

Seisin

Law



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The concept of seisin The legal concept of seisin spreads through Europe in the late eleventh and twelfth centuries. It made an enduring contribution to western legal values, institutions, rules and concepts (Harold p 313). Seisin mentions connections with the development of legal autonomy of vassals of land and the right of action against anyone against disseized. The concept of seisin lies in interweaving of factual and legal elements. The concept of seisin did not mean contributions on the development of land and control of land as a possession but differed from the older Roman perception of ownership. This enabled different people to access seized property while away in pilgrimage or crusade, without necessarily having the idea of the right of ownership (Harold p 313).

In chapter 2, according to Magna Carta, the legal concept of seisin of barons or earls in the chief by the military service, at the time of death owes relief. The notion of seisin inheritance develops by the old shelter from which the heirs of a Knight owes less according to ancient custom fees on seisin land. Moreover, in chapter 4, the guardian of the seisin land, takes reasonable customs, services and produce from the heir of the earth (Batten p 104). In contrast, destruction or waste of goods and men, committed toward ship of the lands and any other minor to the sheriff responsible for issues, determines two discreet men of fee. Besides, the sale of wardship of land to anyone that makes destruction or waste losses wardship and the land transferred to lawful and discreet men of a fief.

According to Chapter 12, the legal concept of seisin does not impose on any kingdom, unless directed by a joint council of the kingdom. However, the difference develops for individual cases such as ransoming, that makes the eldest son in the country a knight. The marrying of the eldest daughter in the

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country levies a reasonable aid in different cities such as London. Chapter 16, allows anyone to enjoy the benefits of seisin, and no one distrains the chance of greater service for knight's fee in seisin land (Edgeworth, Brendan, Neave & Ronald p 267).

In Magna Carta, chapter 18, the inquest of novel disseizing and darrein presentment does not hold anywhere than their own county courts, in solving cases based on seisin (Makdisi p 29). These forces were chief justifies sending two justifiers in every county four times a year. The justifies with four knights of the county chosen by the county hold assizes in the county court in the place of meeting within the court.

Chapter 39 states that no free man shall be taken or imprisoned, or dispossessed or outlawed or exiled or in any way ruined, nor will we go or send against him except by the lawful judgment of his peers or by the law of the land. Before the Supreme Court makes any decision, it a court order is always addressed to the concerned authority requesting that a prisoner be taken to the court where a proof is presented to prove whether the prisoner is guilty or not. After all the processes are done, the judgment follows. The United State' Supreme Court has specifically referenced analysis of Magna Carta by different people such as Lord Coke who analyzed Magana Carta as an antecedent of the Sixth Amendment's right to a speedy trial.

United States' Supreme Court made a decision in 1857 through Dred Scott that denied American-born slaves any access to federal courts. Before the decision, the same Supreme Court had made a decision that entitled Africans their freedom under Spanish law. The ruling stated that African Americans were not citizens of America and should not enjoy any right of citizens. After the civil war, the Magna Carta's principle of equality under the law was

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extended to the slaves who have stayed for long.

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