

Minds and Wills, of other holding the same Manors, Lands, and Tenements, and Hereditaments jointly or in common with them, and they have been always without assured Remedy for the same:

II. Be it therefore enacted by the King our most dread Sovereign Lord, and by the Assent of the Lords Spiritual and Temporal, and by the Commons, in this present Parliament **312** *assembled, That all joint Tenants and Tenants in common, that now be, or hereafter shall 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 the Marches of the same, shall and may be coacted and compelled, by virtue of this present Act, to make Partition between them of all such Manors, Lands, Tenements, and Hereditaments, as they now hold, or hereafter shall hold as joint Tenants, or Tenants in common, by Writ *De participatione facienda*, in that case to be devised in the King our Sovereign Lord's Court of Chancery, in like manner and form as Coparceners by the common Laws of this Realm have been and are compellable to do, and the same Writ to be pursued at the common Law. *2 Bulstr.* 114.

III. Provided alway, and be it enacted, That every of the said joint Tenants, or Tenants in common, and their Heirs, after such Partition made, shall and may have aid of the other, or of their Heirs, to the intent to dereign the Warranty paramount, and to recover for the rate, as is used between Coparceners after Partition made by the order of the common Law; anything in this Act contained to the contrary notwithstanding.

I. Godbolt, 84. pl. 97. Several Inconveniencies ensuing by holding Lands jointly, or in common, being undivided.

II. Joint Tenants and Tenants in common are compellable to make Partition by Writs. Extended to joint Tenants, &c. for Life or Years by 32 H. 8, c. 32. Co. pl. 1, f. 400. Raymond, 249. Dyer, 128, 350 b. Bro. Partit. 38, 42. Cro. El. 759.

III. Every of the joint Tenants and Tenants in common shall have Aid of the other. Hob. 179. 6 Co. 12.

Scope of Statutes.—This and 32 H. 8, c. 32, and 8 & 9 W. & M. c. 31, are the well-known Statutes under which joint tenants and tenants in common of estates of inheritance, or for term of life, or years, are compellable to