



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 [^{x3}other Lords,] have many times heretofore entered into their Fees, to the prejudice of the Lords, [^{x4}to whom] the Freeholders of such great men (^{x5}) have sold their Lands and Tenements to be holden in Fee (^{x6}) 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 [^{x7}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 [^{X8}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 [^{X9}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 ^{X10}Mortmain prohibited.

.....^{F1} And It is to wit, that this Statute extendeth but only to Lands [^{X11}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 & tē de
feodis magnati & alioy in pro-
judicium [voqde] temp'ibz rei-
roctis maliciois in feodis suis
sunt ingressi, quibz libe-
tenentes eodem magnati &
alioy frax & tē sua vendiderūt,
tenenda in feodo sibi & hōibz
suis de feoffatoribz suis & nō
de Cap' dno feodis, p quod
idem Cap' dno eschaeta, mari-
tū & custodias terraz & tē
de feodis suis existētia apud
amiserūt, quod quidem eodem
magnati & alioy dno qm pri-
mum durū & difficile videbatur,
& simil' in hoc casu excedēdo
manifestat. Dis Rex in pla-
mento suo apud Westm post
Pasch anno regni sui Decimo
octavo, vidēti in quindē sil'
Johis Bapt, ad instancā mag-
nati regni sui, concessit, p'sūit,
& statuit, qd de cetero licet uni-
cuqz libo hōi terrā suā seu tē

^aSee Rot. Clau.

sive p't inde p' volūtatē suā ven-
dere; Ita tamen qd feoffatus
tenent terrā illā seu tē de
eodem Cap' dno & p' eod' hōicā
& cōsuetudinē, p que feoffator
suis illa prius tenuit. Et si p'tem
alioy eodem frax seu tē uno
alioy vendiderūt, feoffatus illi
tenent immediate de Cap' dno &
obter statim de Sūdo qritum
p'tinet sive p'tite debet eodem
dno p' p'icula illa, sicut qritum
tenent terre seu tē vendit; Et
sio in hoc casu, decidat Cap' dno
ipso p' hōicā [compēdo p' manu
feoffatoris,] ex quo feoffatus
debet eodem Cap' dno juv' qritum
tenent terre seu tē vendit de
p'icula illa hōicā sic debiti esse
intendens & respondēs. . . .
Et sci' qd istud statutu locū
tenet de terris vendendis
in feodo simplo tantū hōicā; Et
qd sc' extendit ad tempus
futuru; Et incipiet locū tenē ad
Frasū sc' Andree primo futu.
&c.

^bSee Rot. Clau.
^cSee Rot. Clau.
^dSee 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:

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