



# 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 Dishheritance: 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

*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 & tēi de  
feodis magnati & alioi in pre-  
judicium [voqde] temp'is re-  
troactis maliciose in feodis suis  
sunt ingressi, quib' libe-  
tenentes eorūdem magnati &  
alioi frax & tēi sua vendiderūt,  
tenenda in feodo sibi & hōib'z  
suis de feoffatorib' suis & nō  
de Cap' dno feodis, p' quod  
idem Cap' dno eschaeta, mari-  
tū & custodias terraz & tēi  
de feodis suis existētiis apud  
amiserūt, quod quidem eorūdem  
magnati & alioi dno eorū  
primū durū & difficile videbatur,  
& simil' in hoc casu eorūdem  
manifeste. Dis Rex in pla-  
mento suo apud Westm' post  
Pasch' anno regni sui Decimo  
octavo, videlicet in quindē sil'  
Johis Bapt', ad instancā mag-  
nati regni sui, concessit, p'vidit,  
& statuit, qd de cetero licet uni-  
cuiq' libo hōi terrā suā seu tēi

*\*See Rot. Clau.*

sive p' inde p' volūtatē suā ven-  
dere; Ita tamen qd feoffatus  
tenent' terrā illā seu tēi de  
eorūdem Cap' dno & p' eorū dno  
& cōsuetudinē, p' que feoffator  
suis illa prius tenuit. Et si p' eorū  
alioi eorūdem frax seu tēi suō  
alioi vendiderūt, feoffatus illi  
tenent' immediate de Cap' dno &  
obter' statim de Sūdo eorūdem  
pōnet sive p' tēi debet eorūdem  
dno p' p'icula illa, scilicet p' tēi  
tenent' terre suā tēi vendit'. Et  
sio in hoc casu, decidat Cap' dno  
ip' p' sūcti [compēdo p' manu  
feoffatoris.] ex quo feoffatus  
debet eorūdem Cap' dno juv' p' tēi  
tenent' terre suā tēi vendit' de  
p'icula illa sūcti sic debiti esse  
intendens & respondens. . . .  
Et sci' qd istud statutu locū  
tenet de terris vendendis tenendis  
in feodo simplo tantū t' tēi; Et  
qd sc' extendit ad tempus  
futurū. Et incipiet locū tēi ad  
Fras' sc' Andree p'imo futur'.  
&c.

*\*See Rot. Clau.  
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\*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](#)

**Changes to legislation:**

There are currently no known outstanding effects for the *Quia Emptores* (1290).