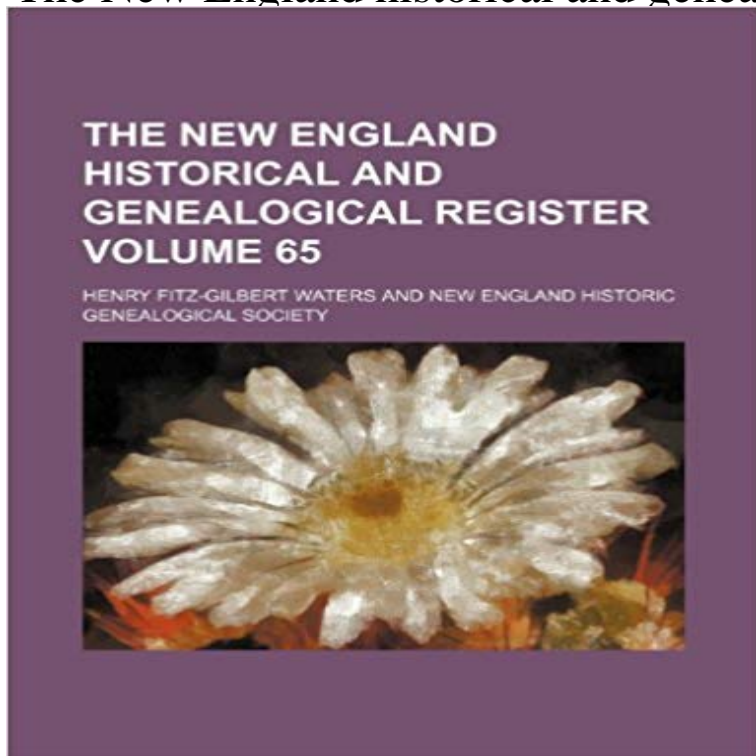


The New England historical and genealogical register Volume 65



This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1911 Excerpt: ...who entered the house alone, shut the door, then opened it and let in the witnesses and others. If there were several parcels of land in one county to be sold, livery of seisin of one parcel would answer for the whole; but if there were several parcels located in different counties, there would have to be as many ceremonies of livery of seisin as there were counties. This form of livery of seisin was called livery of seisin in deed or in fact. There was also a livery of seisin in law which was not made on the land to be conveyed, but near to it or in sight of it. If the feoffor was afraid to enter on the land because, perhaps, he feared bodily harm from a hostile occupant, he would approach as near the land as he dared, and pointing it out to the feoffee would say, I give you yonder land, enter and take possession; then if the feoffee entered upon the land during the lifetime of the feoffor it was a good livery of seisin, otherwise not, unless the feoffee by reason of fear did not dare to enter, in which event he was required to go as near the land as he dared, yearly, and make his claim. Title under livery of seisin was said to pass by transmutation of possession. Under the feudal system all lands were held under the favor of the king, who made grants to his vassals, who in turn gave a certain part of their holdings to their vassals, and so on. Under this system the occupant of land could not transfer it without the consent of his immediate lord. Gradually it became apparent that the interest of the country would be better served if the transfer of real property was free and unrestrained, but it took time to bring about this result. In the reign of King Henry I a man was allowed to dispose of land which he himself had

purchased, b...

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