

Reprint
as at 1 January 2008

Quia Emptores 1289

Quia Emptores 1289: ceased to have effect as part of the laws of New Zealand, on 1 January 2008, pursuant to section 365(1) of the Property Law Act 2007 (2007 No 91).

Imperial Act 1

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

Source: New Zealand Parliamentary Library, International Documents Collection

A Statute of our Lord The King, concerning the selling and buying of land.

1 Freeholders may sell their lands; so that the feoffee do hold of the Chief Lord.

FOR ASMUCH as purchasers of lands and tenements of the fees of great men and other Lords,¹ have many times heretofore entered into their fees, to the prejudice of the Lords, to whom² the freeholders of such great men³ have sold their lands and tenements to be holden in fee⁴ 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 Lords and other great men,⁵ and moreover in this case manifest disheritance: 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 shall hold the same lands or tenements of the Chief Lord of the same fee, by such service⁶ and customs as his feoffor held before.

3 Mortmain prohibited.

AND it is to be understood, that by the said sales or purchases of lands or tenements, or any parcels of them, such lands or tenements shall in no wise come into Mortmain, either in part or in whole, neither by policy ne craft, contrary to the form of the Statute made thereupon of late. And it is to wit, that this Statute extendeth but only to lands holden⁷ in fee simple; and

¹ others

² to which purchasers

³ and others

⁴ to them and their heirs

⁵ great men and other lords

⁶ same Chief Lord, and by the same services

⁷ sold to be holden

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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Notes**1 General**

This is an eprint of the Quia Emptores 1289. It incorporates all the amendments to the Act as at 1 January 2008. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about officialisation, please see “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

**3 List of amendments incorporated in this eprint
(most recent first)**

Property Law Act 2007 (2007 No 91): section 365(1)
