THE
Statutes at Large,
FROM
MAGNA CHARTA,
TO THE
END of the LAST PARLIAMENT, 1761.
In EIGHT VOLUMES.
By OWE N RUFFHE A D, Esq;

LONDON:
Printed by MARK BASKETT, Printer to the
King's Most Excellent Majesty, and by the
Assigns of ROBERT BASKETT;

And by HENRY WOODFALL and WILLIAM
STRAHAN, Law Printers to the King's
Most Excellent Majesty.

MDCCCLXIX.
THE
STATUTES at Large, &c.

MAGNA CHARTA.
The GREAT CHARTER,
Made in the Ninth Year of King Henry the Third, and confirmed by
King Edward the First in the five and twentieth Year of His Reign.

**EDWARD** by the grace of God King of England, Lord of Ireland, and Duke of Normandy and Gascony, and Earl of Anjou, to all Archbishops, Bishops, Abbots, Priors, Earls, Barons, Sheriffs, Provoets, Officers, and to all Bailiffs and other faithful Subjects, which shall see this present Charter, Greeting. Know ye that we, unto the honor of Almighty God, and for the salvation of our souls and the souls of our progenitors and successors, Kings of England, to the advancement of holy Church, and for the amendment of our Realm, of our church free, for all Archbishops, Bishops, Abbots, Priors, Earls, Barons, and to all freemen of this our Realm, these liberties following, to be kept in our Kingdom of England for ever.

A Confirmation of Liberties.

FIRST, We have granted to God, and by this that...
C. 2--4.

Anno nono Henrici III. A.D. 1225.

Ex Reg. in Terr. Lond.

C. 2--4.

The Relief of the King's Tenant of Full Age.

If any of our Earls or Barons, or any other, which holdeth of Us in chief by Knight's service, die and at the time of his death his heir be of full age, and oweth to us Relief, he shall have his inheritance by the old Relief; that is to say, the heir or heirs of an Earl, for a whole Earldom, by one hundred pound; the heir or heirs of a Baron, for a whole Barony, by one hundred marks; the heir or heirs of a Knight, for one hundred shillings; and he that hath less, shall give less, according to the old custom of the fees.

The Wardship of an Heir within Age. The Heir a Knight.

But if the Heir of any such be within age, his Lord shall not have the ward of him, nor of his land, before that he hath taken of him homage. (2) And after that such an heir hath been in ward (when he is come to full age) that is to say, to the age of one and twenty years, he shall have his inheritance without Relief, and without Fine; so that if in the time of such an heir within age be of full age, yet nevertheless his land shall remain in the keeping of his Lord unto the term aforesaid.

No Waste shall be made by a Guardian in Wards Lands.

The keeper of the land of such an heir, being within age, shall not take of the Lands of the heir, but reasonable rents, reasonable customs, and reasonable services, and that without destruction and waste of his men and his goods. (2) And if we commit the custody of any such land to the Sheriff, or to any other, which is answerable unto us for the infeud of the same land, and he make destruction or waste of those things that he hath in custody, we will take of him a demesne and recompense therefore, (3) and the land shall be committed to two lawful and discreet men of that fee, which shall answer unto us for the infeud of the same land, or unto him whom we will assign. And if we give or sell to any man the custody of any such land, and he therein do make destruction or waste, he shall lose the same custody; and it shall be assigned to two lawful and discreet men of that fee, which also in like manner shall be answerable to us, as afore is said.

C. A. P. V.

Guardians shall maintain the Inheritance of their Wards: and of Bishopricks, &c.

Ex Rex. in Terr. Lond.

C. Ifno autem quando custodiem terre suæ hujusmodi haberetur fulletum domos parcess sit vivaria, Magna Molendina, & catera ad terram illam pertinenciae de extibus terre ejusdem & reddat hereditatem ad plenam etatem pervenerit terram suam tocam infrastrutum de carnis & de omnibus alius res ab minore sic ille assim recepit. Hec nonna obseverunt de custodia Archiepiscopatui Epi.

copatuiu Abbathaurum Prioratus ecclesiariu & dignitatum vacantiu que ad eum pertinent excepto quod custodia hujusmodi verendi non debent.

T. THE keeper, so long as he hath the custody of the land of such an heir, shall keep up the houses, parks, warrens, ponds, and mills; and other things pertaining to the same land, with the income of the said land; and he shall deliver to the Heirs when he cometh to his full age, all his land fored with ploughs, and all other things, at the least as he received it. All these things shall be observed in the customs of Archibishopricks, Bishopricks, Abbeys, Priories, Churches, and Dignities vacant, which appertain us; except this, that such custody shall not be sold.

Dis. by 12. Car. 2. c. 45. So far as it relates to Wardships by reason of Tenures, and by 52. H. 8. c. 15. ete. Abbeyes, &c.

C. A. P. VI.

Heirs shall be married without Disparagement.

H. Hereditament abisse disparationem.

C. A. P. VII.

A Widow shall have her Marriage, Inheritance, and Quarantine. The King's Widow, &c.

V. Vidua post mortem mariti sui fiatam & fine difficilis aliqua haberat maritagium suum & hereditatem suam nec aliquod det pro dote suis. nec pro matrimonio sui vel pro hereditate suam haberat maritus suus & ipsea tenuerant. Et cum die obitus illius mariti sui & maneat in capitali Meifaggio mariti sui per quadragesima dies post obitum mariti sui infra quos dies assidue sint ei dos suis nisi prius fuerit ei assignata vel nisi domus illa sit Cattium &f si de castris recerfas domus et competens fiatam providet in qua potest habere morari quosque dos sua ei assignet & secundum quod predictum est & habeat rationabile eflorescentium suum interim de communiti Assigueret autem ei pro dote sua tertia pars totius terre mariti sui que sua fuit in vita sua subsit & domus unde tenetur vel fine assignata domus sui de allo tenuerit.

A. Widow, after the death of her husband, incompetent, and without any Difficulty, shall have her marriage, and her inheritance, (2) and shall give nothing for her dower, her marriage, or her inheritance, which her husband had the day of the death of her husband. (3) and the heir in the chief house of her husband by forty days after the death of her husband, within which days her dower shall be assigned her (if it were not assign'd her before) or that the house be a castle; (4) and if the part from the castle, then a competent house shall be forthwith provided for her, in which she may comfortably dwell, until her dower be to her assigned, as it is afeather and the hall have in the mean time reasonableness of the commons; (5) and for her dower shall be assigned unto her the third part of all the Lands of her husband, which were his during coverture, except the were endow'd of fees at the Church-door. (6) No widow shall be disbarred to marry herself; neithertheless she shall find security that she shall not marry without our licence and warrant (if the hold of us) nor without the assent of the Lord, if she hold of another.

C. A. P. VIII.

How Sureties shall be charged to the King.

N. Os vero vel Ballivi nostri non sefimum terram aliquam vel reddition pro debito aliqua quodam catalla debitoris pretia sufficiant ad debitum reditend & ipse debitor paratus sit inde satisfacere. Nec plegni ipsius debitoris dirifringatur quam duos ipse capitalis debitor sufficiat ad solutio

N. We of our Bailiffs shall not seize any land or rent owe for any debt, as long as the present Goods and Chattels of the debtor do suffice to pay the debt, and the debtor himself be ready to satisfy therefor. (2) Neither shall the pledges of the debtor be disbarred, as long as the principal debtor is sufficient for the payment of the debt. (3) And if the principal debtor or fail in payment of the debt, having nothing

B 2

wherewith
The Liberties of London, and other Cities and Towns confirmed.

None shall detain for more service than is due.

Common Pleas shall not follow our Court, but shall be holden in some place certain.

Where and before whom Affixes shall be taken. Adjournment for Difficulty.

Affixes of Darrain Presentment.

C. P. XIV.

How Men of all Sorts shall be amerced, and by whom.

Ex Ret. in Turr. Lond.

Liber homo non ameretur pro parvo delicto a
nisi facerint modum iulus delicti & pro
magno delicto facerint magnitudinem delicti falvo
contente & mercato eodem modo alia
merci danda & vi milia alterius quam notor eodem
modo amereretur falvo summo i et incidierit in
manum noniam. Et nulla predicatorum miferi
cordium pontinum nisi per sacramentum probo
rum & legi hominem de viinito. Comes & Bar
rones non amereretur nisi per partes fist & non
nisi facerint modum delicti. Nulle ecclesiastic
persona amereretur delictum quantitatem beneficli
lii ecclesiastic i facerint liam teremimento
fatu & facerint quantitatem delicti.

A Free-man shall not be amerced for a small fault,
but after the manner of the fault; and for a Mirror
great fault after the greates there, laving to him
Confession by
his contente & (2) a Merchant likeview,
Regist. 184, 185.

A Free-man shall not be amerced for a small fault,
but after the manner of the fault.
(4) And none of

The said amerces shall be assed, but by the
oath of honest and lawful men of the vicinage.
(5) H. 6. 6. 6. 13.

Earls and Barons shall not be amerced but by their
in Ed. 4. 4. 4. 4. and
their

The said Amerces shall be assed, but by the
oath of honest men of the vicinage.

No man of the Church shall be amerced after the
quantity of his spiritual benefits, but after his Lay

tenement, and after the quantity of his offence.

Incomplete.

C. P. XV.

Making of Bridges and Banks.

NEC villa nec ' Liber homo diisingatur fa
cere pontes ad ripas nisi qui ab antiquo
& de jure facere 4 debent.

A Master of the Law, whether this marginal alteration is proper to be adopted: The Original appears to speak of Banks as well as Bridges, and if, instead of ad Ripas, we read ad Ripas, as it is printed in a Thirl. The passage will be perfectly intelligible, and the old translation just. It is true, tene Sedes, the Word Ripas, as Lord Coke explains in a Digest the Water or River running between the Banks, and there Mr. Coke's alteration appears to me very proper. But here by ad Ripas, othems, & the form in ad Ripas, is a formum with Ripas, and in this State itself it seems to be taken by the Author of the Mirror dod Eulibea, Bif Hyde, the Pever of making
Bridges at Rivers, may perhaps be deemed a Remedy of Explication.

C. P. XVI.

Defending of Banks.

Nullie riparia defenduntur deceterno nisi ille que
suerunt in defenso tempore H. Regis Avi
notarie per cadem loca & cedem termino acut effe
conuenient tempore eto.

No Town nor Freeman shall be drened to, but such as
make Bridges nor Banks, but such as of old
make Bridges at

in the time of King Henry our Grandfather.

C. P. XVII.

Holding Pleas of the Crown.

Nullus Vicomitis Constabularius Coronator
vel alii Ballei notrui teneant placta corone
notriere.

No Sheriff, Constable, Edensor, Coronor, nor
any other our Bailiffs, shall hold Pleas of our Minor

C. P. XVIII.

The King's Debtor dying, the King shall be first paid.

Saliquis tenentes de nobis hicum feudum mortuor

Saliquis vicomitis vel Balvillus nefer standant iter

Saliquis nobis patentes de summonitona notra de

Saliquis nobis debitor liceat Viccomiti vel

Saliquis vel Balvius nostro attacchare & imprejurare omnia
bona et stalla debentii iuvint in laico feudo ad
valentiam illius debiti per villam legitimum hominum
H. Regi facere

Saliquis debitor quod clarem fuerit & residuo
relinquator executoribus ad facientium testamenti
debentii & so nni nobis debetur ab ipso

Saliquis libri, c. 4, ib. c. 4, ib. d. Debat, ib. e. 1 Coronator, ib. f. Deputat omnia bona et

C. P.
C. 19—23.  AUNO NONO HENRICI III.  A.D. 1225.

Ex Rex. in Turris. Lond.
omnia causa sedunt defuncto falsis uxoris ejus &
pueris ipsius rationalibus paribus sus.

C A P.  XIX.

Purveyance for a Castle.

ULULLUS Constabularius ves ejus balius suppiet
blaca vel aliqua alias alicuius qui par sit de
villa ubi castri est latum eis. nisi latum reddat
demaniae inde nat. respectuum inde habere profit de
voluntate venditio. Si auctem de ipsa villa fuerit infra
quadraginta dies, non reddat.

C A P.  XX.

Doing of Castle-ward.

ULLUS Constabularius disfingat alijcum Militiam
ad dandum demanor pro castello castri si ipse
ium facere voluerit in propria persona sua vel per
alium probum hominem facit si ipse facere non
poteat propter rationabilem causam. Est nos ad
fierium vel menium cum in exercitum fit
quietus de castello. Sed nonium quantitatem temporis
quae per nos fuerit in exercitu non fecit
servitium in exercitu.

C A P.  XXI.

Taking of Horses, Carts, and Wood.

ULLUS vicicomes ves balius noster vel aliquis alij
constabularius equos vel carretas alicuius
pro castello faciendo nisi reddat liberationem
quia itatutam faclet pro una acria ad duos
equos decem daman per diem & pro carretta ad tres
equis quaquardecem damas per diem. Nulla carent
dominica alicuius ecclesiastic peroneo pro
villa vel alicuius domine per balius noster capit.
Nec nos nec Bally suivi noster nec alicuius bo.
cum alienum ad castri vel alia agenda nostra
nisi per voluntatem illius cujus boficius ille fuit.

C A P.  XXII.

How long Felons Lands shall be holden by the King.

WE will not hold the Lands of them that be
convict of Felony but one year and one day,
and then those Lands shall be delivered to the
Lords of the fee.

C A P.  XXIII.

In what Places Wears shall be put down.

ALL Wears from henceforth shall be utterly
put down by Thames and Medway, and
through all England but only by the Sea-coasts.

Moses kidell deponentur decerto penitus per
Tannessim & Medeyem & per totum Angli
nisi per costeram maris.

C A P.
A. D. 1225.  

Anno nono Henrici III.  

C A P. XXIV.  

In what Case a Præstīpe in Capite is not granable.

Ex Ret. in Turri. Lond.  

Bene quod vocatur Præstīpe decet non fīlium seu hereditatem unde liber homo perdat Curiam suam.  

T HE Writ that is called Præstīpe in capite shall be from henceforth granted to no person of any freehold, whereby any freeman may lose his Court.

C A P. XXV.  

There shall be but one Measure throughout the Realm.

UNA Mensa vīnī fit per tērum regnum nostrum & una mensa cervīfēs & una mensa biadi per silicet quarter London & una latitudine pannorum tendorum Rufforum & haubergetorum silicet dua una infra Līta. De ponderibus vero fit fīlce de membrībus.

ONE measure of Wine shall be through our Realm, and one measure of Ale, and one measure of Corn, that is to say, the Quarter of London, and one breadth of dyed Cloth, Ruffets, and Haberdashers, that is to say, two Yards within the lifts, and it shall be granted freely, and not denied.

C A P. XXVI.  

Inquisition of Life and Member.

Nihil decet enim etiam pro brevi inquisitionis ut no nostra inquisitionem petit de vita vel de membris legitima concedatur & non negetur.

No thing from henceforth shall be given for a Writ of Inquisition, nor taken of him that præveth Inquisition of Life, or of Member, but it shall be granted freely, and not denied.

C A P. XXVII.  

Tenure of the King in Socage, and of another by Knights Service. Petit Serjeantry.

Si aliqui teneant in societate de nobis per foedus firmum vel per socagium & de allo teneant terram per servitium militarium, non non habebimus custodiām hereditis nec terre, etque de foedis alterius occaasionis illius foedus firmum vel socagium vel bursegni nec habebimus custodiām illius foedus firmum vel socagium vel Bursagium nisi ipso foedis firmo dedit servitium militarium. Nos non habebimus custodiām hereditis vel alieius terre quam tenet de aliquo alio per servitium militarium occasionis alienius variae

If any do hold of us by Fee-fern, or by Socage, or Bursagium, and here shall be heldeth Lands of another by Knights Service, we will not have the Custody of his heir, nor of his Heir, which is helden of the Fee of another, by reason of that Fee-fern, Socage, or Bursagium. (a) Neither will we have the custody of such Fee-fern, Socage, or Bursagium, except Knights Service be due unto us out of the same Fee-fern. (b) We will not have the custody of the Heir, or of any Land, by occasion of any other Serjeantry, that any man holdeth of us by Service to pay a Knife, or an Arrow, or the like.

C A P. XXVIII.  

Wager of Law shall not be without Witnesses.

NO Bailiff from henceforth shall put any man in any Law, to his open Law, nor to an Oath, upon his Word, but in the name.

None shall be condemned without Trial. Justice shall not be sold or deferred.

C A P. XXIX.  

Ullus liber hominis captator vel imprisōnetur aut differtatur de libero renemente suo vel libertatis vel liberis confundendius suis aut alius.

N O Freeman shall be taken, or imprisoned, or to be diffident of his Freehold, or Liberties, or to be outlawed, or exiled, or any other.

wife
wife destroyed: nor will we not put upon him, nor condemn him, but by lawful judgment of his peers, or by the law of the land. (2) We will sell to no man, we will not deny or defer to any man either justice or right.

Merchant Strangers coming into this Realm shall be well used.

If any man hold of any Echete, as of the honour of Wallingford, Nottinghame, Boleyn, or of any other echete which be in our hands, and are Barones, and die, his Heir shall give none other Right, not do none other Service to you, than he shoul to the Bar on, if it were in the Baron's hand. (2) And we in the same wife shall hold it as the Baron held it; neither shall we, by occasion of any Barony or Echete, any Echete or keeping of any of our men, unless he that held the Barony or Echete otherwise held of us in chief.

Lands shall not be aliened to the Prejudice of the Lord's Service.

Patrons of Abbes shall have the Custody of them in the time of Vacation.

Merchant Strangers coming into this Realm shall be well used.

C. A. P. XXX.

If any man hold of any Echete, as of the honour of Wallingford, Nottinghame, Boleyn, or of any other echete which be in our hands, and are Barones, and die, his Heir shall give none other Right, not do none other Service to you, than he shoul to the Bar on, if it were in the Baron's hand. (2) And we in the same wife shall hold it as the Baron held it; neither shall we, by occasion of any Barony or Echete, any Echete or keeping of any of our men, unless he that held the Barony or Echete otherwise held of us in chief.

Lands shall not be aliened to the Prejudice of the Lord's Service.

Patrons of Abbes shall have the Custody of them in the time of Vacation.

C. A. P. XXXI.

Tenant of a Barony coming into the King's Hands by Echete.

C. A. P. XXXII.

Lands shall not be aliened to the Prejudice of the Lord's Service.

Patrons of Abbes shall have the Custody of them in the time of Vacation.

C. A. P. XXXIII.

Merchant Strangers coming into this Realm shall be well used.

C. A. P. XXX.
A.D. 1225.

Anno nono Henrici III.

C. 34-37.

C A P. XXXIV.

In what only Case a Woman shall have an Appeal of Death.

ULLUS capiatur aut imprimentur proper appel-

lum feminine de morte alterius quam vii tut.

NO Man shall be taken or imprisoned upon the

Appellate of a Woman for the Death of any other

than of her Husband.

C A P. XXXV.

At what Time shall be kept a County Court, Sheriff's Turn, and a Leet.

ULLUS Comitat us decetenum tenetur nulli de men-

e in menin & ubi major terminus esse sole-

bat major sit. Nec alioquis vicecomes vel balleius

sius faciat torum faciam per hundredum nulli bis

in anno & non nifi in loco debit & contiene vid-

lere tertium post Pach 1 & iterum post feum faci

Michaelis. Et vilus de francie plegio tune fiat ad

illum terminus faciat Michaelis. & si occupant quod

silicius habet libertatem suas quas habuit & vel habere conteniet tempore H. Regis Avi nonnifi vel quis postea perquisivit fiat autem vilus de

francie plegio sic videlicet quod pax nostrar teneatur

& quod 3 theodhings teneatur integra licet exer

convenient & quod Vicescenes non querat occasiones &

quod contentus sit de eo quod Vici habere contenieit de

villu suo faciendo tempore H. Regis Avi nonnifi.

C A P. XXXVI.

No Land shall be given in Mortmain.

NEC fecet decetere aliqui dare terram suam &

dominium religiosam quod illam refutat de
eadem dono renematur. Nec loeat aliqui dominio

religioso terram alienius sic accipere quod tradat

illam illi a quo eam receptim renematur. Si quis aut-

decet quidam suis domibus religiosis quod
deserit & super hoc convocator dominum suum &
critus caeteri & terra illa dominum suis fecit incurre-

atur.

C A P. XXXVII.

A Subsidy in respect of this Charter, and the

Charter of the Forest, granted to the King.

STUNGAM decet deca capiatur suum capi & con-

sit tempore H. Regis vii nifi. Et 5 villes

Archiepiscopalis episcopatus Prioratus Templarior

Hospitallarum Comitat us & omnium aliis tam

ccelestialia personis quam secularibus omnes liber-

bates & liberiores & moren of necessitate quam

quos dominum & liberas cum beneficium & pro

hac autem donataque & concedere liberam in

E velat & absurdi.
Ex Pot. in Terr. Lond.
contentarum in carta nostra de libertatibus foretis Archiepiscopi Episcopi Abbatis Priorum Comites Baronum Militum libere tenentes & omnes de regno nostro dedes unum nobis quintamdecim partem omnium mobilium suorum. Concessimus etiam sibi dem pro nobis & hereditibus nostris quod nec nos nec nobis libere dedes unum nobis aliud quidcumque per quod libertatem in hac carta contente infringat vel infringat. Et si ab aliquo contra hoc aliud per quosdem fuerit nichil valeret & pro nulli habetur.

Nos autem donaciones & concessiones predictas ratas habentes & gratis in pro nobis & hereditibus nostris concedimus & confirmamus aliquo tenere presentium inomibus & sequulis suis articulis imperandum firmiter & inviolabiliter observat. Et si non aliqui articuli in eadem carta contenti huscumque forstam non fuerint observati. In quibus rei testimonium has lateras nostras fieri fecamus patentes. T. Edwards filio nostro apud Westm' die die Octobr' anno regni nostri vigesimo quinto.