

INDEX.

Account, action of, 65 Benchers of Inn of Court, 103 between joint merchants, 65, 77 under 4 Anne, between man and Bishop, as joint tenant, 31-2 two capacities of, 31, 52 wife, 13 Board of Agriculture and Partition, 26, 48 Bodies Corporate Act, 32, 52 between joint tenants and tenants in common, 78-80, 93 where co-owner is made bailiff, 77 where co-owner of patent receives Body corporate, as joint tenant, 31-2, 52 Borough-english, 19-20 Boundary wall, 53 license-fees, 90 Account, joint, 40 clause as to, 41 Bracton, on man and wife, 6-7 joint banking, 38 Action for Partition, see Partition on ownership by communities, 100 Canada, Dominion of, 107-8 Capacities, two, of bishop, 31, 52 of king, 31, 106-7 Castles, partition of, 27 Action of Account, see Account of Ejectment, 72-3 Acts of Parliament, see Statutes Admiralty, and co-owners of ships, 85, 87 - 8Certificate of Chancery Commissioners, Admittance of co-owners to copy-47 holds, 34 Adulterine Gilds, 2, 102 Chancery, jurisdiction in partition, 26, 46-8 Advowson, partition of, 27 partnership actions assigned to, joint presentation to, 27 Agency, law of, and co-ownership, 61 66 - 7Charitable trusts, 103 the test of partnership, 63 Agreement of joint tenants to sell, Chattels real, assignment of, by tenant by entireties, 11, 12 37, 43 to divide, 39 Church, whether owned by community, 100 Class, r Alien as joint tenant, 32 representation by one of a, Alienatio rei praefertur juri accrescendi, 44 Club, action by joint owners, trustees Allowance to co-owner for improvements, 80-1 of, 35 rules of, 109 Ancestor, persona of, 18
Anonymous Partnership Act, 67
Application for partition under Inclosure Acts, 26, 48
Assignment of part of copyright, 89 Coal mines, co-owners of, 76-7, 80 Co-heirs, 18-29 see Co-parceners Co-heirs, and the "united hand," 9 Collective owners, see Co-owners, Joint Athens, co-heirs in, 20 Owners Australia, Commonwealth of, 107-8 Colonists as co-owners, 102, 107-8 Colony and corporateness, 102, 107-8 Common law, larceny by co-owner Common law, at, 6, 64 Bailiff, co-owner constituted, 77 action against, under 4 Anne, 78 Bankruptcy, Trustees in, joint tenants, partition at, 25, 26, 45-6, 52 Commonwealth of Australia, 107-8

112 Index

Communio bonorum, 5, 7 in France, 5 in Scotland, 10 Communities as owners, 98-110
whether corporate or not, 98-9
towns, 99, 101, 104-5
villages, 100-106
Bracton and Azo on, 100 common church and mill, 100 the Genossenschaft, 101 gilds, 102 colonies, 102, 107-8 Inns of Court, 102-3 Masonic lodge, 103 trade unions, 103, 109–10 England and Colonies, 106–8 parishes, 108 tend towards corporateness, 108-110 Companies Act, 1862, 2, 3, 64, 67-8 Company, Virginia, 102 Compulsory Partition, by parceners, 26 by joint tenants, 46-8 by tenants in common, 52-3 Condominium plurium in solidum, 10-11 Conspiracy by man and wife, 17 Contract, co-ownership and, in Roman law, 69 in English law, 69, 82 Contract, joint, parties to action on, 35, 36 to purchase in equal shares, 40 Contribution, writ of, 71, 82 Conversion, 94-5 Conveyance, by another, 45 one co-owner to mutual on partition in Equity, 47 see Cross Remainders, Joint Account Clause Conveyancing Act, 1881, 41 Conveyancing Act, 1881, 41
Co-owners of patent, 57, 89-90
of trademark, 57, 89-90
of copyright, 57-8, 89-90
of mine, 76-7, 80
of ships, 79, 84-9, 93
of land under Settled Land Acts, 83-4 rights and remedies of, inter se, 69-97 in Roman law, 69 in English law, not ex contractu, 69, 82 no agency or trusteeship in, 69-70, 78 by partition, 70 in tenancy by entireties, 70 in co-parcenary, 70-1 in respect to land, 71-84 right to title-deeds, 71-2 right to enter and occupy, 72 ejectione firmae, 72 trespass and ouster, 73

Co-owners, in respect to land, party-walls, 73-4 receivership, 74-6, 90-1 rent, 74-5 injunction, 76-7, 90-1 destructive waste, 76-7 occupation rent, 78, 80, 81-2 action of account, 77-80 inquiries as to occupation rent, 80, 81-2 inquiries as to allowance for improvements and repairs, 80-1 lien for payments to estate, 82 for insurance premium, 82 on mortgage and sale, 83 one co-owner may secure whole equity of redemption, 83 may obtain renewal of lease, 83 as tenants for life under Settled Land Acts, 83-4 in respect to ships, 84-9 majority's power, 84-5 minority indemnified, 85 jurisdiction of Admiralty, 85, incidence of loss, 86 trespass, and destruction, 86 partnership rules applied, 87, 88 mortgage of, and lien, 87 sale of ship, 88, 93-4 majority of co-owners becoming limited company, 88 powers of managing owner, 88 in respect to copyright and patent, 89-90 assignment of part of copyright, result of infringement, 89 infringement of joint patent, 89 assignment of part of patent, 90 accounting for license-money, 90 in respect of chattels generally, 90-7 mandamus, injunction or receiver, 90-1 common law remedy, 70, 91 trespass, 91-3destruction of property, 91-3 trover, 91-3 exclusion, 92-3 effect of sale by one co-owner, conversion, 94-5 redemption of property jointly pledged, 94-5 rights modified by special contract, 95 division of profits earned by joint property, 96
See Communities as owners Co-parcenary, by custom, 21-2



Index

113

Co-parcenary, by common law, 22-3 Damage, joint, 54-6 two kinds distinguished, 23 infringing joint patent, 57, 89-90 course of descent in, 23 how it arises, 24, 30, 49 Death, simultaneous, of joint tenants, how it is dissolved, 25-6 rarity of, 29
Co-parceners, 21-29 escheat for felony, 21, 24 as one heir, 23 'seised jointly,' 24 to, 38 possession of one and all, 24 not one person in law, 24 in, 41 no survivorship, 24 can obtain partition, 24-6 can obtain partition, 24-6
indivisible rights of, 27-8
becoming tenants in common, 51
rights of inter se, 70-1
(and see Co-owners)
right to title-deeds, 72
Co-partners, see Partners
Co-partnership, defined under Larceny
Act. 64 of ship, 86 Act, 64 Copy, right to, of title-deeds, 72 Copy, right to, of title-deeds, 72
Copyhold, partition of, by parceners, 25, 46, 52
joint tenants of, 34
surrender of, severs jointure, 44
release by one joint tenant, 45
Chancery and partition of, 47
Copyhold Act, 1841, 47
Copyright, survivorship and, 37
infringement of co-owners', 57-8, 89
Corporateness, a royal concession, 2 Corporation, a distinct unit, 2, 66, things, 6 98, 100-1 ownership by, 2, 98, 100-1 hostility of State to, 2 husband and wife, 8-9 as joint tenant, 31-2, 52 different theories of the, 98-9 early examples of municipal, 99 parson, 100, 106 king, 106-8 de facto, 109 County, divisible, 28 seal, 109 26, 46-8 Covenant, action on joint, 35, 54, 56 Cross remainders, 53-4 Crown of England, indivisible, 28 right of, in alien's moiety, 32 represents country, 107-8 Escheat, gavelkind lands and, 21 see King Curtesy, in parcenary, 24 joint tenancy, 38 among common law parceners, 24 in towns, 105 tenancy in common, 50 Custom, of cities as to partition, 45 of merchants, 41, 60 parceners by, 21-2, 23 Estovers, indivisible, 27 Evidence, parol to rebut joint tenancy, 40Exclusion, by co-owner, 74, 92-3 Executory trusts, 40

De facto and de jure corporations, 109 De partitione facienda, 26, 46, 52 De rationabili parte, 71 Debts, estate of joint tenant not liable Deed, required for partition, 25, 45, 52 Deed, mortgage, disclosure of trust Demise, between joint tenants, 45 Descent, in co-parcenary, 22-3, 24-5 no joint tenancy by, 30 in tenancy in common, 49 Destruction of unities, 42, 51 of common property, 73, 76, 91 Destructive waste, 76 Devise by joint tenant does not affect survivorship, 37 Dignities indivisible, 27-8 Disseisin, joint tenants after, 30 Dissolution of marriage, effect of on tenancy by entireties, 13
Distress, by one joint owner another, 45
Dominion of Canada, 107–8
Down in parcenage 24 Dower, in parcenary, joint tenancy, 38 tenancy in common, 50 Earldom, partition of, 27-8 Ecclesiastical Courts and movable Ejectione firmae, 72
Ejectment, 72-3
Entireties, Tenancy by, 11-17
see Tenants by, 11-17
see Tenants by Entireties
Tenants by Entireties
Entry by one joint owner, 34 Entry, by one joint owner, 34 right of, 72
Equally, to hold, 14
Equitable jurisdiction in partition, remedies, as to severance of join-ture, 37, 43 Equity, hostile to joint tenancy, 39-40 Equity of redemption, one co-owner may secure whole, 83 Equity to a settlement, none tenancy by entireties, 12

8

114 Index

Extent, none upon estate in joint tenancy, 38

Family, the joint, 20
Father to the Bough, 21
Fealty indivisible, 27
in joint tenancy, 51
Felony, forfeiture for, 32
and see Escheat
Felo de se, 32
Feme sole, 15
Fiduciary, co-owners' relationship not, 69-70, 78, 83
Forfeiture for felony, 32
and see Escheat
French partnerships imitated, 67-8
Fructus industriales, and action of account, 79

Gavelkind, in Wales, 21
in Ireland, 21
in Kent, 21-2
descent in, incidents of, 21-2
customs of, 22
Gemeinschaft zur gesammten Hand, 9
Genossenschaft, 101
Gift to man and wife and others,
effect of, 13-6
Gilds, adulterine, 2, 102
co-ownership by, 102
Goodwill, whether surviving in partnership, 60

Haereditas, 18
Hearthside child, 20, 21
Heir, parceners as one, 23
Heir-at-law, sisters as, personae designatae, 24-5
Heriot, joint tenants and, 34
Holding on, as joint tenants, 30
Homage, impartible, 27
Homeric family, 20
Honour, offices of, 27-8
House, partition of, 53
Husband and wife, see Man and wife

Ideal persons, 23
Improvements, allowance for, 80-1
Incidents, Blackstone's, of corporateness, 108-9
Inclosure Act, 1895, 50
Inclosure Acts, 26, 48
Indemnity, right to at Roman Law, 69 of minority of ship owners, 85
Indivisible rights of parceners, 27-8
Infant co-owner, receiver appointed for, 76
Infringement of co-owners' patent, 57, 89, 90
trademark, 57
copyright, 58, 89, 90

Inheritance Act, 1833, and parceners, 23
Injunction against destruction, 74, 76-7
under Judicature Act, 90-1
Inns of Court, as co-owning groups, 102-3
Inquiries in Chancery, 80
as to occupation rent, 80, 82
expenditure on improvements, 80-1
Insurance premiums, lien for, 82
Intention to sever jointure, 39-40, 44
Interest, unity of, 31, 32, 49
Ireland, gavelkind in, 21
partnership in, 67

Joint account, money lent on, 40 Joint account clause, 40-1Joint banking account, 38 Joint contract, parties to action on, 35, 56 Joint covenant, parties to action on, 35, 54, 56 Joint damage, action for, 54-6 Joint merchants, action of account, 65, 77 no survivorship amongst, 41, 59 Joint mortgage, no survivorship in, 40-1 redemption in, 56-7, 83 set-off on sale of common property, 83

Joint owners, classes of tenants by entireties, 11-17 parceners, 21-9 joint tenants, 30-48 tenants in common, 49-58 partners, 59-68 communities, 98–110 of patent, 57, 89–90 of trademark, 57, 89–90 of copyright, 57–8, 89–90 of mine, 76–7, 80 remedias of interests as a Community of the second sec remedies of inter se, see Co-owners Joint tenancy, 30-48 how arising, 30-1 four unities in, 31-3, 42 arising at different times, 32-3

arising at different times, 32–3 survivorship in, 35–8 with several inheritances, 36–7 exceptions to survivorship, 38–41 equity hostile to, 39–40, 51 severance of, 42–4 favoured by law, 51 Joint tenants, 30–48 becoming tenants by entireties, 15

becoming tenants by entireties, 13 tenants by entireties becoming, 13 bodies corporate as, 31-2, 52 aliens as, 32 consequence of four unities, 33-4



Index

115

Lord Great Chamberlain, office of, 28 Joint tenants, entry of one and all, 34 one tenant in copyhold, 34 Lot, partition by, in parcenary, 25 not a legal unit, 35 survivorship, 35-8 simultaneous death of, 35-6 Man and wife, 4-17 one person in law, 6, 13, 17 as single owner, 7 as owners with aliquot shares, 7 agreement to sell, 37-43 partition by, 45–8 becoming tenants in common, 51 without aliquot shares, 8 whether partners are, 59-61 rights and remedies inter se, see no power of partition, 8 a possible legal unit, 8 tenants by entireties, 11-17 effect of legal unity, 13-17 Co-owners Judgment debts and survivorship, 38 joint gift to, effect of, 13-16 joint banking account of, 38 see Tenants by Entireties Judicature Acts, 64, 66, 67 Junior-right, 19-20 Jurisdiction of Chancery in partition, Man and woman, gift to, afterwards intermarrying, 13, 37 Managing owner of ship, powers of, 88 Mandamus under Judicature Act, 90 26, 46-8 in partnership, 66-7 Jus accrescendi, among parceners, 24 joint tenants, 35, 37-8, 44 preferred to wills, 37, 44 Market overt, effect of sale by one co-owner in, 94 to burdens, 37 alienatio rei preferred to, 44 none among joint traders, 41, 59 Marriage, and common property, 4, 5 dissolution of, effect on tenancy by entireties, 13 Kent, gavelkind in, 21-2 formerly severance of joint tenancy, King, and corporateness, 2, 99, 105, 108 43 Married woman, see Wife Married Women's Property Act, 1882, as joint tenant, 31 and escheats in towns, 105 effect of, on tenancy by entireties, a corporation sole, 106-8 on criminal liability of wife, 13 on severance of joint tenancy, 43 owns and represents country, 106-8 King's Bench Division, partnership Merchant, Law, see Law Merchant Merchants, the sorts of, 60 trading to Virginia, 102 customs of, 41, 60 actions in, 66-7 Land, rights and remedies of co-owners inter se with regard to, 71-84 and see Partition, Sale, etc. Land Transfer Act, 1897, 18 joint, no survivorship amongst, 41, Larceny, by partner, 64 by wife, 13 action of account, 65, 77
Mesne profits, recovery of, 26
co-owners' right to, 72-3 Larceny Act, 1868, 64
Law Marine, 85
Law Merchant, 41, 59-60, 65 Mill, common, 100 Mines, receivers appointed for, 76 Lease, by joint tenant, whether severance, 42, 43 by one joint tenant to another, 45 co-owners working, 76-7, 80 Misjoinder of parties, 35, 64 Moieties, of man and wife, 6, 11, 13, 33 joint, by tenants in common, 50 by one tenant in common to of aliens, 32 Money received for other co-owners, another, 51 action by 4 Anne, 78-9 Moral persons, 23 Legal and equitable mortgages, 83 Mortdauncestor, Writ of, 71 Mortgage, joint, no survivorship in, Leicester, and primogeniture, 19 Lex mercatoria, see Law Merchant Libel, publication to man and wife, 17 Lien, 62, 82 40-1redemption in, 56-7, 83 in case of ships, 87 set-off on sale of common property, Life, joint estate for, 36 of ship, 87 Municipal ownership, 101 tenant for, under Settled Land Acts, 83-4 Limited liability, 3, 68 Limited partnerships, 67, 68 Limited Partnerships Act, 68 Mutual agreement, 101
Mutual agreement to sever joint tenancy, 43

116 Index

Mutual wills, agreement to make, 44 Partnership articles, and survivorship, 41 Naturalisation Act, 1870, 32 Part-owners, 58 of patent, 57, 89-90 trademark, 57, 89-90 copyright, 57-8, 89-90 mine, 76-7, 80 ships, 79, 84-9, 93 New Zealand, 107-8 Non-joinder of parties, 35, 64 Nottingham, borough-english at, 19 Nuper obiit, 71 Occupation rent, payable by co-owner, 75, 77, 80, 81-2 Office found, 32 land under Settled Land Acts, 83 - 4see Co-owners Party-wall, 73-4 One person, man and wife, 6, 8-9, 13-17see Persona Patent, joint owners of, 57, 89-90 Ouster, 73, 92 Ownership, definitions of, 1 Payment into Court, in respect of expulsion, 73

Per my et per tout, 33, 56

Person, man and wife one, 6, 13, 17 Parage, 21 Parcenary, see Co-parcenary Parceners, see Co-parceners Persona, of corporation, 2, 66, 98-100 man and wife, 8, 9 Parol agreement, partition by, in parcenary, 25 ancestor, 18 parceners, 23 evidence to rebut survivorship, 40 Parson, and layman as co-owners, 31 joint tenants, 35 tenants in common, 50 incorporated, 31, 52, 100, 106 Parties, rules as to, 35, 64 partners, 66, 67, 68, 110 parson, 100, 106 king and crown, 106-8 in joint action, 54-6 colonies, 107-8 trade union, 109-110 in partnership actions, 66-7 Partition, in tenancy by entireties, 11 in parcenary, 24, 25-6 deed necessary, 25, 45, 52 what rights of parceners are incapable of, 27-8 Persona ficta, moralis, etc., 23, 99 Personae designatae, 25 Personality, see Persona
Personality, tenancy by entireties applies to, 37
parcenary does not apply to, 37
rights and remedies of co-owners
inter se in respect of, 90-7 in joint tenancy, 45-8 at law and in Chancery, 45-8 by commission, 47 in tenancy in common, 52-3 difficulty of, no objection, 53 right to, in Roman Law, 69 Per tout et non per my, 11, 33 Pledge, joint, who may redeem, 57, 94-5 Ploughing ancient meadow, 76 Possession, unity of, 31, 33-4, 49, 71 Possession of one joint owner posses-Partition Acts, 26, 47, 53, 62 Partners, 59-68 have no survivorship, 41-2, 59-61 unlike joint tenants, 59-60 unlike tenants in common, 61-3 sion of all, 24, 34, 54
Possibility upon a possibility, 37 may also be tenants in common, 63-4, 76 criminal liability of, 64 Prescription, tenants in common by, 50, 51 Presentation, see Advowson suing one another, 64-5 action of account, 65-6 Primogeniture, 18, 19, 20 among women, 22 Privity of joint tenants, 31 limited and general, 68 see also Part-owners of tenants in common, 49 Partnership Profits, accounting for, under 4 Anne, 78-80 differs from tenancy in common, 62 partition, 62 mesne, see Mesne Profits Purchase, joint in equal shares, 40 lien, 62 actions, 64-6 Rationabilis pars, 24, 46, 52, 71 Real and personal actions, 54-6 accounts, 65 can sue or be sued as a firm, 67, 109 limited, 67-8 Real Property Limitation Act, 24, 26, rules applied to ship's earnings, $34, 5\overline{4}$ 87 Realty, rights and remedies of co-owners Partnership Act, 1890, 62, 63 inter se in respect of, 71-84



Index

117

Receipt, in joint mortgage, Statutes, Receiver, appointment of, 74-6 under Judicature Act, 90-1 Copyhold Act, 1841, 47 Frauds, Statute of, 25 Redemption, suit by common, 56-7 Gavelkind, 21 tenants Inclosure Act, 1895, 50 Inclosure Acts, 26, 48 right of, on co-owners' pledge, 57, Inclosure Acts, 26, 48
Inheritance Act, 1833, 23
Judicature Acts, 64, 66, 90-1
Land Transfer Act, 1897, 18
Larceny Act, 1868, 64
Limited Partnerships Act, 68
Married Women's Property Act, 1882, 13, 15-17, 43
Naturalisation Act, 1870, 32
Partition (31 Hen. VIII. c. 1), 46, 52-3 94-5one co-owner may secure whole equity of, 83 Registration, incorporation by, 3 Remainders, cross, 53-4 Remedies of co-owners inter se, 69-97 see Co-owners Rent, one joint tenant may distrain on another for, 45 distress for, paid to one co-owner, Partition Acts, 26, 47, 53, 62 Partnership Act, 1890, 62, 63 see Occupation rent Real Property Limitation Act, 1833, Rent-charge, jus accrescendi defeats, 24, 26, 34, 54 Settled Land Act, 1882, 83 37 - 8Repairs, allowance for, 80-1 Settled Land Act, 1884, 84 Settled Land Acts, 48 Rights of co-owners inter se, 69-97 see Co-owners Statute of Frauds, 25 Statute of Tenures, 26 Statute of Uses, 33, 51 Tenures, Statute of, 26 Roman law, rights of co-owners inter se at, 69 Rules of Supreme Court, as to parties, Tenures, Statute of, 26
Trade Union Act, 1871, 109
Trustee Acts, 24, 30
Uses, Statute of, 33, 51
Stobbe, theories of man and wife, 7-11 35, 67 Sale and partition, 26, 47-8, 53 of ship, 88 Sale by Court, 47-8 Sale by one joint owner, effect of, 93-5 Strassburg, ownership by man and wife in, 5 Scotland, descent of wife's share in, 6 communio bonorum in, 10 Subject and king, joint tenants, 31-2 kingdom of, indivisible, 28 Survivorship, right of, in tenancy by partnership in, 67
Separate estate of married woman, 13, 15-17, 43
Sergeanties, whether divisible, 27 entireties, 11 parcenary, 24 joint tenancy, 35-8 defeats devise, 37 Settled Land Acts, 83-4 Sever, intention to, in joint tenancy, defeats charges, 37 and agreement to alienate, 37, 43 39 mischief of, 38-9 Severance, of joint tenancy, 42-4 and executory trusts, 40 exceptions to, 38-42 mortgages, 40-1 see Partition Sheriff, and common law partition, 26 Ships, co-owners of, 84-9, 93 joint traders, 41-2, 59-61 and tenancy in common, 49-50 in copyright, 37 Socage, estate in, impartible, 46 Societas, of husband and wife, 6 Société en commandite, 67-8 in title-deeds, 72 Soil, removal of, 73 Tanistry, in Ireland, 21 Taunton Dean, borough-english in, 19 Sone to the plough (or lowe), 21 Sovereign, as joint tenant, 31 right to alien's moiety, 32 Tenancy by entireties, 11-17 State, hostile to voluntary associations, 2 nature and origin of, 11 founded on marriage, 13 Statutes, effect of gift to man and wife and third person, 13-16 effect of divorce, 13 effect of Married Women's Pro-Action of Account (4 Anne), 13, 73, Anonymous Partnership Act, 67 perty Act on, 15, 16-17 disappearing, 17 see Tenants by Entireties Bodies Corporate Act, 1899, 32, 52 Companies Act, 1862, 2, 3, 64, 67-8

Conveyancing Act, 1881, 41, 50

118 Index

Tenancy in Common, 49-58 favoured by equity, 39-40, 51 origin of, 49, 51 unities in, 49 no survivorship, 49-50 Trade dower and curtesy in, 50 how extinguished, 52 partition in, 52-3, 62 and cross remainders, 53-4 unlike partnership, 61-3 no agency or trusteeship in, 61-2, 78 no lieu in, 62 see Tenants in Common Tenancy, Joint, see Joint Tenancy Tenant for life, co-owners constituting the, 83-4

Tenants by Entireties, 11-17 joint tenants becoming, 13 70 becoming joint tenants, 13 effect of divorce, 13 effect of unity of man and wife, 13-17and personalty, 37 rights of, inter se, 70 Tenants in common, 49-58 joint tenants becoming, 42-3, 45, not one person in law, 50 have several estate, 50 making joint lease, 50 35 leasing to one another, 51 partition by, 52-3 possession of one and of all, 54 suing jointly, 54 suing severally, 55-6 sung severally, 53-6 mortgage by, 56-7 pledge by, 57, 94-5 of patent, 57, 89-90 of trademark, 57, 89-90 of copyright, 57-8, 89-90 whether partners are, 61-2, 63-4 of mine, 76-7, 80 may also be partners, 76 of ships, 79, 84-9 under Settled Land Acts, 83-4 rights and remedies inter se, see Coowners Tenants, Joint, see Joint Tenants Tenures, Statute of, 26 Timber, cutting of, 75, 76 Time, unity of, 32-3, 49 Title, unity of, 31, 32, 49 Title-deeds, right to, 71-2 Titles of honour, indivisible, 27 Towns, ownership by, 99, 101-106

Trademark, part-owners of, 57, 89-90 Traders, no jus accrescendi amongst, 41, 59 see Merchants, Law Merchant union, as co-owning group, 103 as unit, 109-10 Trade Union Act, 1871, 109 Trespass, 73, 86, 91-3 injunction against, 90-1 Trover, 57, 91-3 Trust, co-ownership by, 3, 103 disclosure of in mortgage deed, 41 Trustee Acts, 24, 30 Trustees, joint tenants, 30, 36 Trusteeship, in partnership, 61, 63 none in other co-ownerships, 69-United Hand, group of the, 9 Uses, Statute of, 33, 51 Valuation, compulsory sale at a, 48 Village Community, 100 co-ownership by, 100-106 Voluntary association, State right of, 2 Warren, partition of, 27 Waste, pleadings in action to prevent, injunction against, 76, 90-1 Whale, rights of co-owners of a, 92 Wife, husband and, see Man and wife jewels of, 5 power to make will, 5 could not steal from husband, 6, effect of Married Women's Property Act, 13, 15-17 criminal liability of, 17 Will, of joint tenant, jus accrescendi and, 37, 44 joint tenancy created by, 30, 51 Wills, mutual by joint tenants, 44 Writ, de partitione facienda, 26, 46, 52 de rationabili parte, 71 ejectione firmae, 72 Mortdauncestor, 71 Nuper obiit, 71 of contribution, 71, 82 Wrong, joint tenants acquiring by, 30 Würtemberg, ownership by man and wife in, 4