



# Trespass

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# Primary entitlements associated (at common law) with ownership of land

- Privilege to Use and Improve
  - Right of Quiet Enjoyment
  - Right to Lateral and Subjacent Support
  - **Right to Exclude**
  - Privilege to use water on or under the land
- Law of nuisance governs the tension between these

Sanctions for violation include:

- Compensatory damages;
- Punitive damages;
- Ejectment;
- Injunctions to prevent entry;
- Criminal proceedings



*Cuius est solum, eius est usque ad coelum et ad inferos*

- Whoever's is the soil, it is theirs all the way to Heaven and all the way to Hell