

Magna Carta.

Teacher Resource

Magna Carta transcription

Transcription from 'The Charters of London', 1833–1834

COL/CH/02/01/011

12. Oct. 25.Edw.I.

Magna Carta.

Edward by the Grace of God, King of England, Lord of Ireland and Duke of Aquitain, to all to whom the present Letters shall come, Greeting.

We have inspected the Great Charter of the Liberties of England of the Lord Henry, formerly King of England, our Father, in these words;

Henry by the Grace of God, King of England, Lord of Ireland, Duke of Normandy, and Aquitaine, and Earl of Anjou, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Sheriffs, Reeves, Ministers, and all his Bailiffs, and faithful Subjects, who shall see this present Charter, Greeting. Know ye, that We, in honour of God, and for the salvation of our Soul, and the Souls of our Ancestors and Successors to the advancement of Holy Church, and amendment of our Realm, of our mere and free will, have given and granted to the Archbishops, Bishops, Abbots, Priors, Earls, Barons and to all the People of our Realm, these Liberties underwritten to be held in our Kingdom of England forever. First, we have granted to God, and by this our present Charter, have confirmed, for us and ours heirs forever, that the Church of England shall be free, and shall have all her Rights and Liberties, entire and unimpaired. We have granted also, and given to all the Freemen of our Realm, for us and our heirs forever, these Liberties underwritten, to have and to hold, to them and their heirs, of us and our heirs, forever. If any of our Earls or Barons, or any others who hold of us in Chief, by Knights Service, die, and at the time of his death his Heir be of full age, and oweth relief, he shall have his Inheritance, by the old Relief, that is to say, the Heir or Heirs of an Earl, for an whole Earldom, by One hundred Pounds, the Heir or Heirs of a Baron, for an whole Barony, by One hundred Marks, the Heir or Heirs of a Knight, for one whole Knight's fee, One Hundred Shillings at the most; and he that hath less shall give less, according to the old Custom of the Fees. And if the Heir of any such be within

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age, his Lord shall not have the Wardship of him, nor of his Land, before that he hath taken of him Homage, and after that such an Heir hath been in Ward, when he is come to full age, that is to say, to the age of one and twenty years, he shall have his Inheritance without Relief, and without Fine, so however that, if he being within age, be made a Knight, nevertheless his Land shall remain in the Wardship of his Lord unto the Term aforesaid. The Guardian of the Land of such Heir, being within age, shall not take of the Lands of the Heir, 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 Land to the Sheriffs, or to any other who is answerable unto us for the issues of the same Land, and he make destruction or Waste of those things that he hath in his custody, We will take of him amends therefore, and the Land shall be committed to two lawful and discreet men of that Fee, who shall answer unto us for the issues of the same Land, or to him unto whom we shall assign them. And if we give or sell to any man, the wardship of any such Land, and he therein do make destruction or waste, he shall lose the same wardship and it shall be assigned to two lawful and discreet men of that Fee, who in like manner shall be answerable to us, as is aforesaid. And the Guardian, so long as he hath the Wardship of such Land, shall keep up the Houses, Parks, Vivaries, Pools, Mills, and other things pertaining to the same land, with the issues of the said Land; and he shall give up to the Heir, when he cometh to his full age, all his Land, stored with ploughs, and all other things, at the least, as he received it. All these things shall be observed in regard to the custodies of Archbishopricks, Bishopricks, Abbeys, Priories, Churches, and Dignities vacant, which appertain to Us, except this, that such Custodies shall not be sold. Heirs shall be married without Disparagement. A Widow, after the death of her Husband, immediately, and without any difficulty, shall have her Marriage, and her Inheritance, and shall give nothing for her Dower, neither for her Marriage, or for her Inheritance, which her Husband and she held on the day of her Husband's death; and she shall remain in the chief messuage of her Husband for Forty Days after the death of her Husband, within which days her Dower shall be assigned her, if it were not assigned her before, or that the House be a Castle; and if she depart from the Castle, then a competent House shall be forthwith provided for her, in the which she may honestly dwell, until her Dower be to her assigned as it is aforesaid, and she shall have in the meantime her reasonable Estovers of the Common. And for her Dower shall be assigned unto her the Third Part of all the Lands of her Husband, which were his in his lifetime, except she were endowed with less at the Church door. No Widow shall be distrained to marry herself, so long as she desires to live without a Husband. Nevertheless she shall find surely that she will not marry without our assent, if she hold of us, nor without the assent of her Lord, if she hold of another. And We, or our Bailiffs, shall not seize any Land or Rent for any Debt, as long as the present Chattels of the Debtor do suffice to pay the Debt, and the Debtor himself be ready to satisfy therefore. Neither shall the Pledges of the Debtor be distrained as long as the principal Debtor is sufficient for the payment of the Debt: and if the principal Debtor fail in payment of the Debt, having nothing

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wherewith to pay, or will not pay where he is able, the Pledges shall answer for the Debt; and if they will they shall have the Lands and Rents of the Debtor, until they be satisfied for the Debt which they before paid for him, except that the principal Debtor can shew himself to be acquitted thereof against the said Sureties. The City of London shall have all its ancient Liberties and Customs. Moreover, We will and grant that all other Cities, Boroughs, Towns, and the Barons of the Cinque Ports, and all other Ports, shall have their Liberties and Free Customs. No man shall be distrained to do more Service for a Knight's Fee, nor other Freehold, than is due therefore. Common Pleas shall not follow our Court, but shall be holden in some place certain. Recognizances of Novel Disseisin and of Mortdauncestor shall not be taken but in their Shires, and after this manner. We, or should we be out of the Realm, our Chief Justiciary, shall send our Justices through every County, once in the year; who, with the Knights of the Shires, shall take the said Assises in those Counties; and those things which at the coming of our aforesaid Justices sent to take those Assises in the Counties, cannot be determined shall be ended by them in some other place, in their Circuit; and those things which for difficulty of some Articles, cannot be determined by them, shall be referred to our Justices of the Bench, and there shall be determined. Assises of Darrein Presentment shall be always taken before the Justices of the Bench, and there shall be determined. A Freeman shall not be amerced for a small offence but according to the measure of the Offence, and for a great offence according to the greatness thereof, saving to him his Tenement; and a Merchant likewise, saving to him his Merchandise; and any other's Villain than ours shall be amerced in the same manner, saving his Wainage, if he should incur our amerciament. And none of the said amerciaments shall be assessed but by the oath of honest and lawful men of the vicinage. Earls and Barons shall not be amerced but by their Peers, and only according to the measure of their Offence. No Church-man shall be amerced according to the quantity of his Spiritual Benefice, but according to his Lay Tenement, and the quantity of his offence. No Town nor Man shall be distrained to make Bridges over Rivers, but such as of old time and of right ought to make them. No Rivers shall be henceforth prohibited, but such as were in prohibition in the time of King Henry our Grandfather, by the same Places, and the same Bounds, as they were accustomed to be in his time. No Sheriff, Constable, Coroner, nor any other our Bailiffs shall hold Pleas of our Crown. If any that holdeth of us a Lay Fee do die, and our Sheriffs or Bailiff do shew our Letters Patents of our Summon for Debt, which the deceased did owe to Us, it shall be lawful for our Sheriff or Bailiff to attach and inventory all the Goods and Chattels of the deceased being found in the Lay Fee, to the value of the same Debt, by the view of lawful men: so that nothing thereof shall be removed, until what is clearly due to us be paid, and the Residue shall be left to the Executors to perform the Testament of the deceased; and if nothing be owing unto us from him, all the Chattels shall go to the Estate of the deceased; saving to his Wife and Children their reasonable shares. No Constable or his Bailiff shall take Corn or other Chattels of any Man, if the Man be not of a Town where there is a Castle unless he forthwith pay the money for the

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same, or can have respite thereof, by the Seller. And if he be of the same Town he shall pay the price within Forty Days. No Constable shall distrain any Knight to give money for Castleward, if he himself will do it in his proper person, or cause it to be done by another sufficient Man, if he cannot do it himself, for a reasonable cause. And if we do lead or send him in our Army he shall be free from Castleward for the time that he be with us in our Host, in respect of the Fee for which he doth Service in our Wars. No Sheriff, Bailiff of ours, or any other shall take the Horses or Carts of any Man to serve for Carriage, except he pay the old price limited, that is to say, for a Cart with two horses 10d a day; and for a Cart with three horses 14d a day. No Demesne Court of any Spiritual Person, or Knight, or any Lady, shall be taken by our Bailiffs. Neither shall We, nor our Bailiffs, nor any other take another Man's Wood for our Castles, or other our necessaries, unless by the consent of him to whom the Wood belongs. We will not hold the Lands of them that be convict of Felony but for a year and a day, and then those Lands shall be given up to the Lords of the Fees.

All Wears shall henceforth be entirely removed from the Thames and Medway; and throughout all England, unless by the Sea-Coasts. The Writ that is called Praeceptum shall henceforth be granted to no Person for any Freehold, whereby any Freeman may lose his Court. One Measure of Wine shall be throughout all our Realm, and One Measure of Ale, and one Measure of Corn; that is to say, the Quarter of London; and one Breadth of dyed Cloth, Russets, and Habergeates, that is to say, Two Yards within the Lists. And it shall be of Weights as it is of Measures. Nothing henceforth shall be given for a Writ of Inquisition by him who prayeth Inquisition of Life or of Member, but it shall be granted freely and not denied. If any do hold of Us by Fee Farm, or by Socage or Burgage, and he holdeth Lands of another by Knight's Service, We will not have the Wardship of his Heir, nor of his Land which is holden of the Fee of another, by reason of that Fee Farm, Socage, or Burgage, neither will we have the Wardship of such Fee Farm or Socage or Burgage, except Knight's Service be due unto us out of the same Fee Farm. We will not have the Wardship of the Heir, or of the Land of any one who holdeth of any other by Knight's Service, by reason of any Petit Serjeanty which he holdeth of us by the Service of rendering to us knives or arrows, or the like. No Bailiff shall henceforth put any Man to his open Law, nor to an Oath, upon his own bare saying without faithful Witnesses brought in the same. 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 other wise 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 not sell to any Man, nor deny, or delay to any Man, either Justice or Right. All Merchants, if they were not openly prohibited before shall have their safe and sure conduct to depart out of England, to come into England, to tarry in, and pass through England, as well by land as by water, to buy and sell without any manner of illegal exactions, by the old and rightful customs, except in time of War; And if

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any, being of a Land at war with us, are found in our Realm at the beginning of the Wars, they shall be attached without harm to their bodies, or goods, until it be known unto us, or our Chief Justice how the Merchants of our Land are dealt with who at that time are found in the Land at war with Us; and if our Merchants there are safe, theirs shall be likewise safe in our Land. If any Man hold of any Escheat, as of the Honor of Wallingford, Boulogne, Nottingham, Lancaster or other Escheats which be in our hands, and are Baronies, and die, his Heir shall give none other Relief, nor do other Service to Us, than he should to the Baron, if it were in the Baron's hand; and We will hold it after the same manner as the Baron held it. Neither will We by reason of such Barony or Escheat, have any Escheat, or the Wardship of any of our men, unless he who held the Barony or Escheat elsewhere held of us in Chief. No Freeman from henceforth shall give or sell to any one so much of his Land as not to leave enough wherewith he can satisfy the Lord of the Fee for the Service due to him pertaining to such Fee. All Patrons of Abbies who have Charters of the Kings of England of the Advowson or the ancient Tenure or Possession shall have the Custody of them when they become void, as they ought to have, and as it is above declared. No man shall be taken or imprisoned upon the appeal of a Woman, for the death of any other than of her Husband. No County Court shall henceforth be holden but from month to month, and where there was wont to be a greater Term, it shall be so. Neither shall any Sheriff or his Bailiff, make his Tourn in the Hundred but twice in the year, and only in the due and accustomed place, that is to say, once after Easter, and again after the Feast of the Saint Michael. And the view of Frankpledge shall then be made, at the feast of Saint Michael, without question; so that every man may have his Liberties which he had or used to have in the time of King Henry our Grandfather, or which he hath since required. And the view of Frankpledge shall be so made that our Peace may be kept, that the Tything be kept entire, as it hath been accustomed, and that the Sheriff shall not seek occasions to oppress, and that he be content with so much as the Sheriff was wont to have for making his view in the time of King Henry our Grandfather. It shall not be lawful from henceforth to any to give his Land to any Religious House, so as to take it again, to hold it of the same House; nor shall it be lawful for any Religious House to accept Land of any one, and to grant the same to hold to him from whom it received it. And if any one hereafter shall so give his Land to any Religious House, and thereupon be convicted, his Gift shall be utterly void and the Land shall accrue to the Lord of the Fee. Escuage shall henceforth be taken like as it was wont to be in the time of King Henry our Grandfather. And all the Liberties and Free Customs which the Archbishops, Bishops, Abbots, Priors, Templars, Hospitallers, Earls, Barons, and all other Persons, as well Spiritual as Secular, have had in time past shall be saved to them. And all the Customs and Liberties aforesaid, which We have granted to be holden within our Realm, as far as pertains to us, against our Heirs, all Persons of our Realm, as well Clerks as Laymen shall observe, as far as pertains to them, against theirs. And for this our Gift and Grant of these Liberties, and of others contained in our Charter of Liberties of the Forest, the Archbishops, Bishops, Abbots, Priors Earls, Barons, Knights,

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Freeholders, and all Persons of our Realm, have given unto us the Fifteenth Part of all their Moveables. And We have granted to them for us, and our heirs, that neither We nor our heirs shall procure anything whereby the Liberties contained in this Charter shall be infringed or lessened. And if any thing be procured by any person contrary to this, it shall be held to be of no force nor effect. These being Witnesses, Lord S. Archbishop of Canterbury, E. Bishop of London. J. Bishop of Bath, P. Bishop of Winchester, H. Bishop of Lincoln, R. Bishop of Salisbury, W. Bishop of Rochester, W. Bishop of Worcester, J. Bishop of Ely, H. Bishop of Hereford, R. Bishop of Chichester, W. Bishop of Exeter, the Abbot of St. Edmonds, the Abbot of St. Albans, the Abbot of Battle, the Abbot of St. Augustine, Canterbury, the Abbot of Evesham, the Abbot of Westminster, the Abbot of Peter Borough, the Abbot of Reading, the Abbot of Abingdon, the Abbot of Malmesbury, the Abbot of Winchcomb, the Abbot of Hyde, the Abbot of Certesey, 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, our Justiciary, H. Earl of Chester and Lincoln, W. Earl of Salisbury, W. Earl of Warren, G. de Clare Earl of Gloucester and Hertford, W. de Ferrars Earl of Derby, W. de Mandeville Earl of Essex, H. le Bigod, Earl of Norfolk, W. Earl of Albemarle, H. Earl of Hereford, J. Constable of Chester, R. de Ros, R. Fitzwalter, R. de Vyponste, W. de Bruer, R. de Muntefichet, P. Fitzherbert, W. de Aubenie, F. Gresley, F. de Breus, J. de Monemue, J. Fitzallen, H. de Mortimer, W. de Beauchamp, W. de St. Johns, P. de Maulay, Brian de Liste, Thomas de Multon, R. de Argentine, G. de Nevil, W. de Mauduit, J. de Balun, and others. Given at Westminster, on the 11th day of February, in the 9th year of our Reign.

And We, the Gifts and Grants aforesaid ratifying and approving, for us and our heirs, do grant and confirm them, and by the Tenor of these presents do renew the same. Willing and granting for us and our Heirs, that the aforesaid Charter shall be strictly and inviolably observed in all and every its Articles forever, even though any Articles contained in the same Charter have not perhaps been hitherto observed. In Witness whereof We have caused these our Letters to be made patent.

Witness, Edward our Son, at Westminster, on the 12th day of October, in the 25th year of our Reign

R. de Seard

has examined it.

London

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In the Schedule:

Edward by the Grace of God, King of England, Lord of Ireland and Duke of Aquitain, to the Sheriffs of London, Greeting. Because in relief of all the Inhabitants and People of our Realm, for a Ninth granted unto us by the Laity of our Realm in aid of the defence of the same Realm, We have granted and confirmed, for us and our heirs, the Great Charter of the Liberties of England and have renewed the same, willing and granting that that Charter be strictly and inviolably observed in all and every its Articles. We command you to cause, without delay, the aforesaid Charter to be published in the aforesaid City, and the same, as far as in you lies, to be strictly observed and kept, in all and every its Articles. Witness Edward our Son at Westminster on the 12th day of October, in the 25th year of our Reign.

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Some feudal Magna Carta vocabulary

aid	a tax levied on the kingdom or payment demanded by a lord from his tenant by knight service
amercement	a financial penalty for committing an offence, usually a result of conviction before a court
burgage	a form of tenure for town property, in return for rent
demesne	a piece of land kept in a lord's own hands, nor rented to any tenant
disseisin	dispossession, or depriving someone of their land or rights
escheat	land that has returned to the king's hands (usually because tenant had no heirs or because he was convicted of a crime)
farm	a fixed annual payment owed to the king by a county, hundred, town, forest or another administrative unit, collected by his local official
fee	an estate held by knight service from the king or other lord
fee-farm	a form of land tenure in return for rent
feudal incident	a payment, other than service, due to the king from his tenants-in-chief, such as an 'aid' or a 'relief'
fine	an offer of money accepted by the king in return for a concession or a favour
hundred	an administrative subdivision of a county
relief	a payment made by a tenant to his lord to gain possession of inherited land, a medieval form of inheritance tax
scutage	money payment owed by a tenant-in-chief in place of sending his quota of knights to the king
seisin	possession, usually of land
socage	a form of free tenure in return for rent, with lord having no rights of wardship
tithing	also known as frankpledge -a group of ten or twelve adult males (aged twelve and over) sworn to keep the king's peace and guarantee the good conduct of their fellows
wapentake	a subdivision of a county, equivalent to a hundred, in the north of England