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.’

Annotations:

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 [\(^{3}\) other Lords,] have many times heretofore entered into their Fees, to the prejudice of the Lords, [\(^{4}\) to whom] the Freeholders of such great men (\(^{5}\)) have sold their Lands and Tenements to be held in Fee (\(^{6}\)) 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 extrem unto those [\(^{7}\) Lords and other great men,] and moreover in this case manifest Dishinheritance: 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
shall hold the same Lands or Tenements of the Chief Lord of the same Fee, by such Service] and Customs as his Feoffor held before.

Annotations:

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 [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.

Annotations:

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 Mortmain prohibited.

And It is to wit, that this Statute extendeth but only to Lands [held] 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.]

Annotations:

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

Amendments (Textual)
F1 Words repealed by Charities Act 1960 (c. 58), Sch. 7 Pt. II
Changes to legislation:
There are currently no known outstanding effects for the Quia Emptores (1290).