

the Agreement of him in the Reversion, for that it maketh him a Wrong-doer, and therefore no Relation of an Estate by Wrong can help him.

Coadjutor. Coadjutor est qui auxiliatur alteri, and is derived a Coadjuvando, Anglice, a Fellow-helper.

Sect. 279.

Et nota q̄ disseisin est pro-
perment lōu un home
entra en ascun terres
ou tenements lōu son
entre nest pas con-
geable, & ousta celuy
que ad Franktene-
ment, &c.

AND note, That
Disseisin is pro-
perly where a Man en-
treth into any Lands
or Tenements where
his Entry is not con-
geable, and ousteth
him which hath the
Freehold, &c.

This Description of a
Disseisin, and the
[&c.] in this Place is under-
stood only of such Lands and
Tenements whereinto an En-
try may be made, and not of
Rents, Commons, &c. where-
of sufficient hath been said be-
fore in the Chapter of Rents,
and so in Effect Littleton de-
scribed it before the Edition
of his Book. And note here,
That every Entry is no Dis-

Sid. 227.

3 E. 4. 2. 34 Aff. 11, 12.
26 Aff. 17. 41 Aff. 10.
24 E. 3. 31.
Parson de Hony Lane.
45 Aff. 7.
39 Aff. 1.
Vide Dyer 31. b.

seisin, unless there be an Ouster also of the Freehold. And therefore Littleton doth not set down an Entry only, but an Ouster also, as an Entry and a Claimer, or Taking of Pro-
fits, &c.

Now as there be Jointenants by Disseisin, so are there Jointenants by Abatement, In-
trusion, and Usurpation, all which are included in the latter &c.

Sect. 280.

Et est a sçavoir
que la nature
de jointenancie est q̄
celuy que survesquist
avera solement len-
tier tenancie selonq̄
tiel estate que il ad, si
le jointure soit con-
tinue, &c. Sicomme
si trois Jointenants
sont en Fee simple, &
lun ad issue & devie,
uncoze ceux que sur-
vesquont averont les
tenements entier, &
issue n'avera riens.
Et si le 2. jointenant
ad issue & devie, un-
coze le tierce que sur-
vesquist avera les te-
nements entier, & eue
avera a luy & a ses

AND it is to be un-
derstood, that the
Nature of Jointenancy
is, that he that survi-
veth shall have only
the entire Tenancy, ac-
cording to such Estate
as he hath, if the Join-
ture be continued, &c.
As if three Jointe-
nants be in Fee sim-
ple, and the one hath
Issue, and dieth, yet
they which survive
shall have the whole
Tenements, and the Is-
sue shall have nothing.
And if the second Join-
tenant hath Issue and
die, yet the Third
which surviveth shall
have the whole Tene-

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Si le jointure soit
continue, &c.

Here by this [&c.] many 2 Rol. 91.

Points of Learning are to be
observed, as that it is proper
to Jointenants only to have
Lands by Survivour; for no
Survivour of other Tenants
pro indiviso shall have the
whole by Survivour, but only
Jointenants, and this is call-
ed in Law, Jus accrescendi.
Omnes feoffati sunt simul ha-
bendi & tenendi, nec totum
nec partem separatam, nec per
se, sed & quilibet eorum totum
habeat cum aliis in communi, &
cum unus moriatur non descen-
dit aliqua pars hæredi morien-
tis, nec separata nec in commu-
ni ante mortem omnium, sed
pars illa communis per jus ac-
crescendi accrescit superstiti-
bus de persona ad personam
usque ad ultimum superstitem.
But although Survivourship
be proper to Jointenants, yet
it is not proper quario modo
(that is) omni, soli & semper;
for there may be Jointenants,
though

Bract. lib. 4. fo. 262. b.
Brit. c. 35. Fleta, lib. 3.
c. 4. 49 E. 3. f. 5, 6.