

JOINT Tenants for Term of Life or Years.

Joint tenants,
and tenants in
common for
lives or years,
shall make
partition.

FORASMUCH as in the Parliament begun at Westminster the twenty-eighth day of April, and there continued till the twenty-eighth day of June, the thirty-first year of the King's most noble and victorious reign that now is, it was amongst other things there enacted and established that all joint tenants and tenants in common that then were or hereafter should be of any estate or estates of inheritance, in their own rights or in the right of their wives, of any manors, lands, tenements, or hereditaments within this Realm of England, Wales, or marches of the same, shall and may be coacted and compelled by virtue of the said Act to make partition between them of all such manors, lands, tenements, and hereditaments as they then held or hereafter should hold as joint tenants or tenants in common, as more at large appeareth by the said Statute: And forasmuch as the said Statute doth not extend to joint tenants or tenants in common for term of life or years, neither to joint tenants or tenants in common where one or some of them have but a particular estate for term of life or years, and the other have estate or estates of inheritance of and in any manors, lands, tenements, and hereditaments:

1. All joint tenants and tenants in common, and every of them, which now hold, or hereafter shall hold, jointly or in common for term of life, year or years, or joint tenants or tenants in common where one or some of them have or shall have estate or estates for term of life or years, with the other that have or shall have estate or estates of inheritance or freehold in any manors, lands, tenements, or hereditaments, shall and may be compellable from henceforth, by writ of partition to be pursued out of the King's Courts of Chancery, upon his or their case or cases, to make severance and partition of all such manors, lands, tenements, and hereditaments which they hold jointly or in common for term of life or lives, year or years, where one or some of them hold jointly or in common for term of life or years with other, or that have an estate or estates of inheritance or freehold.

Joint tenants for life or years are compellable to make partition.

2. Provided always . . . that no such partition nor severance hereafter to be made by force of this Act be, nor shall be, prejudicial or hurtful to any person or persons, their heirs or successors, other than such which be parties unto the said partition, their executors or assigns.

Partition to be prejudicial to none but parties.