



# Quia Emptores (1290)

## 1290 CHAPTER 1 18 Edw 1

A STATUTE of our LORD THE KING, concerning the Selling and Buying of Land. The Title Statute d'ni R. de t'ris vendend' emend' is in the Margin of the Roll, and of the *Vetus Codex* at the Tower, *fo.* 20: On the Close Roll 18 *Edw. I. m. 6. d.*, this Statute is entered with the following Title in the Margin, 'Statute qd null emat tras de aliis tenend qa de capitalibz dnis, &c.' In the Printed Copies and Translations it is intituled, 'Statutum Westm. iij. The Statute of Westminster the Third, *viz.* of Quia Emptores Terrarum.'

x1

x2

### Editorial Information

- X1** This Act is not necessarily in the form in which it has effect in Northern Ireland
- X2** The original text of this Act was not modern English. The traditional translation appears first with obsolete characters modernised. The original text (as an image) appears second.

## **I Freeholders may sell their Lands; so that the Feoffee do hold of the Chief Lord.**

FORASMUCH as Purchasers of Lands and Tenements of the Fees of great men and [<sup>x3</sup>other Lords,] have many times heretofore entered into their Fees, to the prejudice of the Lords, [<sup>x4</sup>to whom] the Freeholders of such great men (<sup>x5</sup>) have sold their Lands and Tenements to be holden in Fee (<sup>x6</sup>) of their Feoffors, and not of the Chief Lords of the Fees, whereby the same Chief Lords have many times lost their Escheats, Marriages, and Wardships of Lands and Tenements belonging to their Fees; which thing seemed very hard and extream unto those [<sup>x7</sup>Lords and other great men,] and moreover in this case manifest Disheritance: Our Lord the King, in his Parliament at Westminster after Easter, the eighteenth year of his Reign, that is to wit, in the Quinzime of Saint John Baptist, at the instance of the great Men of the Realm, granted, provided, and ordained, That from henceforth it shall be lawful to every Freeman to sell at his own pleasure his Lands and Tenements, or part of them; so that the Feoffee

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Quia Emptores (1290). (See end of Document for details)*

shall hold the same Lands or Tenements of the [<sup>X8</sup>Chief Lord of the same Fee, by such Service] and Customs as his Feoffor held before.

**Editorial Information**

- X3 Variant reading of the text noted in *The Statutes of the Realm* as follows: *others*
- X4 Variant reading of the text noted in *The Statutes of the Realm* as follows: *to which Purchasers*
- X5 Variant reading of the text noted in *The Statutes of the Realm* as follows: *and others*
- X6 Variant reading of the text noted in *The Statutes of the Realm* as follows: *to them and their Heirs*
- X7 Variant reading of the text noted in *The Statutes of the Realm* as follows: *great Men and other Lords*
- X8 Variant reading of the text noted in *The Statutes of the Realm* as follows: *same Chief Lord, and by the same Services*

**II Sale of Part.Apportionment of Services.**

AND if he sell any part of such Lands or Tenements to any, the Feoffee shall immediately hold it of the Chief Lord, and shall be forthwith charged with the Services, for so much as pertaineth, or ought to pertain to the said Chief Lord for the same parcel, according to the Quantity of the Land or Tenement [so] sold: And so in this case the same part of the Service [<sup>X9</sup>shall remain to the Lord, to be taken by the hands of the Feoffee, for the which he ought] to be attendant and answerable to the same Chief Lord, according to the Quantity of the Land or Tenement sold, for the parcel of the Service so due.

**Editorial Information**

- X9 Variant reading of the text noted in *The Statutes of the Realm* as follows: *shall cease to be taken by the Chief Lord by the hands of the Feoffor, from the time that the Feoffee ought*

**III <sup>X10</sup>Mortmain prohibited.**

.....<sup>F1</sup> And It is to wit, that this Statute extendeth but only to Lands [<sup>X11</sup>holden] in Fee Simple; and that it extendeth to the time coming; and it shall begin to take effect at the Feast of Saint Andrew the Apostle next coming. [Given the eighteenth year of the Reign of King Edward, Son to King Henry.]

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Statutu d'ni R. de t'ris vendend' t' emend'.

Ex Rot. de Placit. ad Parl. 18  
Edw. I. m. 9.

QUIA Emptores frax & t'ri de  
feodo maguati & alioi, in pre-  
judicium [voqad] temp'is re-  
troactis maliciois in feodis suis  
sunt ingressi, quib' libe-  
tenentes eodem maguati &  
alioi frax & t'ri sua vendiderit,  
tenenda in feodo sibi & h'ib'is  
suis de feoffatorib' suis & nō  
de Cap' d'no feodis, p' quod  
idem Cap' d'ni eschaeta, mari-  
tū & custodias terrax & t'ri  
de feodis suis existencis apud  
amiserit, quod quidem eodem  
maguati & alioi d'ni qm pri-  
mum durū & difficile videbatur,  
& simil' in hoc casu excedendū  
manifeste. Dis. Rex in pla-  
mento suo apud Westm' post  
Pasch' anno regni sui Decimo  
octavo, videlicet in quindeno s'c'i  
Joh'is Bapt', ad instanc' mag-  
nati regni sui, concessit, p'vidit,  
& statuit, qd de cetero licet uni-  
cuiq' libo hōi terrā suā seu t'ri

<sup>10</sup>See Rot. Clau.

sive p' inde p' volutate sua ven-  
dere, Ita tamen qd feoffatus  
tenent' terrā illā seu t'ri de  
eodem Cap' d'no & p' eod' h'icā  
& cōsuetudines, p' que feoffator  
suis illa prius tenuit. Et si p'iem  
alioi eodem frax seu t'ri suo  
alioi vendiderit, feoffatus illi  
tenent' immediate de Cap' d'no &  
obtet' statim de S'vdo q'ntum  
p'inet sive p'itū debet eodem  
d'no p' p'icula illa, scilicet q'ntum  
tenent' terre seu t'ri vendit; Et  
sio in hoc casu, decidat Cap' d'no  
ip'is p' h'icā [compensat] p' manu  
feoffatoris,] ex quo feoffatus  
debet eodem Cap' d'no juv' q'ntum  
tenent' terre seu t'ri vendit de  
p'icula illa h'icā sic debiti esse  
intendens & respondens. . . .<sup>11</sup>  
Et scit' qd istud statutu locū  
tenet de terris vendendis tenendis  
in feodo simple tantū h'icā; Et  
qd' sc' extendit ad tempus  
futuru. Et incipiet locū tenē ad  
F'rat' s'c'i Andree primo Junij.  
&c.

<sup>10</sup>See Rot. Clau.  
<sup>11</sup>See Rot. Clau.  
<sup>12</sup>See Rot. Clau.

## Editorial Information

X10 Marginal note no longer accurate

X11 Variant reading of the text noted in *The Statutes of the Realm* as follows: *sold to be holden*

## Textual Amendments

F1 Words repealed by [Charities Act 1960 \(c. 58\)](#), [Sch. 7 Pt. II](#)

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**Changes to legislation:**

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