

# MAGNA CHARTA.

## THE GREAT CHARTER,

(TRANSLATED AS IN THE STATUTES AT LARGE).

MADE IN THE NINTH YEAR OF KING HENRY THE THIRD,  
AND CONFIRMED BY KING EDWARD THE FIRST, IN THE  
FIVE-AND-TWENTIETH YEAR OF HIS REIGN.

EDWARD, by the grace of God, King of England, Lord of Ireland, and Duke of Guyan: to all archbishops, &c. We have seen the Great Charter of the Lord Henry, sometimes King of England, our father, of the Liberties of England, in these words:

"HENRY, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Guyan, and Earl of Anjou: to all archbishops, bishops, abbots, priors, earls, barons, sheriffs, provosts, and officers, and to all bailiffs and other our faithful subjects, which shall see this present Charter, greeting: Know ye that We, unto the honour of Almighty God, and for the salvation of the souls of our progenitors and successors, kings of England, to the advancement of Holy Church and amendment of our realm, of our mere and free will have given and granted to all archbishops, bishops, abbots, priors, earls, barons, and to all freemen of this our realm, these liberties following, to be kept in our kingdom of England forever."

### CHAPTER I.

FIRST, we have granted to God, and by this our present Charter have confirmed for us and our heirs forever, that the Church of England shall be free, and shall have all her whole rights and liberties inviolable. We have granted also, and given to all the freemen of our realm, for us and our heirs forever, these liberties, under written, to have and to hold to them and their heirs, of us and our heirs forever.

### CHAPTER II.

If any of our earls, or barons, or others, who hold of us in chief by military service, shall die, and at the time of his death his heir shall be of full age, and owes a relief, he shall have his inheritance by the ancient relief; that is to say, the heir or heirs of an earl, for a whole earldom, by a hundred pounds; the heir or heirs of a baron, for a whole barony, by a hundred pounds; the heir or heirs of a knight, for a whole knight's fee, by a hundred shillings at most; and whoever oweth less shall give less, according to the ancient custom of fees.

## CHAPTER III.

But if the heir of any such shall be under age and shall be in ward when he comes of age, he shall have his inheritance without relief and without fine.

## CHAPTER IV.

The keeper of the land of such an heir being under age, shall take of the land of the heir none but reasonable issues, reasonable customs, and reasonable services, and that without destruction and waste of his men and his goods; and if we commit the custody of any such lands to the sheriff, or any other who is answerable to us for the issues of the land, and he shall make destruction and waste of the lands which he hath in custody, we will take of him amends, and the land shall be committed to two lawful and discreet men of that fee, who shall answer for the issues to us, or to him to who we shall assign them; and if we sell or give to any one the custody of any such lands, and he therein make destruction or waste, he shall lose the same custody, which shall be committed to two lawful and discreet men of that fee, who shall in like manner answer to us as aforesaid.

## CHAPTER V.

But the keeper, so long as he shall have the custody of the land, shall keep up the houses, parks, warrens, ponds, mills, and other things pertaining to the land, out of the issues of the same land; and shall deliver to the heir, when he comes of full age, his whole land, stocked with ploughs and carriages, according as the time of wainage shall require, and the issues of the land can reasonably bear.

## CHAPTER VI.

Heirs shall be married without disparagement, and so that before matrimony shall be contracted those who are near in blood to the heir shall have notice.

## CHAPTER VII.

A widow, after the death of her husband, shall forthwith and without difficulty have her marriage and inheritance; nor shall she give anything for her dower, or her marriage, or her inheritance, which her husband and she held at the day of his death; and she may remain in the mansion house of her husband forty days after his death, within which term her dower shall be assigned. No widow shall be distrained to marry herself, so long as she has a mind to live without a husband; but yet she shall give security that she will not marry without our assent, if she holds of us; or without the consent of the lord of whom she holds, if she hold of another.

## CHAPTER VIII.

Neither we nor our bailiffs shall seize any land or rent for any debt, so long as the chattels of the debtor are sufficient to pay the debt; nor shall the sureties of the debtor be distrained so long as the principal debtor is sufficient for the payment of the debt; and if the principal debtor shall fail in the payment of the debt, not having wherewithal to pay it, then the sureties shall answer the debt, and if they will they shall have the lands and rents of the debtor, until they shall be satisfied for the debt which they paid for him, unless the principal debtor can show himself acquitted thereof against the said sureties.

## CHAPTER IX.

And the city of London shall have all its ancient liberties and free customs, as well by land as by water; furthermore, we will and grant, that all other cities and boroughs and towns and ports shall have all their liberties and free customs.

## CHAPTER X.

No man shall be distrained to perform more service for a knight's fee, or other free tenement, than is due from thence.

## CHAPTER XI.

Common pleas shall not follow our court, but shall be holden in some place certain.

## CHAPTERS XII AND XIII.

Assizes of novel disseisin, and of mort d'ancestor, and of darrein presentment, shall not be taken but in their proper counties, and after this manner: We, or, if we should be out of the realm, our chief justiciary, shall send two justiciaries through every county four times a year, who, with four knights, chosen out of every shire by the people, shall hold the said assizes, in the county, on the day, and at the place appointed. And if any matters cannot be determined on the day appointed for holding the assizes in each county, so many of the knights and freeholders as have been at the assizes aforesaid shall stay to decide them, as is necessary, according as there is more or less business.

## CHAPTER XIV.

A freeman shall not be amerced for a small fault, but after the manner of the fault; and for a great crime according to the heinousness of it, saving to him his contentment; and after the same manner a merchant, saving to him his merchandise. And a villein shall be amerced after the same manner, saving to him his wainage, if he falls under our mercy; and none of the aforesaid amerciements shall be assessed but by oath of honest men in the

neighborhood. Earls and barons shall not be amerced but by their peers, and after the degree of the offense.

#### CHAPTERS XV AND XVI.

Neither a town nor any tenant shall be distrained to make bridges or banks, unless that anciently and of right they are bound to do it.

#### CHAPTER XVII.

No sheriff, constable, coroner, or other our bailiffs, shall hold pleas of the Crown.

#### CHAPTER XVIII.

If any one holding of us a lay-fee die, and the sheriff, or our bailiffs, show our letters patent, of summons for debt which the dead man did owe to us, it shall be lawful for the sheriff or our bailiff to attach and inroll the chattels of the dead, found upon his lay-fee, to the value of the debt, by the view of lawful men, so as nothing be removed until our whole clear debt be paid; and the rest shall be left to the executors to fulfill the testament of the dead, and if there be nothing due from him to us, all the chattels shall go to the use of the dead, saving to his wife and children their reasonable shares.

#### CHAPTERS XIX, XX, AND XXI.

No constable or bailiff of ours shall take corn or other chattels of any man, unless he presently give him money for it, or hath respite of payment by the good will of the seller. No constable shall distrain any knight to give money for castle guard, if he himself will do it in his person, or by another able man in case he cannot do it through any reasonable cause. And if we lead him, or send him in an army, he shall be free from such guard for the time he shall be in the army by our command. No sheriff or bailiff of ours, or any other, shall take horses or carts of any freeman for carriage, but by the good will of the said freeman. Neither shall we nor our bailiffs take any man's timber for our castles or other uses, unless by the consent of the owner of the timber.

#### CHAPTER XXII.

We will retain the lands of those convicted of felony only one year and a day, and then they shall be delivered to the lord of the fee.

#### CHAPTER XXIII.

All weirs for the time to come shall be put down in the rivers of Thames and Medway, and throughout all England, except upon the sea-coast.

#### CHAPTER XXIV.

The writ which is called proceipe for the future, shall not be made out to any one, of any tenement, whereby a freeman may lose his court.

#### CHAPTER XXV.

There shall be one measure of wine and one of ale through our whole realm; and one measure of corn, that is to say, the London quarter; and one breadth of dyed cloth, and russets, and haberjeets, that is to say, two ells within the lists; and it shall be of weights as it is of measures.

#### CHAPTER XXVI.

Nothing from henceforth shall be given or taken for a writ of inquisition of life or limb, but it shall be granted freely, and not denied.

#### CHAPTER XXVII.

If any do hold of us by fee-farm, or by socage, or by burgage, and he hold also lands of any other by knight's service, we will not have the custody of the heir or land, which is holden of another man's fee by reason of that fee-farm, socage, or burgage; neither will we have the custody of such fee-farm, socage, or burgage, except knight's service was due to us out of the same fee-farm. We will not have the custody of an heir, or of any land which he holds of another by knight's service, by reason of any petty serjeanty that holds of us, by the service of paying a knife, an arrow, or the like.

#### CHAPTER XXVIII.

No bailiff from henceforth shall put any man to his law upon his own bare saying, without credible witnesses to prove it.

#### CHAPTER XXIX.

No freeman shall be taken, or imprisoned, or be disseised of his freehold, or liberties, or free customs, or be outlawed or exiled, or any otherwise destroyed; nor will we pass upon him, nor condemn him, but by lawful judgment of his peers, or by the law of the land. We will sell to no man, we will not deny or defer to any man, either justice or right.

#### CHAPTER XXX.

All merchants shall have safe and secure conduct, to go out of, and to come into, England, and to stay there, and to pass as well by land as by water, for buying and selling by the ancient and allowed customs, without any evil tolls; except in time of war, or when they are of any nation at war with us. And if there be found any such in our land, in the beginning of the war, they shall be attached, without damage to their bodies or goods, until it be known unto us or our chief justiciary, how our merchants be treated in

the nation at war with us; and if ours be safe there, the others shall be safe in our dominions.

## CHAPTER XXXI.

If any man hold of any escheat, as of the honour of Wallingford, Nottingham, Boulogne, Lancaster, or of other escheats which be in our hands, and are baronies, and die, his heir shall give no other relief, and perform no other service to us, than he would to the baron, if it were in the baron's hand; we will hold it after the same manner as the baron held it.

## CHAPTER XXXII.

Lands shall not be aliened to the prejudice of the lord's service [i.e. lord of the fee].

## CHAPTER XXXIII.

Patrons of abbeys shall have the custody of them in time of vacation.

## CHAPTER XXXIV.

No man shall be taken or imprisoned upon the appeal of a woman, for the death of any other than her husband.

## CHAPTER XXXV.

No county court shall from henceforth be holden but from month to month; and where a greater term has been used, it shall be greater. Neither shall any sheriff or his bailiff keep his tourn in the hundred but twice in the year; and nowhere but in due and accustomed place, that is to say, once after Easter, and again after the Feast of St. Michael. And the view of frank-pledge shall be likewise at St. Michael's term, without occasion; so that every man may have his liberties, which he had and was accustomed to have in the time of King Henry our grandfather, or which he hath purchased since. The view of frank-pledge shall be done so, that our peace may be kept, and that the tything be wholly kept as it hath been accustomed; and that the sheriff seek no occasions, and that he be content with so much as the sheriff was wont to have for his view-making in the time of King Henry our grandfather.

## CHAPTER XXXVI.

It shall not be lawful from henceforth to any to give his lands to any religious house, and to take the same land again to hold of the same house. Nor shall it be lawful to any house of religion to take the lands of any, and to lease the same to him of whom he received it; if any from henceforth give his lands to any religious house, and thereupon be convict, the gift shall be utterly void, and the land shall accrue to the lord of the fee.

## CHAPTER XXXVII.

Escuage from henceforth shall be taken like as it was wont to be in the time of King Henry our grandfather; reserving to all archbishops, bishops, abbots, priors, templars, hospitalers, earls, barons, and all persons as well spiritual as temporal, all their free liberties and free customs, which they have had in time passed. And all these customs and liberties aforesaid, which we have granted to be holden within this our realm, as much as appertaineth to us and our heirs, we shall observe. And all men of this our realm, as well spiritual as temporal (as much as in them is), shall observe the same against all persons in likewise. And for this our gift and grant of these liberties and of other contained in our Charter of liberties of our forest, the archbishops, bishops, abbots, priors, earls, barons, knights, freeholders, and other our subjects have given unto us the fifteenth part of all their movables. And we have granted unto them, for us and our heirs, that neither we nor our heirs shall procure or do anything, whereby the liberties in this Charter contained shall be infringed or broken. And if anything be procured by any person contrary to the premises, it shall be had of no force nor effect. These being witnesses, Lord B. Archbishop of Canterbury, E. Bishop of London, I. Bishop of Bath, P. of Winchester, H. of Lincoln, R. of Salisbury, W. of Rochester, W. of Worcester, J. of Ely, H. of Hereford, R. of Chichester, W. of Exeter, Bishops: the Abbot of St. Edmonds, the Abbot of St. Albans, the Abbot of Bello, the Abbot of St. Augustines in Canterbury, the Abbot of Evesham, the Abbot of Westminster, the Abbot of Bourgh St. Peter, the Abbot of Reding, the Abbot of Abindon, the Abbot of Malmesbury, the Abbot of Winchcomb, the Abbot of Hyde, the Abbot of Certesy, the Abbot of Sherburn, the Abbot of Cerne, the Abbot of Abbotebir, the Abbot of Middleton, the Abbot of Seleby, the Abbot of Cirencester: H. de Burgh, Justice, H. Earl of Chester and Lincoln, W. Earl of Salisbury, W. Earl of Warren, G. de Clare Earl of Gloucester and Hereford, W. de Ferrars Earl of Derby, W. de Mandeville Earl of Essex, H. de Bygod Earl of Norfolk, W. Earl of Albemarle, H. Earl of Hereford, J. Constable of Chester, R. de Ros, R. Fitzwalter, R. de Vyponte, W. de Bruer, R. de Muntfichet, P. Fitzherbert, W. de Aubenie, J. Gresly, F. de Breus, J. D. Monemue, J. Fitzallen, H. de Mortimer, W. de Beauchamp, W. de St. John, P. de Mauly, Brian de Lisle, Thomas de Multon, R. de Argenteyn, G. de Nevil, W. Mauduit, J. de Balun, and others.

We, ratifying and approving these gifts and grants aforesaid, confirm and make strong all the same for us and our heirs perpetually; and by the tenor of these presents do renew the same, willing and granting for us and our heirs, that this Charter, and all and singular its articles forever shall be steadfastly, firmly, and inviolably observed. Although some articles in the same Charter contained yet hitherto peradventure have not been kept, we will, and, by authority royal, command, from henceforth firmly they be observed. In witness whereof we have caused these our letters patent to be made. Witness Edward, our Son, at Westminster, the twelfth day of October, in the twenty-fifth year of our reign.