

T H E  
S T A T U T E S at Large, &c.

*Anno primo* R I C H A R D I I I.

Statutes made at *Westminster* in the first year of the reign of King RICHARD III. and in the year of our Lord 1483.

**R**ICHARD by the grace of God King of England, and of France, and lord of Ireland, the third after the conquest; to the honour of God, and of holy church, and for the common wealth of his realm of England, at his first parliament holden at Westminster, the three and twentieth day of January, in the first year of his reign, by the advice and assent of the lords spiritual and temporal, and at the request of the commons of the said realm of England, summoned to the said parliament, by the authority of the same parliament, hath ordained and established, for the quietness of his people, certain statutes and ordinances in manner following.

C A P. I.

*All acts made by or against Cestuy que use shall be good against him, his heirs and feoffees in trust.*

**F**Orasmuch as by privy and unknown feoffments, great unsurety, trouble, costs, and grievous vexations daily grow among the King's subjects, insomuch that no man that buyeth any lands, tenements, rents, services, or other hereditaments, nor women that have jointures or dowers in any lands, tenements, or other hereditaments, nor mens last wills to be performed, nor leases for term of life, or of years, nor annuities granted to any person or persons for their services for term of their lives or otherwise, be in perfect surety, nor without great trouble and doubt of the same, because of the said privy and unknown feoffments: (2) For remedy whereof, be it ordained, established, and enacted, by the advice of the lords spiritual and temporal, and by the commons in this present parliament assembled, and by authority of the same, that every estate feoffment, gift, release, grant, leases and confirmations of lands, tenements, rents, services, or hereditaments, made or had, or hereafter to be made or had by any person or persons being of full age, of whole mind, at large, and not in dures, to any person or persons; and all recoveries and executions had or made, shall be good and effectual to him to whom it is so made, had or given, and to all other to his use, (3) against the seller, feoffor, donor, or granter thereof, (4) and against the sellers, feoffors, donors, or granters, his or their heirs, claiming the same only as heir or heirs to the same sellers, feoffors, donors

The several inconveniences of secret feoffments. Godbolt 306. pl. 417. 1 Anderl. 333. 1 Co. 133. 2 Leon. 153. Cro. Eliz. 187. All acts made by or against *Cestuy que use* shall be good against him his heirs and feoffees in trust.

1 H. 7. c. 1.  
4 H. 7. c. 17.  
19 H. 7. c. 15.  
27 H. 8. c. 10.

The estate of  
tenant in tail  
saved.

or granters, and every of them, (5) and against all other having or claiming any title or interest in the same, only to the use of the same seller, feoffor, donor or granter, sellers, feoffors, donors or granters, or his or their said heirs at the time of the bargain, sale, covenant, gift or grant made, (6) saving to every person or persons such right, title, action or interest, by reason of gift in tail thereof made, as they ought to have had, if this act had not been made.

### CAP. II.

*The subjects of this realm shall not be charged by any benevolence, &c.*

12 Co. 119.

The subjects  
of this realm  
shall not be  
charged with  
any benevo-  
lences, &c.  
13 Car. 2. stat. 1.  
c. 4.

**T**HE King remembering how the commons of this his realm, by new and unlawful inventions, and inordinate covetise, against the law of this realm, have been put to great thraldom and importable charges and exactions, and in especial by a new imposition called a Benevolence, whereby divers years the subjects and commons of this land, against their wills and freedoms, have paid great sums of money to their almost utter destruction: (2) For divers and many worshipful men of this realm, by occasion thereof, were compelled by necessity to break up their households, and to live in great penury and wretchedness, their debts unpaid, and their children unpreferred, and such memorials as they had ordained to be done for the wealth of their souls were anentized and annulled, to the great displeasure of God, and the destruction of this realm: (3) Therefore the King will it be ordained, by the advice and assent of the lords spiritual and temporal, and the commons, of this present parliament assembled, and by the authority of the same, That his subjects, and the commonalty of this his realm, from henceforth in no wise be charged by none such charge, exaction, or imposition, called a *benevolence*, nor by such like charge; (4) and that such exactions, called *benevolences*, before this time taken, be taken for no example to make such or any like charge of any of his said subjects of this realm hereafter, but it shall be damned and adnulled for ever.

### CAP. III.

*Every justice of peace may let a prisoner to mainprise. No officer shall seise the goods of a prisoner until he be attainted.*

Every justice  
of peace may  
admit a pri-  
soner to bail.  
Rep. 3 H. 7.  
c. 3.  
1 & 2 Ph. &  
M. c. 13.  
Escape of fe-  
lons inquir-  
able by justices  
of peace.

**F**Orasmuch as divers persons have been daily arrested and imprisoned for suspicion of felony, sometime of malice, and sometime of a light suspicion, and so kept in prison without bail or mainprise, to their great vexation and trouble: (2) Be it ordained and established by authority of this present parliament, That every justice of peace in every shire, city, or town, shall have authority and power, by his or their discretion, to let such prisoners and persons so arrested, to bail or mainprise, in like form as though the same prisoners or persons were indicted thereof of record before the same justices in their sessions; (3) and that jus-