sea within the three-mile limit, but bays and gulfs are not always recognized as state property.

**Territorial; territoriality**. These terms are used to signify connection with, or limitation with reference to, a particular country or territory. Thus, "territorial law" is the correct expression for the law of a particular country or state, although "municipal law" is more common.

**Territorial waters**. Term refers to all inland waters, all waters between line of mean high tide and line of ordinary low water, and all waters seaward to a line three geographical miles distant from the coast line. *C. A. B. v. Island Airlines, Inc.*, D.C.Hawaii, 235 F.Supp. 990, 1002. That part of the sea adjacent to the coast of a given country which is by international law deemed to be within the sovereignty of that country, so that its courts have jurisdiction over offenses committed on those waters, even by a person on board a foreign ship. *See* Three-mile limit.

**Territory**. A part of a country separated from the rest, and subject to a particular jurisdiction. Geographical area under the jurisdiction of another country or sovereign power.

A portion of the United States, not within the limits of any state, which has not yet been admitted as a state of the Union, but is organized, with a separate legislature, and with executive and judicial officers appointed by the president. *See* Trust territory.

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An assigned geographical area of responsibility; *e.g.* salesman's territory.

**Territory of a judge**. The territorial jurisdiction of a judge; the bounds, or district, within which he may lawfully exercise his judicial authority. *See e.g.* 28 U.S.C.A. § 81 et seq. (territorial composition of federal district courts). *See also* Jurisdiction.

**Terror**. Alarm; fright; dread; the state of mind induced by the apprehension of hurt from some hostile or threatening event or manifestation; fear caused by the appearance of danger. In an indictment for riot at common law, it must have been charged that the acts done were "to the terror of the people."

An element of offense of aggravated kidnapping, is any act which is done to fill with intense fear or to coerce by threat or force. *Rogers v. State*, Tex.Cr.App., 687 S.W.2d 337, 341.

**Terrorism**. "Act of terrorism" means an activity that involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; and appears to be intended—(i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion, or (iii) to affect the conduct of a government by assassination or kidnapping. 18 U.S.C.A. § 3077.

**Terroristic threats**. A person is guilty of a felony if he threatens to commit any crime of violence with purpose to terrorize another or to cause evacuation of a building, place of assembly, or facility of public transportation, or otherwise to cause serious public inconvenience, or in reckless disregard of the risk of causing such terror or inconvenience. 18 U.S.C.A. § 3077; Model Penal Code, § 211.3. *See also* Terrorism.

**Terry-stop**. *See* Stop and frisk.

**Tertia denunciatio** /tərsh(iy)ə dənənsiyéysh(iy)ow/. Lat. In old English law, third publication or proclamation of intended marriage.

**Tertius interveniens** /tərsh(iy)əs intərvýn(iy)ènz/. Lat. In the civil law, a third person intervening; a third person who comes in between the parties to a suit; one who interpleads.

**Test**. To bring one to a trial and examination, or to ascertain the truth or the quality or fitness of a thing. Something by which to ascertain the truth respecting another thing; a criterion, gauge, standard, or norm.

In public law, an inquiry or examination addressed to a person appointed or elected to a public office, to ascertain his qualifications therefor, but particularly a scrutiny of his political, religious, or social views, or his attitude of past and present loyalty or disloyalty to the government under which he is to act.

*See also* Competitive civil service examination; Examination.

**Discovery**. Requests for permission to test tangible things in civil actions are governed by Fed.R.Civil P. 34. Requests for reports or results of examinations or tests are governed by Fed.R.Civil P. 35, and Fed.R.Crim.P. 16.