



Statute of Marlborough 1267 [Waste]

1267 CHAPTER 23 52 Hen 3 c 23

The STATUTE of MARLBOROUGH.
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Editorial Information

- X1** 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. Certain characters in the text which are no longer used in English are not recognised by the Statute Law Database.

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 Ministration 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: [^{X2}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

- X2** 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*

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

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.

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Also Fermors, during their Terms, shall not make Waste, Sale, nor Exile of [^{X3}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 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. Westm. fo. 262.

Provisiones facte apud Marlebergh. p[re]sent[is] diei Regis H. & R. Regis Alethi, & D[omi]ni Edwardo filii ejusdem H. Regis Pr[ince]ps, & D[omi]ni Octobono tunc legato in Angl.

Anno g[ra]tis M^o CC^o LX^o septimo, regi autem D[omi]ni H. Regis filii Regis Johis christophoro secundo, in Oct[avo] S[an]cti Martini, p[re]sente D[omi]no D[omi]no Regis, ad regi sui Angl meliorandem & exhibendem justicie pat[er] regalis officii exposuit utilitas meliorem, convocatis discretiorib[us] ejusdem regi tam ex majorib[us] q[ua]m minorib[us], p[ro]visum est & statutum ac concordat[um] ordinatum, ut cu[m] regis Angl militib[us] tribu[er]entib[us] & civitatib[us] in comodis n[ost]ris dep[re]ssum, reformandem legem & iur[is], quib[us] pax & tranquillitas incolum[is] conservaret, indigent ad quod remedi[um] sal-

ubre p[er] ip[s]um Regem & suos fideles oportuit adhiberi, provisiones, ordina[n]das & statuta subscripta, ab om[n]ib[us] regi ip[s]ius incollis tam majorib[us] q[ua]m minorib[us] firmis ac inviolabilib[us] temp[or]ib[us] p[re]cisus ob[er]vent.

Item firmas tenge firmas suaj vastum, vendit[ur], seu exillu[m] no[n] faciant, in domib[us], bovis, h[er]edis, nec de aliquib[us] ad tenentia q[ui] ad firmas bent sp[er]antib[us], et sp[er]em (*) h[ab]ent concessione[m] [p[er] scripturam] [sive civitatis mendem] (*) q[ui] hoc facit possunt. Et si fecerit & sup[er] hoc convenerit dampna plene refundent, & p[ro]v[er] p[er] miam puniant.

¹Statute MS. C. 23.
²MS. C. 23. Lib. Scacc. X. 262.
³Stat. Antiquitatis Angl. fo. 262. Rub.
⁴Stat. Rub. Rub.
⁵Stat. Lib. Rub. Scacc. MS. C. 23.

Editorial Information

X3 Variant reading of the text noted in *The Statutes of the Realm* as follows: *Houses*

Textual Amendments

F1 Words repealed by [Statute Law Revision and Civil Procedure Act 1881 \(c. 59\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Statute of Marlborough 1267 [Waste].