

be unequal, and the Infant hath the lesser Part, yet is not the Partition void, but voidable by his Entry; for if he take the whole Profits of the unequal Part, after his full Age, the Partition is made good for ever. And therefore Littleton here giveth him a Caveat, That in that Case he take not the whole Profits of his unequal Part: Neither shall an unequal Partition in the Chancery, bind an Infant as appeareth before. But a Partition made by the King's Writ De partitione facienda, by the Sheriff, by the Oath of twelve Men, and Judgment thereupon given, shall bind the Infant, though his Part be unequal, *Causa quæ supra.*

le puisse durant l' temps de son nonage, & auri quant el vient a pleine age, 21. ans, poit enter en la purparty a sa soer allot & defeatera la partition. Mes bien soy gard tiel Parcener quant el vient a sa plein age, que el ne preigne a son use de mesme tous les profits des terres ou tenements que a luy suec allots. Car donques el soy agreea a la partition a tiel age, en quel case la partition estoiera & demurra en la force: Mes peradventure les profits de la moity el poit prendre, relinquant les profits de l'auter moity a sa soer.

other; in this Case the youngest during the Time of her Nonage, and also when she cometh to full Age, *i. e.* of 21 Years, may enter into the Part allotted to her Sister, and shall defeat the Partition: But let such Parcener take heed, when she comes to her full Age, that she taketh not to her own Use, all the Profits of the Lands or Tenements which were allotted unto her: For then she agrees to the Partition at such Age, in which Case the Partition shall stand and remain in its Force: But peradventure she may take the Profits of the Moiety, leaving the Profits of the other Moiety to her Sister.

Sect. 259.

2 Inst. 673.

\* Vide Sect. 402, 403.  
F N. B. 27. h. 192. g.  
Post 337. b. 380.

2 Roll. 84. Sid. 253.  
8 Co. 44. b.  
Britt. f. 65, 66.  
Fleta, lib. 3. cap. 14.

**T**HE Law hath provided for the Safety of a Man's or Woman's Estate, that \* before their Age of twenty-one Years they cannot bind themselves by any Deed, or alien any Land, Goods or Chattels.

**A**ge de 21. ans. Before this Age, a Man or Woman is called an Infant.

**F**ait. *Factum*, Anglice, a Deed, and signifieth in the Common Law, an Instrument consisting on three Things, viz. Writing, Sealing and Deliberation, comprehending a Bargain or Contract between Party and Party, Man or Woman. It is called of the Civilians, *Literarum obligatio*.

**F**eofoement. Of this Word, sufficient hath been

**E**c est ascavoir que quant il est dit, que males ou females sont de pleine age, ceo serra entendue de age de 21. ans. Car si devant tiel age, aucun fait ou feoffment, grant, release, confirmation, obligation, ou autre scripture soit fait per aucun de eux, &c. ou si aucun deins tiel age, soit Bayliffe ou receiver a aucun home, &c. tout serbe pur nient, & poit este avoyde

**A**ND it is to be understood, that when it is said, that Males or Females be of full Age, this shall be intended of the Age of 21 Years, for if before such Age any Deed or Feoffment, Grant, Release, Confirmation, Obligation, or other Writing be made by any of them, &c. or if any within such Age be Bailiff or Receiver to any Man, &c. all serve for nothing, and may be avoided. Al-

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