



Tenures Abolition Act 1660

1660 CHAPTER 24 12 Cha 2

[^{F1}An Act takeing away the Court of Wards and Liveries and Tenures in Capite and by Knights Service and Purveyance, and for settling a Revenue upon his Majesty in Lieu thereof.]

^{X1}**The Reasons for passing this Act.**

[^{F2}Whereas it hath beene found by former experience that the Courts of Wards and Liveries and Tenures by Knights service either of the King or others, or by Knights service in Capite or Soccage in Capite of the King and the consequents upon the same have beene much more burthensome grievous and prejudiciall to the Kingdome then they have beene beneficiall to the King, And whereas since the Intermission of the said Court which hath beene from the fower and twentyeth day of February which was in the yeare of our Lord One thousand six hundred forty and five many persons have by Will and otherwise made disposall of their Lands held by Knight service whereupon diverse Questions might possibly arise unlesse some seasonable remedy be taken to prevent the same:]

Annotations:

Editorial Information

- X1** Abbreviations or contractions in the original form of this Act have been expanded into modern lettering in the text set out above and below.

Amendments (Textual)

- F1** Long title repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#) but reproduced for the purpose of construing the remaining provisions of the Act
- F2** Preamble repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#) but reproduced for the purpose of construing the remaining provisions of the Act

Modifications etc. (not altering text)

- C1** Short title “The Tenures Abolition Act 1660” given by [Statute Law Revision Act 1948 \(c. 62\)](#), [Sch. 2](#)
- C2** Certain words of enactment repealed by [Statute Law Revision Act 1888 \(c. 3\)](#) and remainder omitted under authority of [Statute Law Revision Act 1948 \(c. 62\)](#), [s. 3](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Tenures Abolition Act 1660. (See end of Document for details)

[I.]–II. F3

Annotations:
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Amendments (Textual)
F3 Ss. [1], 2, 10 and 11 repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#), **Sch. Pt. III**

III F4

Annotations:
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Amendments (Textual)
F4 Ss. 3, 14, 16–18 and 24 repealed by [Statute Law Revision Act 1948 \(c. 62\)](#)

IV All Tenures to be created by the King hereafter to be in free and common Soccage.

And that all tenures hereafter to be created by the Kings Majestie his Heires or Successors upon any gifts or grants of any Mannours Lands Tenements or Hereditaments of any Estate of Inheritance at the common Law shall be in free and common Soccage, and shall be adjudged to be in free and common Soccage onely, and not by Knight service or in Capite, and shall be discharged of all Wardship value and forfeiture of Marriage Livery Primer-Seizin Ouster le main Aide pur faier fitz Chivalier & pur file marrier, Any Law Statute or reservation to the contrary thereof any wise notwithstanding.

V–VI F5

Annotations:
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Amendments (Textual)
F5 Ss. 5, 6 repealed by [Statute Law Revision Act 1888 \(c. 3\)](#) and [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#), **Sch. Pt. III**

VII F6

Annotations:
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Amendments (Textual)
F6 S. 7 repealed by [Statute Law Revision Act 1888 \(c. 3\)](#), [Administration of Estates Act 1925 \(c. 23\)](#), **Sch. 2 Pt. I** and [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#) Sch. Pt. III

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VIII Fathers may dispose of the custody of children during their minority. Except Popish Recusants. Actions of Ravishment of Ward for Guardians.

[^{F7}AND where any person hath or shall have any Child or Children under the age of [^{F8}eighteen years] and not married at the time of his death that it shall and may be lawfull to and for the Father of such child or children, [^{X2}whether borne at the time of the decease of the Father or at that time in ventre sa mere, or whether such Father be within the age] of [^{F8}eighteen years] or of full age by his deed executed in his life time, or by his last Will and Testament in writeing in the presence of two or more credible witnesses in such manner and from time to time as he shall respectively thinke fitt to dispose of the custody and tuition of such child or children for and dureing such time as he or they shall respectively remaine under the age of twenty one yeares or any lesser time to any person or persons in possession or remainder other than Popish Recusants, And that such disposition of the custodie of such childe or children made since the twenty fourth of February One thousand six hundred forty five or hereafter to be made shall be good and effectuall against all and every person or persons claiming the custody or tuition of such childe or children as Guardian in soccage or otherwise; And that such person or persons to whom the custodie of such childe or children hath beene or shall be soe disposed or devised as aforesaid shall and may maintaine an action of Ravishment of Ward or trespasse against any person or persons which shall wrongfully take away or detaine such childe or children for the Recovery of such childe or children and shall and may recover damages for the same in the said Action for the use and benefit of such childe or children.]

Annotations:

Editorial Information

X2 annexed to the Original Act in a separate Schedule

Amendments (Textual)

F7 S. 8 repealed by Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. III** but reproduced for the purpose of construing the remaining provisions of the Act

F8 Words substituted by Family Law Reform Act 1969 (c. 46), s. 1(3), **Sch. 1 Pt. I**

IX ^{F9}

Annotations:

Amendments (Textual)

F9 S. 9 repealed by Guardianship Act 1973 (c. 29, SIF 49:9), s. 9(1), **Sch. 3**

X–XI ^{F10}

Annotations:

Amendments (Textual)

F10 Ss. [1], 2, 10 and 11 repealed by Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. III**

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for the Tenures Abolition Act 1660. (See end of Document for details)*

XII F11

Annotations:
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Amendments (Textual)

F11 S. 12 repealed by Statute Law Revision Act 1888 (c. 3), Criminal Law Act 1967 (c. 58), **Sch. 4 Pt. I** and Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. III**

XIII F12

Annotations:
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Amendments (Textual)

F12 S. 13 repealed by Statute Law Revision Act 1948 (c. 62) and Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. III**

XIV F13

Annotations:
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Amendments (Textual)

F13 Ss. 3, 14, 16–18 and 24 repealed by Statute Law Revision Act 1948 (c. 62)

XV F14

Annotations:
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Amendments (Textual)

F14 Ss. 15, 19–23 and 25–42 repealed by Statute Law Revision Act 1863 (c. 125)

XVI– F15
XVIII

Annotations:
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Amendments (Textual)

F15 Ss. 3, 14, 16–18 and 24 repealed by Statute Law Revision Act 1948 (c. 62)

XIX– F16
XXIII

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Annotations:

Amendments (Textual)

F16 Ss. 15, 19–23 and 25–42 repealed by Statute Law Revision Act 1863 (c. 125)

XXIV **F17**

Annotations:

Amendments (Textual)

F17 Ss. 3, 14, 16–18 and 24 repealed by Statute Law Revision Act 1948 (c. 62)

XXV– **F18**

XLII

Annotations:

Amendments (Textual)

F18 Ss. 15, 19–23 and 25–42 repealed by Statute Law Revision Act 1863 (c. 125)

Status:

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Changes to legislation:

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