



# Statute of Marlborough 1267 [Waste]

1267 CHAPTER 23 52 Hen 3 c 23

PROVISIONS *made at Marlborough in the Presence of our Lord King Henry, and Richard King of the Romans, and the Lord Edward eldest Son of the said King Henry, and the Lord Ottobon, at that Time Legate in England.*

In the Year of Grace, One thousand two hundred sixty–seven, the two–and–fiftieth Year of the Reign of King Henry, Son of King John, in the Utas of Saint Martin, the said King our Lord providing for the better Estate of his Realm of England, and for the more speedy Ministracion of Justice, as belongeth to the Office of a King, the more discreet Men of the Realm being called together, as well of the higher as of the lower Estate: [<sup>X1</sup>It was Provided, agreed, and ordained, that whereas the Realm of England of late had been disquieted with manifold Troubles and Dissensions; for Reformation whereof Statutes and Laws be right necessary, whereby the Peace and Tranquillity of the People must be observed; wherein the King, intending to devise convenient Remedy, hath made these Acts, Ordinances, and Statutes underwritten, which he willeth to be observed for ever firmly and inviolably of all his Subjects, as well high as low.]

## Editorial Information

- X1** Variant reading of the text noted in *The Statutes of the Realm* as follows: *It was Provided and established and with full consent ordained, That (whereas the Realm of England having been of late depressed by manifold Troubles and the evils of Dissensions, standeth in need of a Reformation of the Laws and Usages, whereby the Peace and Tranquillity of the People may be preserved, whereto it behoved the King and his liege Men to apply an wholesome Remedy,) the Provisions, Ordinances, and Statutes underwritten, should be firmly and inviolably observed by all the People of the same Realm, as well high as low, for ever.*

## XXIII Remedy against Accountants. Farmers shall do no Waste. Remedy thereon.

F1

Also Fermors, during their Terms, shall not make Waste, Sale, nor Exile of [<sup>X2</sup>House,] Woods, Men, nor of any Thing belonging to the Tenements that they have to ferm, without special Licence had by Writing of Covenant, making mention that they may

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**Changes to legislation:** There are currently no known outstanding effects for the Statute of Marlborough 1267 [Waste]. (See end of Document for details)

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do it; which thing if they do, and thereof be convict, they shall yield full Damage, and shall be punished by Amerciament grievously

Statutum de Marleberge.

Ex. Lib. Rub. Scacc. Witem.  
fo. 243.

Provisiones facte apud Marlebergh p[ro]sent D[omi]no Rege H[enrico] & R[egis] Alexi[andro] & D[omi]no Edwardo fil[io] ejusdem H[enrici] Reg[is] Frisingens[is] & D[omi]no Octobono tunc legato in Angl[ia].

Anno g[ra]tie M[illesimo] CC[entimo] LX[imo] septimo, regi autem D[omi]ni H[enrici] Regis filii Regis Joh[ann]is quinquagesimo secundo, in Oct[ava] S[an]cti Martini, p[ro]vidente ip[s]o D[omi]no Rege, ad regni sui Angl[ie] meliorationem & exhibitionem justicie p[ro]ut regalis officii exp[er]t[is] utilitas meliorem, convocatis discretiorib[us] episcopis regi tam ex majorib[us] q[ua]m minorib[us] p[ro]visum est & statim ac concordat[is] ordinatis, ut cu[m] regn[us] Angl[ie] multis tribulationib[us] & dissensionib[us] incommodis sup[er] d[e]cessum, reformacione legum & Just[icie], quib[us] pax & tranquillitas inc[on]suet[is] conservet[ur], indigent, ad quod remedi[um] sal-

ubre p[ro] ip[s]um Regem & suos fideles oportuit adhiberi, p[ro]visiones, ordina[n]tes & statuta subsc[ri]pta, ad utilit[er] regni ipsius incutit[is] tam majorib[us] q[ua]m minorib[us] firmi ac inviolabil[iter] temp[or]ib[us] p[re]teritis obvenit.

.....<sup>3</sup>  
Item firmat[ur] t[em]p[or]e firmas suas visuras, vendidit[ur] seu exill[us] no[n] faciant, in domib[us], boscu[m], h[ab]it[us], nec de aliquib[us] ad tenentib[us] q[ui] ad firmam Regis spontib[us], si sp[irit]u[m] (\*) h[ab]ent concessione[m] [p[ro] scripturam] [sive civitatis mem[or]iam] (\*) q[uo]d hoc facit possint. Et si fecerint & sup[er] hoc convenerint dampna plene refundent, & p[ro]v[er]b[um] p[ro] miam puniant.

\*De MS. C.

<sup>3</sup> MS. C. ex. Lib. Scacc. R. c. 101.

<sup>4</sup> Sup[er] d[e]cessum Henrici Regis p[ro]v[er]b[um].

<sup>5</sup> C. 101. R. p[ro]v[er]b[um].

<sup>6</sup> Ad Lib. R. — ubi MS. C.

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## Editorial Information

**X2** Variant reading of the text noted in *The Statutes of the Realm* as follows: *Houses*

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## Textual Amendments

**F1** Words repealed by Statute Law Revision and Civil Procedure Act 1881 (c. 59)

**Changes to legislation:**

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