



# Statute of Marlborough 1267 [Waste]

1267 CHAPTER 23 52 Hen 3 c 23

The STATUTE of MARLBOROUGH.  
xi

## 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: [<sup>X2</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

- 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.**

F1

Also Fermors, during their Terms, shall not make Waste, Sale, nor Exile of [<sup>X3</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 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 Marlberge.**

*Ex. Lib. Rub. Scacc. Westm. fo. 262.*

Provisiones facte apud Marlberge. Pontis Dni Regis H. & R. Regis Alethi, & Dni Edwardo filii ejusdem H. Regis Primsentis, & Dni Octobono tunc legato in Angl.

Anno gte M<sup>o</sup> CC<sup>o</sup> LX<sup>o</sup> septimo, regi autem Dni H. Regis filii Regis Johis christopresto secundo, in Octob<sup>o</sup> S<sup>o</sup> Martini, p<sup>o</sup>vidente I<sup>o</sup> Dno Rege, ad regi sui Angl meliorandem & exhibendem justicie pat<sup>o</sup> regalis officii: exposuit militas meliorem, convocatis discreto-ribz ejusdem regi tam ex maj-oritibz q<sup>o</sup> minoribz, p<sup>o</sup>visum est & statuti ac concordie ordinari, ut cu<sup>o</sup> regni Angl militibz tribu-entibz & disensionibz incommo-dux dep<sup>o</sup>ssum, reformandem legum & Justit<sup>o</sup>, quibz pax & tran-quillitas inc<sup>o</sup>las conservet, indigent ad quod remediis sal-

ubre p<sup>o</sup> ipm Regem & suos fideles oportuit adhiberi, pro-visions, ordinações & statuta subscripta, ab omibz regi ipius inc<sup>o</sup>las tam majoribz q<sup>o</sup> minoribz firmis ac inviolabilif temp<sup>o</sup>ibz p<sup>o</sup>ceptis ob<sup>o</sup>vent.

Item firmas tenge firmas suaz vastum, vendicem, seu exiliu<sup>o</sup> no<sup>o</sup> faciant, in domibz, bovcis, h<sup>o</sup>ibz, neq<sup>o</sup> de aliquibz ad tenentia q<sup>o</sup> ad firmas bent sp<sup>o</sup>tantibz, si sp<sup>o</sup>tem (\*) h<sup>o</sup>nt concessione. [p<sup>o</sup> scriptum] [sive covenentis mendem] (\*) q<sup>o</sup> hoc face possunt. Et si fecerit & sup<sup>o</sup> hoc convenerit dampna plene refundent, & p<sup>o</sup>vil p<sup>o</sup> miam puniant.

<sup>\*)</sup> Vide MS. C. 10.  
<sup>\*)</sup> MS. C. 10. Scacc. X. 262.  
<sup>\*)</sup> Vide chartam p<sup>o</sup>videntis Pontis Rub.  
<sup>\*)</sup> C. 10. Rub. Rub.  
<sup>\*)</sup> Vide MS. C. 10.

**Editorial Information**

X3 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:**

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