Excerpts from the Magna Carta (1215)

Preamble:

John, by the grace of God, king of England, lord of Ireland, duke of Normandy and Aquitaine, and count of Anjou, to the archbishop, bishops, abbots, earls, barons, justiciaries, foresters, sheriffs, stewards, servants, and to all his bailiffs and liege subjects, greetings. Know that, having regard to God and for the salvation of our soul, and those of all our ancestors and heirs, and unto the honor of God and the advancement of his holy Church and for the rectifying of our realm, we have granted as underwritten by advice of our venerable 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, Jocelyn of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, Benedict of Rochester, bishops; of Master Pandulf, subdeacon and member of the household of our lord the Pope, of brother Aymeric (master of the Knights of the Temple in England), and of the illustrious men William Marshal, earl of Pembroke, William, earl of Salisbury, William, earl of Warenne, William, earl of Arundel, Alan of Galloway (constable of Scotland), Waren Fitz Gerold, Peter Fitz Herbert, Hubert De Burgh (seneschal of Poitou), Hugh de Neville, Matthew Fitz Herbert, Thomas Basset, Alan Basset, Philip d'Aubigny, Robert of Roppesley, John Marshal, John Fitz Hugh, and others, our liegemen.

1. In the first place we have granted to God, and by this our present charter confirmed for us and our heirs forever that the English Church shall be free, and shall have her rights entire, and her liberties inviolate; and we will that it be thus observed; which is apparent from this that the freedom of elections, which is reckoned most important and very essential to the English Church...We have also granted to all freemen of our kingdom, for us and our heirs forever, all the underwritten liberties, to be had and held by them and their heirs, of us and our heirs forever.

Annotations

The Magna Carta, or Great Charter, was written and signed by King John in 1215. The barons, noblemen, of England believed that King John was overstepping his powers as monarch.

1. The English church shall be free, shall have all rights, and liberties shall not be violated.

All freemen and heirs will have the following liberties.
9. Neither we nor our bailiffs will seize any land or rent for any debt, as long as the chattels of the debtor are sufficient to repay the debt; nor shall the sureties of the debtor be distrained so long as the principal debtor is able to satisfy the debt; and if the principal debtor shall fail to pay the debt, having nothing wherewith to pay it, then the sureties shall answer for the debt; and let them have the lands and rents of the debtor, if they desire them, until they are indemnified for the debt which they have paid for him, unless the principal debtor can show proof that he is discharged thereof as against the said sureties.

12. No scutage nor aid shall be imposed on our kingdom, unless by common counsel of our kingdom, except for ransoming our person, for making our eldest son a knight, and for once marrying our eldest daughter; and for these there shall not be levied more than a reasonable aid. In like manner it shall be done concerning aids from the city of London.

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

17. Common pleas shall not follow our court, but shall be held in some fixed place.

18. ...We, or, if we should be out of the realm, our chief justiciar, will send two justiciaries through every county four times a year, who shall alone with four knights of the county chosen by the county, hold the said assizes in the county court, on the day and in the place of meeting of that court.

19. And if any of the said assizes cannot be taken on the day of the county court, let there remain of the knights and freeholders, who were present at the county court on that day, as many as may be required for the efficient making of judgments, according as the business be more or less.

20. A freeman shall not be amerced for a slight offense, except in accordance with the degree of the offense; and for a grave offense he shall be amerced in accordance with the gravity of the offense...none of the aforesaid amercements

9. Bailiffs will not seize land or rent to pay for a debt if the debtor can repay the debt in another manner. If the debtor cannot pay the debt in anyway, the bailiff can take the lands or rents until the debt is repaid.

12. Paying one’s way out of military service as a knight will be imposed.

13. All cities, boroughs, towns, and ports shall have all of their liberties and free customs.

17. Court cases will be held in a fixed place.

18. If the king is not available, the chief justice will send two judges to every county four times per year to hear cases in that county court with four knights from chosen by the county.

19. If any of the cases cannot be held on the specified day, the knights and freeholders who were present may make judgments.

20. A freeman may not be charged with a slight offense, and they shall be charged with grave offenses based on the severity of the offense. Fines cannot be
shall be imposed except by the oath of honest men of the neighborhood.

21. Earls and barons shall only be fined by their peers and based on the severity of the offense.

24. No sheriff, constable, coroners, or other bailiffs shall hear court cases.

28. No constable or other bailiff shall take any material items from anyone without paying for them or without the permission of the seller.

30. No sheriff, bailiff, or other person shall take the horses or carts against the will of a freeman.

31. Bailiffs shall not take castles or wood against the will of the owner.

35. There shall be standard weights and measures.

38. No bailiff shall bring charges against someone without credible witnesses.

39. No freemen shall be imprisoned, have their land taken, be exiled, or destroyed except by the lawful judgment of his peers or by the law of the land.

40. They will not refuse or delay right or justice.

41. All merchants have safe and secure methods of trade by land or water. If they are on land during a war, they will be detained but not injured until it is determined that our merchants are being treated in the war.
injury to their bodies or goods, until information be received by us, or by our chief justiciar, how the merchants of our land found in the land at war with us are treated; and if our men are safe there, the others shall be safe in our land.

45. We will appoint as justices, constables, sheriffs, or bailiffs only such as know the law of the realm and mean to observe it well.

55. All fines made with us unjustly and against the law of the land, and all amercements, imposed unjustly and against the law of the land, shall be entirely remitted...

60. Moreover, all these aforesaid customs and liberties, the observances of which we have granted in our kingdom as far as pertains to us towards our men, shall be observed by all of our kingdom, as well clergy as laymen, as far as pertains to them towards their men.

61. Since, moveover, for God and the amendment of our kingdom and for the better allaying of the quarrel that has arisen between us and our barons, we have granted all these concessions, desirous that they should enjoy them in complete and firm endurance forever, we give and grant to them the underwritten security, namely, that the barons choose five and twenty barons of the kingdom, whomsoever they will, who shall be bound with all their might, to observe and hold, and cause to be observed, the peace and liberties we have granted and confirmed to them by this our present Charter, so that if we, or our justiciar, or our bailiffs or any one of our officers, shall in anything be at fault towards anyone, or shall have broken any one of the articles of this peace or of this security, and the offense be notified to four barons of the foresaid five and twenty, the said four barons shall repair to us (or our justiciar, if we are out of the realm) and, laying the transgression before us, petition to have that transgression redressed without delay. And if we shall not have corrected the transgression...the four barons aforesaid shall refer that matter to the rest of the five and twenty barons, and those five and twenty barons shall, together with the community of the whole realm, distraint and distress us in all possible ways, namely, by seizing our castles, lands, possessions, and in any other way they can, until redress has been obtained as they deem fit, saving

45. Appointed justices, constables, sheriffs, or bailiffs shall know the law of the land and observe it.

55. All fines that were made unjustly against the law of the land will be revoked.

60. All of the customs and liberties granted in the kingdom shall be observed by all.

61. To remedy the quarrel between the barons and the king, these concessions will be made. Twenty-five barons will be chosen by the other barons to observe and hold the liberties granted and confirmed by this charter to ensure that the king maintains these liberties.

If the problems are not solved, the barons and the rest of the realm may seize our castles, lands, and possessions until the issues are redressed. In these remedies, the king, queen, and their children shall not be harmed.
harmless our own person, and the persons of our queen and children; and when redress has been obtained, they shall resume their old relations towards us...And we shall procure nothing from anyone, directly or indirectly, whereby any part of these concessions and liberties might be revoked or diminished; and if any such things has been procured, let it be void and null, and we shall never use it personally or by another.

63. Wherefore we will and firmly order that the English Church be free, and that the men in our kingdom have and hold all the aforesaid liberties, rights, and concessions, well and peaceably, freely and quietly, fully and wholly, for themselves and their heirs, of us and our heirs, in all respects and in all places forever, as is aforesaid. An oath, moreover, has been taken, as well on our part as on the part of the barons, that all these conditions aforesaid shall be kept in good faith and without evil intent. Given under our hand—the above named and many others being witnesses—in the meadow which is called Runnymede, between Windsor and Staines, on the fifteenth day of June, in the seventeenth year of our reign.

When these issues are resolved, the previous relationship will be resumed.

63. The English Church shall be free and the men in the kingdom will have the liberties, rights, and concessions mentioned above.

All of these conditions will be kept in good faith.