

Magna Charta

John, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitaine, Earl of Anjou: To the Archbishops, Bishops, Abbots, Earls, Barons, Justiciaries, Foresters, Sheriffs, Reves, Ministers, and all Bailiffs and others, his faithful subjects, Greeting. Know ye that We, in the presence of God, and for the health of Our soul, and the souls of Our ancestors and heirs, to the honour of God, and the exaltation of Holy Church, and amendment of Our kingdom, by the advice of Our reverend Fathers, Stephen, Archbishop of Canterbury, Primate of all England and Cardinal of the Holy Roman Church; Henry, Archbishop of Dublin; William of London; Peter of Winchester, Jocelin of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, Benedict of Rochester, Bishops; and Master Pandulph, the Pope's subdeacon and familiar; Brother Aymeric, Master of the Knights of the Temple in England; and the noble persons, William Marshal, Earl of Pembroke; William, Earl of Salisbury; William, Earl of Warren; William, Earl of Arundel; Alan de Galloway, Constable of Scotland; Warin Fitz-Gerald, Hubert de Burgh, Seneschal of Poitou, Peter Fitz-Herbert, Hugo de Neville, Matthew Fitz-Herbert, Thomas Basset, Alan Basset, Philip Daubeney, Robert de Roppelay, John Marshal, John Fitz-Hugh, and others, our liegemen, have, in the first place, granted to God, and by this Our present Charter confirmed for Us and Our heirs for ever — That the English Church shall be free and enjoy all her rights in their integrity and her liberties untouched. And that We will this so to be observed appears from the fact that We of Our mere and free will, before the outbreak of the dissensions between Us and Our Barons, granted, confirmed, and procured to be confirmed by Pope Innocent III., the freedom of elections which is considered most important and necessary to the English Church, which Charter We will both keep Ourselves and will it to be so kept by Our heirs for ever. We have also granted to all the freemen of Our Kingdom, for Us and Our heirs for ever, all the liberties underwritten, to have and to hold to them and their heirs, of Us and Our heirs. If any of Our Earls, Barons, or others who hold of Us in chief by Knight's service, shall die, and at the time of his death his heir shall be of full age and owe a relief, he shall have his inheritance by ancient relief; to wit, the heir or heirs of an Earl of an entire Earl's Barony, £ 100; the heir or heirs of a Baron of an entire Barony, £ 100; the heir or heirs of a Knight of an entire Knight's fee, 100s. at the most; and he that oweth less shall give less, according to the ancient custom of fees. If, however, the heir of any such shall be under age and in ward, he shall, when he comes of age, have his inheritance without relief or fine. The guardian of the land of any such heir so under age shall take therefrom reasonable issues, customs, and services only, and that without destruction and waste of men or property; and if We shall have committed the custody of any such land to the Sheriff or any other person who ought to be answerable to Us for the issues thereof, and he commit destruction or waste upon the ward-lands, We will take an emend from him, and the land shall be committed to two lawful and discreet men of that fee, who shall be answerable for the issues to Us or to whomsoever We shall have assigned them. And if We shall give or sell the wardship of any such land to any one, and he commit destruction or waste upon it, he shall lose the wardship, which shall be committed to two lawful and discreet men of that fee, who shall, in like manner, be answerable unto Us as hath been aforesaid. But the guardian, so long as he shall have the custody of the land, shall keep up and maintain the houses, parks, fish pond, pools, mills, and other things pertaining thereto, out of the issues of the same, and shall restore the whole to the heir when he comes of age, stocked with ploughs and wainage according as the season may require and the issues of the land can reasonably bear. Heirs shall be married without disparagement, to which end the marriage shall be made known to the heir's nearest of kin before it be contracted. A widow, after the death of her husband, shall immediately and without difficulty have her marriage portion and inheritance, nor shall she give anything for her marriage portion, dower, or inheritance which her husband and herself held on the day of his death; and she may remain in her husband's house for forty days after his death, within which time her dower shall be assigned to her. No widow shall be distrained to marry so long as she has a mind to live without a husband; provided, however, that she give security that she will not marry without Our assent if she holds of Us, or that of the Lord of whom she holds, if she hold of

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another. Neither We nor Our bailiffs shall seize any land or rent for any debt so long as the debtor's chattels are sufficient to discharge the same; nor shall the debtor's sureties be distrained so long as the chief debtor hath sufficient to pay the debt, and if he fail in the payment thereof, not having wherewithal to discharge it, then the sureties shall answer it, and, if they will, shall hold the debtor's lands and rents until satisfaction of the debt which they have paid for him be made them, unless the chief debtor can show himself to be quit thereof against them.

If any one shall have borrowed money from the Jews, more or less, and die before the debt be satisfied, no interest shall be taken upon such debt so long as the heir be under age, of whomsoever he may hold; and if the debt shall fall into Our hands We will only take the chattel mentioned in the Charter. And if anyone die indebted to the Jews his wife shall have her dower and pay nothing of that debt; and if the children of the said deceased be left under age they shall have necessaries provided for them according to the condition of the deceased, and the debt shall be paid out of the residue, saving the Lord's service; and so shall it be done with regard to debts owed to other persons than Jews. No scutage or aid shall be imposed in Our kingdom unless by common council thereof, except to ransom Our person, make Our eldest son a knight, and once to marry Our eldest daughter, and for this a reasonable aid only shall be paid. So shall it be with regard to aids from the City of London, and the City of London shall have all her ancient liberties and free customs, both by land and water. Moreover We will and grant that all other cities, boroughs, towns, and ports shall have all their liberties and free customs. And for obtaining the common council of the kingdom concerning the assessment of aids other than in the three cases aforesaid or of scutage, We will cause to be summoned, severally by our letters, the Archbishops, Bishops, Abbots, Earls and great Barons; and in addition We will also cause to be summoned, generally, by Our sheriffs and bailiffs, all those who hold of Us in chief, to meet at a certain day, to wit, at the end of forty days at least, and at a certain place; and in all letters of such summons We will explain the cause thereof, and the summons being thus made the business shall proceed on the day appointed, according to the advice of those who shall be present, notwithstanding that the whole number of persons summoned shall not have come. We will not, for the future, grant permission to any man to levy an aid upon his freemen, except to ransom his person, make his eldest son a knight, and once to marry his eldest daughter, for which a reasonable aid only shall be levied. No man shall be distrained to perform more service for a knight's fee or other free tenement than is due therefrom. Common pleas shall not follow our Court, but be holden in some certain place. Recognisances of Novel Disseisin, Mort d'Ancestor, and Darrein Presentment shall be taken in their proper counties only, and in this wise; — We Ourself, or, if We be absent from the realm, Our Chief Justiciary, shall send two justiciaries through each county four times a year, who, together with four knights elected out of each shire by the people thereof, shall hold the said assizes on the day and in the place aforesaid. And if the said assizes cannot be held on the day appointed, so many of the knights and freeholders as shall have been present thereat on that day shall remain as will be sufficient for the administration of justice, according as the business to be done be greater or less. A free man shall not be amerced for a small fault, but according to the measure thereof, and for a great crime according to its magnitude, in proportion to his degree; and in like manner a merchant in proportion to his merchandise, and a villein in proportion to his wainage if he should fall under Our mercy; and none of the said amercements shall be imposed unless by the oath of honest men of the venue. Earls and Barons shall only be amerced by their peers in proportion to the measure of the offence. No clerk shall be amerced for his lay tenement, except after the manner of the other persons aforesaid, and not according to the value of his ecclesiastical benefice. Neither shall any vill or person be distrained to make bridges over rivers, but they who are bound to do so by ancient custom and law. No sheriff, constable, coroners, or other Our bailiffs shall hold pleas of Our Crown. All counties, hundreds, tithings, and wapentakes shall stand at the old farms, without any increased rent, except Our demesne manors. If any one die holding a lay fee of Us, and the sheriff or Our bailiff show Our letters patent of summons touching the debt due to Us from the deceased, it shall be lawful to such sheriff or bailiff to attach and register the chattels of the deceased found in the lay fee to the value of that debt, by view of lawful men, so that nothing be removed therefrom until Our whole debt be paid; and the residue shall be given up to the executors to carry out the will of the deceased. And if there be nothing due from him to Us, all his chattels shall remain to the deceased, saving to his wife and children their reasonable shares. If any free man shall die intestate his chattels shall be distributed by the hands of his nearest kinsfolk and friends by view of the Church, saving to every one the debts due to him from the deceased. No constable or other Our bailiff shall take corn or

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other chattels of any man without immediate payment for the same, unless he hath a voluntary respite of payment from the seller.

No constable shall distrain any knight to give money for castle-guard, if he will perform it either in his proper person or by some other fit man, if he himself be prevented from so doing by reasonable cause; and, if We lead or send him into the army, he shall be quit of castle-guard for the time he shall remain in the army by Our command. No sheriff or other Our bailiff, or any other man, shall take the horses or carts of any free man for carriage except with his consent. Neither shall We or Our bailiffs take another man's timber for Our castles or other uses, unless with the consent of the owner thereof. We will only retain the lands of persons convicted of felony for a year and a day, after which they shall be restored to the Lords of the fees. From henceforth all weirs shall be entirely removed from the Thames and Medway, and throughout England, except upon the sea coast. The writ called "Praeceptum" shall not for the future issue to any one of any tenement whereby a freeman may lose his court. There shall be one measure of wine throughout Our kingdom, and one of ale, and one measure of corn, to wit, the London quarter, and one breadth of dyed cloth, russetts, and haberjects, to wit, two ells within the lists. And as with measures so shall it be also with weights. From henceforth nothing shall be given for a writ of inquisition upon life or limbs, but it shall be granted gratis, and shall not be denied. If any one hold of Us by a fee-farm, socage or burgage, and hold land of another by knight's service. We will not have the wardship of his heir, or the land which belongs to another man's fee, by reason of that fee-farm, socage or burgage; nor will We have the wardship of such fee-farm, socage, or burgage, unless such fee-farm owe knight's service. We will not have the wardship of any man's heir, or the land which he holds of another by knight's service, by any reason of any petty serjeanty which he holds of Us by service of rendering Us daggers, arrows, or the like. No bailiff shall for the future put any man to trial upon his simple accusation without producing credible witnesses to the truth thereof. No freeman shall be taken, imprisoned, disseised, outlawed, banished, or in any way destroyed, nor will We proceed against or prosecute him except by lawful judgment of his peers or the law of the land. To no one will We sell, to none will We deny or defer, right or justice. All merchants shall have safe conduct to go and come out of and into England, and to stay in and travel through England by land and water for purchase or sale, without maltolt, by ancient and just customs, except in time of war, or if they belong to a country at war with Us. And if such be found in Our dominion at the outbreak of war, they shall be attached, without injury to their persons or goods, until it be known to Us or Our Chief Justiciary, after what sort Our merchants are treated who shall be found to be at that time in the country at war with Us, and if they be safe there then these shall be so also with Us. It shall be lawful in future, unless in time of war, for any one to leave and return to Our kingdom safely and securely by land and water, saving his fealty to Us, for any short period, for the common benefit of the realm, except prisoners and outlaws according to the law of the land, people of the country at war with us, and merchants who shall be dealt with as is aforesaid. If any one die holding of any escheat, as of the honour of Wallingford, Nottingham, Boulogne, Lancaster, or other escheats which are in Our hands and are baronies, his heir shall not give any relief or do any service to Us other than he would owe to the baron if such barony should have been in the hands of a baron, and We will hold it in the same manner in which the baron held it. Persons dwelling without the forest shall not for the future come before Our justiciaries of the forest by common summons, unless they be impleaded or are bail for any person or persons attached for breach of forest-laws. We will only appoint such men to be justiciaries, constables, sheriffs, or bailiffs as know the law of the land and will keep it well. All barons, founders of abbies by charters of English kings or ancient tenure, shall have the custody of the same during vacancy as is due. All forests which have been afforested in Our time shall be forthwith disafforested, and so shall it be done with regard to rivers which have been placed in fence in Our time. All evil customs concerning forests and warrens, foresters, warreners, sheriffs, and their officers, rivers and their conservators, shall be immediately inquired into in each county by twelve sworn knights of such shire, who must be elected by honest men thereof, and within forty days after making the inquisition they shall be altogether and irrevocably abolished, the matter having been previously brought to Our knowledge or that of Our Chief Justiciary if We Ourselves shall not be in England.

We will immediately give up all hostages and charters delivered to Us by the English for the security of peace and the performance of loyal service. We will entirely remove from their bailiwicks the kinsmen of Gerard de Atyes, so that henceforth they shall hold no bailiwick in England, Engelard de Cygoynay, Andrew, Peter, and Gyon de Cancellis, Gyon de Cygoynay, Ralph de Martiny

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and his brothers, Philip Marc [el] and his brothers, and Ralph his grandson, and all their followers, and directly after the restoration of peace We will dismiss out of our kingdom all foreign soldiers, bowmen, serving men, and mercenaries, who come with horses and arms to the nuisance thereof. If any one shall have been disseised or deprived by Us, without the legal judgment of his peers, of lands, castles, liberties, or rights, We will instantly restore the same, and if any dispute shall arise thereupon, the matter shall be decided by judgment of the twenty-five barons mentioned below for the security of peace. With regard to all those things, however, whereof any person shall have been disseised or deprived, without the legal judgment of his peers, by King Henry Our Father, or Our Brother King Richard, and which remain in Our hands or are held by others under Our warranty, We will have respite thereof till the term commonly allowed to the crusaders, except as to those matters on which a plea shall have arisen, or an inquisition have been taken by Our command prior to Our assumption of the Cross, and immediately after Our return from Our pilgrimage, or if by chance We should remain behind from it We will do full justice therein. We will likewise have the same respite and in like manner shall justice be done with respect to forests to be disafforested or left alone, which Henry Our Father or Richard Our Brother afforested, and to wardships of lands belonging to another's fee, which We have hitherto held by reason of the fee which some person has held of Us by knight's service, and to abbies founded in another's fee than Our own, whereto the lord of that fee asserts his right. And when We return from Our pilgrimage, or if We remain behind therefrom, We will forthwith do full justice to the complainants in these matters. No one shall be taken or imprisoned upon a woman's appeal for the death of any other person then her husband. All fines unjustly and unlawfully made with Us, and all amercements levied unjustly and against the law of the land, shall be entirely condoned or the matter settled by judgment of the twenty-five barons of whom mention is made below, for the security of peace, or the majority of them, together with the aforesaid Stephen, Archbishop of Canterbury, if he himself can be present, and any others whom he may wish to summon for the purpose, and if he cannot be present the business shall nevertheless proceed without him. Provided that if any one or more of the said twenty-five barons be interested in a plaint of this kind, he or they shall be set aside, as to this particular judgment, and another or others elected and sworn by the rest of the said barons for this purpose only, be substituted in his or their stead. If We have disseised or deprived the Welsh of lands, liberties or other things, without legal judgment of their peers, in England or Wales, they shall instantly be restored to them, and if a dispute shall arise thereon the question shall be determined on the Marches by judgment of their peers according to the law of England with regard to English tenements, the law of Wales respecting Welsh tenements, and the law of the Marches as to tenements in the Marches. The same shall the Welsh do to Us and Ours. But with regard to all those things whereof any Welshman shall have been disseised or deprived, without legal judgment of his peers by King Henry Our Father or Our Brother King Richard, and which We hold in Our hands or others hold under Our warranty, We will have respite thereof till the term commonly allowed to the crusaders, except as to those matters whereon a plea shall have arisen or an inquisition have been taken by Our command prior to Our assumption of the Cross, and immediately after Our return from Our pilgrimage, or if by chance We should remain behind from it We will do full justice therein, according to the laws of the Welsh and the parts aforesaid. We will immediately give up the son of Lewellyn and all the Welsh hostages, and the charters which were delivered to Us for the security of peace. We will do the same with regard to Alexander, King of the Scots, in the matter of giving up his sisters and hostages, and of his liberties and rights, as We would with regard to Our other barons of England, unless it should appear by the charters which We hold of William his father, late King of the Scots, that it ought to be otherwise, and this shall be done by judgment of his peers in Our Court. All which customs and liberties aforesaid, which We have granted to be enjoyed, as far as in Us lies, by Our people throughout our kingdom, let all Our subjects, clerks and laymen, observe, as far as in them lies, towards their dependants.

And whereas We, for the honour of God and the amendment of Our realm, and in order the better to allay the discord arisen between Us and Our barons, have granted all these things aforesaid, We, willing that they be for ever enjoyed wholly and in lasting strength, do give and grant to Our subjects the following security, to wit, that the barons shall elect any twenty-five barons of the kingdom at will, who shall, with their utmost power, keep, hold, and cause to be holden the peace and liberties which We have granted unto them, and by this Our present Charter confirmed, so that, for instance, if We, Our Justiciary, bailiffs, or any of Our ministers, offend in any respect against any man, or shall transgress any of these articles of peace or security, and the offence be

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brought before four of the said five and twenty barons, those four barons shall come before Us, or Our Chief Justiciary if We are out of the kingdom, declaring the offence, and shall demand speedy amends for the same. And if We or in case of Our being out of the kingdom, Our Chief Justiciary, fail to afford redress within the space of forty days from the time the case was brought before Us or Our Chief Justiciary, the aforesaid four barons shall refer the matter to the rest of the twenty-five barons, who, together with the commonalty of the whole county, shall distrain and distress Us to the utmost of their power, to wit, by capture of Our castles, lands, possessions, and all other possible means, until compensation be made according to their decision, saving Our person and that of Our Queen and children, and as soon as that be done they shall return to their former allegiance. Any one whatsoever in the kingdom may take oath that, for the accomplishment of the aforesaid matters, he will obey the orders of the said twenty-five barons, and distress Us to the utmost of his power; and We give public and free leave to every one wishing to take such oath to do so, and to none will We deny the same. Moreover We will compel all such of Our subjects who shall decline to swear to, and together with the said twenty-five barons to distrain and distress Us of their own free will and accord, to do so by Our command as is aforesaid. And if any one of the twenty-five barons shall die or leave the country, or be in any way hindered from executing the said office, the rest of the said twenty-five barons shall choose another in his stead, at their discretion, who shall be sworn in like manner as the others. And in all cases which are referred to the said twenty-five barons to execute, and in which a difference shall arise among them, supposing them all to be present, or that all who have been summoned are unwilling or unable to appear, the verdict of the majority shall be considered as firm and binding as if the whole number should have been of one mind. And the aforesaid twenty-five shall swear to keep faithfully all the aforesaid articles, and, to the best of their power, cause them to be kept by others. And We will not procure, either by Ourselves or any other, anything from any man whereby any of the said concessions or liberties may be revoked or abated; and if any such procurement be made let it be null and void; it shall never be made use of either by Us or any other. We have also wholly remitted and condoned all ill-will, wrath, and malice which have arisen between Us and Our subjects, clerks and laymen, during the disputes, to and with all men; and We have moreover fully remitted, and as far as in Us lies, wholly condoned to and with all clerks and laymen all trespasses made in consequence of the said disputes from Easter in the sixteenth year of Our reign till the restoration of peace; and, over and above this, We have caused to be made in their behalf letters patent by testimony of Stephen, Archbishop of Canterbury, Henry, Archbishop of Dublin, the Bishops above mentioned, and Master Pandulph, upon the security and concession aforesaid. Wherefore We will, and firmly charge, that the English Church be free, and that all men in Our Kingdom have and hold all the aforesaid liberties, rights, and concessions, well and peaceably, freely, quietly, fully, and wholly, to them and their heirs, of Us and Our heirs, in all things and places for ever, as is aforesaid. It is moreover sworn, as well on Our part as on the part of the Barons, that all these matters aforesaid shall be kept in good faith and without malengine. Witness the above-mentioned Prelates and Nobles and many others. Given by Our hand in the meadow which is called Runnymede between Windsor and Staines, on the Fifteenth day of June in the Seventeenth year of Our reign.

(Indorsed)

Agreement between King John and the
Barons by grant of liberties to the
Church and Kingdom of England.

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Translated by WILLIAM BASEVI SANDERS. Esq., Assistant Keeper of Her Majesty's Records.