Magna Carta 1215

**Magna Carta Libertatum 1215**

**(Great Charter of Liberties)**

* [Latin Original](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinmagnacarta)
* [Glossary](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#glossary)

John, by the grace of God, king of England, lord of Ireland, duke of Normandy and Aquitaine, and count of Anjou, to the archbishops, bishops, abbots, earls, barons, [justiciars](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#justiciar), foresters, [sheriffs](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#sheriff), stewards, servants, and to all his [bailiffs](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#bailiff) and [faithful subjects](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#faithful-subjects), greeting.

Know that, having regard to God and for the salvation of our soul, and those of all our ancestors and heirs, and unto the honour of God and the advancement of the holy Church, and for the reform of our realm, 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 Marshall earl of Pembroke, William earl of Salisbury, William earl of Warenne, William earl of Arundel, Alan of Galloway (constable of Scotland), Waren Fitz Gerald, Peter Fits Herbert, Hubert de Burgh (seneschal of Poitou), Hugh de Neville, Matthew Fitz Herbert, Thomas Basset, Alan Basset, Philip d’Aubigny, Robert of Roppesley, John Marshall, John Fitz Hugh, and of other faithful subjects. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinpreamble) ]

1. In the first place we have conceded to God, and by this our present charter confirmed for us and our heirs for ever that the English church shall be [ree](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#free), and shall have her rights entire, and her liberties inviolate; and we wish that it be thus observed. This is apparent from the fact that we, of our pure and unconstrained will, did grant the freedom of elections, which is reckoned most important and very essential to the English church, and did by our charter confirm and did obtain the ratification of the same from our lord, Pope Innocent III., before the quarrel arose between us and our barons. This freedom we will observe, and our will is that it be observed in good faith by our heirs for ever.

We have also granted to all [freemen](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#freeman) of our kingdom, for us and our heirs for ever, all the underwritten liberties, to be had and held by them and their heirs, of us and our heirs for ever: [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle1) ]
2. If any of our earls or barons, or others holding of us [in chief](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#in-chief) by military service shall have died, and at the time of his death his heir shall be of full age and owe [relief](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#relief) he shall have his inheritance on payment of the ancient relief, namely the heir or heirs of an earl, 100 pounds for a whole earl’s barony; the heir or heirs of a baron, 100 pounds for a whole barony; the heir or heirs of a [knight](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#knight), 100 shillings at most for a whole [knight’s fee](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#knights-fee); and whoever owes less let him give less, according to the ancient custom of [fiefs](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fief). [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle2) ]
3. If, however, the heir of any of the aforesaid has been under age and in wardship, let him have his inheritance without relief and without fine when he comes of age. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle3) ]
4. The guardian of the land of an heir who is thus under age, shall take from the land of the heir nothing but reasonable produce, reasonable customs, and reasonable services, and that without destruction or waste of men or goods; and if we have committed the wardship of the lands of any such minor to the sheriff, or to any other who is responsible to us for its issues, and he has made destruction or waste of what he holds in wardship, we will take of him amends, and the land shall be committed to two lawful and discreet men of that [fief](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fief), who shall be responsible for the issues to us or to him to whom we shall assign them; and if we have given or sold the wardship of any such land to anyone and he has therein made destruction or waste, he shall lose that wardship, and it shall be transferred to two lawful and discreet men of that fief, who shall be responsible to us in like manner as aforesaid. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle4) ]
5. The guardian moreover, so long as he has the wardship of the land, shall maintain the houses, parks, fish ponds, [stanks](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#stank), mills, and other things pertaining to the land, out of the revenues of that land; and he shall restore to the heir, when he has come to full age, all his land, stocked with ploughs and [waynage](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#wainage), according as the season of husbandry requires, and the revenues from the land can reasonably support. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle5) ]
6. Heirs shall be married without [disparagement](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#disparagement). However, before a marriage takes place, it shall be made known to the heir’s next-of-kin. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle6) ]
7. A widow, after the death of her husband, shall forthwith and without difficulty have her marriage portion and inheritance. She shall not give anything for her dower, or for her marriage portion, or for the inheritance which her husband and she held on the day of the death of that husband. She may remain in the house of her husband for forty days after his death, within which time her dower shall be assigned to her. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle7) ]
8. No widow shall be compelled to marry, so long as she prefers to remain without a husband, always provided that she gives assurance not to marry without our consent, if she holds her lands from us, or else without the consent of whatever other lord she from whom she holds her lands. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle8) ]
9. Neither we nor our bailiffs shall seize for any debt any land or rent, so long as the [chattels](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#chattel) of the debtor are sufficient to repay the debt. Nor shall those that pledged sureties for the debtor be [distrained](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#distrain) so long as the principal debtor himself is able to satisfy the debt. If the principal debtor fails to pay the debt, having nothing wherewith to pay it, then the [sureties](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#surety) shall answer for the debt. They shall have the lands and rents of the debtor, if they desire them, until they are reimbursed for the debt which they have paid for him, unless the principal debtor can show proof that he has discharged his obligations to them. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle9) ]
10. If one who has borrowed from the Jews any sum, great or small, dies before that loan can be repaid, his heir shall pay no interest on the debt for so long as he remains under age, irrespective from whom he holds his lands. If such a debt falls into our hands, we will take nothing except the principal sum mentioned in the bond. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle10) ]
11. And if any one die indebted to the Jews, his wife shall have her dower and pay nothing of that debt; and if any children of the deceased are left underage, necessaries shall be provided for them in keeping with the holding of the deceased. The debt shall be paid out of the residue , save the service due to [feudal](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#feudal) lords. Let debts due to others than Jews be dealt with in similar manner. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle11) ]
12. No [scutage](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#scutage) nor [aid](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#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 marrying our eldest daughter one time. For these, only a reasonable aid should be levied. In like manner it shall be done concerning aids from the city of London. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle12) ]
13. And the city of London shall have all its ancient liberties and free customs, by land as well as by water. Furthermore, we decree and grant that all other cities, boroughs, towns, and ports shall have all their liberties and free customs. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle13) ]
14. And for obtaining the common consent of the kingdom concerning the assessment of an aid (other than in the three cases specified [above](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article12)) or of a scutage, we will cause to be summoned the archbishops, bishops, abbots, earls, and greater barons, individually through our letters. Moreover, all others who are our direct tenants, we will cause a general summons to be made by our sheriffs and bailiffs, for a fixed date (namely, after the expiry of at least forty days) and at a fixed place. In all such letters of summons we will specify the reason of the summons. And when the summons has thus been made, the business shall proceed on the day appointed, according to the counsel of such as are present, although not all who were summoned have come. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle14) ]
15. In future, we not grant to anyone license to take an aid from his own free men, unless to ransom his person, to make his eldest son a knight, and once to marry his eldest daughter. And on each of these occasions, only a reasonable aid shall be levied. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle15) ]
16. No man shall be compelled to do more service for a knight’s fee, or for any other land free-holding, than is due from it. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle16) ]

1. [Common pleas](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html%22%20%5Cl%20%22common-pleas) shall not follow our court about, but shall be held in some fixed place. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle17) ]

1. [Inquests](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html%22%20%5Cl%20%22inquests) of [novel disseisin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#novel-disseisin), [mort d’ancestor](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#mort-dancestre), and [darrein presentiment](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#darrein-presentiment) shall only be held in their own county courts, in the following manner. We or, should we be out of the kingdom, our chief justice will send two justices to each county four times a year who, along with four knights of each county chosen by that county, shall hold the [assize](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#assize) in the county, and on the day and in the meeting place of the county court. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle18) ]
2. If any of the said assizes cannot be held on the day of the county court, let there remain as many of the knights and freeholders, who were present at the county court on that day, as are necessary for the efficient making of judgments, according to whether the business is more or less. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle19) ]
3. A freeman shall only be [amerced](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#amerce) for a trivial offence in accordance with the seriousness of the offence. For a grave offence, he shall be fined correspondingly, leaving him his [contenement](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#contenement). A merchant will be fined similarly, leaving him his “merchandise”; and a [villein](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#villein) shall be amerced in the same way, leaving him his [wainage](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#wainage)—if they have fallen into our mercy. These [amercements](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#amercement) shall only be imposed by the assessment on oath of reputable local men. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle20) ]
4. Earls and barons shall be amerced only by their [peers](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#peer), and only in proportion with the degree of the offence. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle21) ]
5. A [clerk in holy orders](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#holy-orders) shall not be amerced in respect of his [lay holding](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#lay-holding) except as peviously described; further, his ecclesiastical benefice shall not be taken into account. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle22) ]
6. No [vill](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#vill) or person shall be compelled to make bridges at river-banks, except those who from of old were legally bound to do so. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle23) ]
7. No sheriff, [constable](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#constable), coroner, or other royal bailiff, shall hold lawsuits meant be held by the royal justices. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle24) ]
8. All counties, [hundreds](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#hundred) ,[wapentakes](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#wapentake), and [trithings](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#trithing) shall remain at old rents, and without any increase, except our [demesne](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#demesne) manors. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle25) ]
9. If any one holding a [lay fief](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#lay-fief) from the Crown dies, and our sheriff or bailiff produces royal [letters patent](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#letters-patent) of summons for a debt owed to the Crown, it shall be lawful for our sheriff or bailiff to seize and catalogue chattels found in the lay fief of the deceased, to the value of that debt, as assessed by [law-worthy](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#law-worthy) men. Nothing at all shall be removed from there until the debt is fully paid. The residue shall be left to the executors to fulfil the will of the deceased. If there is no debt due to the Crown, all the chattels shall go to the estate of the deceased, except reasonable shares for his wife and children. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle26) ]
10. If any freeman dies [intestate](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#intestate), his chattels shall be distributed by his nearest kinsfolk and his friends, under supervision of the church, except that the rights of his debtors shall be maintained. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle27) ]
11. No constable or other royal bailiff shall take corn or other provisions from any man without an immediate cash payment, unless the seller permits postponement of this. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle28) ]
12. No constable shall compel any knight to give money instead of [castle-guard](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#castle-guard), if the knight is willing to undertake the guard himself, or to supply another responsible man to do it, if he cannot do it himself for any reasonable cause. Further, a knight taken or sent on military service shall be excused castle-guard in proportion to the time he was on this service. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle29) ]
13. No sheriff or royal bailiff, or other person, shall take the horses or carts of any freeman for transport duty, except with agreement from the said freeman. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle30) ]
14. Neither we nor our bailiffs shall take, for our [castles](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#castles) or for any other of our works, wood which is not ours, except with agreement from the owner of that timber. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle31) ]
15. We will not hold the lands of those who have been convicted of felony beyond one year and one day. Then, the lands shall be returned to the lords of those fiefs. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle32) ]
16. Henceforth, all [kiddles](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#kiddle) shall be removed from the Thames, the Medway and throughout all England, except along the sea coast. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle33) ]
17. The writ called [praecipe](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#praecipe), in the future, shall not be issued to any one regarding any tenement whereby a freeman might lose the right of trial in his own lord’s court. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle34) ]
18. There shall be one measure of wine, of ale and of corn (namely, “the London quarter”) throughout our whole realm. There shall also be one width of cloth (whether dyed, [russet](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#russet), or [halberget](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#halberget)): that is, two [ells](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#ell) within the selvages. Let weights also be standardised similarly. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle35) ]
19. Nothing shall be paid or taken in future for a writ of inquisition of life or limbs. Instead, it shall be given free of charge, and not denied. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle36) ]
20. If a man holds Crown land by [fee-farm](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fee-farm), by [socage](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#socage), or by [burgage](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#burgage), and also holds land of another lord for [knight’s service](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#knights-service), we will not have (by reason of that fee-farm, socage, or burgage) the wardship of his heir or of such land he holds of the other lord’s fief . Nor shall we have wardship of that fee-farm, socage, or burgage, unless the fee-farm owes knight’s service. We will not have the wardship of a man’s heir, nor of land that the man holds through knight’s service to someone else, because of any small [serjeanty](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#serjeanty) that he may hold from the Crown for the service of providing to us knives, arrows, or the like. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle37) ]
21. In future, no bailiff shall place a man on trial upon his own unsupported words, without credible witnesses being produced to support his word. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle38) ]
22. No freeman shall be arrested or imprisoned or [disseised](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#disseise) or outlawed or exiled or in any other way harmed. Nor will we [the king] proceed against him, or send others to do so, except according to the lawful sentence of his peers and according to the Common Law. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle39) ]
23. To no one will we sell, to no one will we refuse or delay, right or justice. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle40) ]
24. All merchants may leave or enter England in safety and security. They may stay and travel throughout England by road or by water, free from all illegal tolls, in order to buy and sell according to the ancient and rightful customs. This is except, in time of war, those merchants who are from the land at war with us. And if such merchants are found in our land at the beginning of the war, they shall be detained, without injury to their bodies or goods, until information is received by us (or by our chief justiciar) about in what way are treated our merchants, thence found in the land at war with us . If our men are safe there, the others shall be safe in our land. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle41) ]
25. It shall be lawful in future for any one, keeping loyalty to the Crown, to leave our kingdom and to return safely and securely, by land and by water. This is except in time of war, when men may go, only in the public interest, for some short period. (This excludes, always, those imprisoned or outlawed in accordance with the law of the realm, natives of any country at war with us, and merchants, who shall be treated as [previously stated](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article41)). [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle42) ]
26. If any one holding of some [escheat](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#escheat) (such as the honour of Wallingford, Nottingham, Boulogne, Lancaster, or of other escheats which are in our hands and are baronies) dies, his heir shall give only the relief and service to us that he would have done to the baron, if that barony had been in the baron’s hands. We shall hold the escheat in the same manner in which the baron held it. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle43) ]
27. Men who dwell outside the forest henceforth need not come before our justiciars of the forest following a general summons, unless they are named in a plea or are sureties for any person or persons arrested for forest offences. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle44) ]
28. We will appoint as justices, constables, sheriffs, or bailiffs only those who know the law of the realm and who wish to observe it well. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle45) ]
29. All barons who have founded abbeys, for which they hold charters from the kings of England, or for which they have long-standing possession, shall have the custody of them when vacant, as they should have. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle46) ]
30. All forests that have been created in our reign shall forthwith be disafforested, and similar course shall be followed for river-banks that we have made preserves during our reign. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle47) ]
31. All evil customs relating to forests and warrens, foresters, warreners, sheriffs and their officers, river-banks and their wardens, shall immediately be investigated in each county by twelve sworn knights of the same county, chosen by the honest men of the county. The evil customs shall, within forty days of the said inquest, be completely and irrevocably abolished. This is provided always that we first informed, or our justiciar, if we should not be in England. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle48) ]
32. We will immediately restore all hostages and charters, which were delivered to us by Englishmen as security for peace or for faithful service. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle49) ]
33. We will entirely remove from their [bailiwicks](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#bailiwick) the kinsmen of Gerard de Athée, so that in future they shall have no office in England. The people concerned are Engelard de Cigogné, Peter, Guy, and Andrew de Chanceaux, Guy de Cigogné, Geoffrey de Martigny and his brothers, Philip Mark, his brothers and his nephew Geoffrey, and all their brood. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle50) ]
34. As soon as peace is restored, we will banish from the kingdom all foreign-born knights, cross-bowmen, their attendants, and mercenaries who have come with horses and arms, to the kingdom’s detriment. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle51) ]
35. If, without the lawful judgement of his peers, a man has been dispossessed of his lands, castles, franchises or his rights, or had them removed by us, we will at once restore these to him. If a dispute arises over this, the dispute shall be decided by the judgement of the twenty-five barons referred to [below](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article61) in the clause for securing the peace. Moreover, in all cases where possessions have been [disseised](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#disseise) or removed from anyone without the lawful judgement of his peers, by our father King Henry or our brother King Richard, and which are retained by us (or which are held by others under our warranty), we will have the usual respite period allowed to crusaders, unless a lawsuit has been started or we had ordered an enquiry before we took the cross [as a Crusader]. However, as soon as we return from our expedition, or if by chance we abandon it, we shall immediately grant full justice. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle52) ]
36. We shall have the same respite (and the same manner in rendering justice) concerning the disafforestation or retention of those forests which Henry our father and Richard our brother afforested, and concerning guardianship of lands under the fief of another (that is, the guardianships we had up to now because of a knight’s fee someone else held from us), and with abbeys founded in fiefs other than our own, in which the lord of the fief claims to have a right. When we return from our expedition, or if we abandon it, we will at once grant full justice to complaints about these things. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle53) ]
37. No one shall be arrested or imprisoned on the appeal of a woman, for the death of anyone except her husband. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle54) ]
38. All fines rendered to us unjustly and against the law of the land, and all amercements made unjustly and against the law of the land, shall be entirely remitted or else the matter settled by the decision of an majority of the five-and-twenty barons (or all of them) mentioned [below](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#para-61) in the clause for securing the peace. This decision shall be made together with Stephen, archbishop of Canterbury, if he can be present, and such others as he may wish to bring with him. If the archbishop cannot be present, business shall nevertheless proceed without him. This is provided always that, if any one or more of the twenty-five barons are involved in a similar action, they are removed for this particular judgement and are replaced by others. The replacements will be sworn in as a substitute only for this business, after being selected by the rest of the twenty-five. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle55) ]
39. If we have disseised or removed Welshmen from lands or liberties, or other things, without the lawful judgement of their peers (in England or in Wales), these shall be immediately restored to them. If a dispute arises over this, it shall be determined in the Marches by the judgement of their peers. English law shall apply to land holdings in England, Welsh law to those in Wales, and the law of the Marches to those in the Marches. Welshmen shall the same to us and ours. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle56) ]
40. Further, where a Welshman was deprived or dispossessed of anything, without the lawful judgement of his peers (in England or in Wales), by our father King Henry or our brother King Richard, and which is retained by us (or which is held by others under our warranty), we will have the usual respite period allowed to crusaders, unless a lawsuit has been started or we had ordered an enquiry before we took the cross [as a Crusader]. However, as soon as we return from our expedition, or if by chance we abandon it, we shall immediately grant full justice according to the laws of Wales and the said regions. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle57) ]
41. We will immediately return the son of Llywelyn and all the hostages of Wales, and the charters handed over to us as security for peace. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle58) ]
42. We will return of the sisters and hostages of Alexander, king of Scotland, his liberties and his rights, in the same manner as we shall do towards our other barons of England, unless it ought to be otherwise according to the charters that we hold from his father William, formerly king of Scotland. This matter shall be determined by the judgement of his peers in our court. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle59) ]
43. Moreover, all these previously described customs and liberties which we have granted shall be maintained in our kingdom as far as it concerns our own relations toward our men. Let these customs and liberties be observed similarly by all of our kingdom, by clergy as well as by laymen, in their relations towards their men. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle60) ]
44. Since for God, for the improvement of our kingdom, and to better allay the discord arisen between us and our barons, we have granted all these concessions, and wishing that the concessions be enjoyed in their entirety with firm endurance (for ever), we give and grant to the barons the following security:

Namely, that the barons choose any [twenty-five barons of the kingdom](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#suretybarons) they wish, who must with all their might observe and hold, and cause to be observed, the peace and liberties we have granted and confirmed to them by this our present Charter. Then, if we, our chief justiciar, our bailiffs or any of our officials, offend in any respect against any man, or break any of the articles of the peace or of this security, and the offence is notified to four of the said twenty-five barons, the four shall come to us—or to our chief justicicar if we are absent from the kingdom—to declare the transgression and petition that we make amends without delay.

And if we, or in our absence abroad the chief justice, have not corrected the transgression within forty days, reckoned from the day on which the offence was declared to us (or to the chief justice if we are out of the realm), the four barons mentioned before shall refer the matter to the rest of the twenty-five barons. Together with the community of the whole land, they shall then distrain and distress us in every way possible, namely by seizing castles, lands, possessions and in any other they can (saving only our own person and those of the queen and our children), until redress has been obtain in their opinion. And when amends have been made, they shall obey us as before.

Whoever in the country wants to, may take an oath to obey the orders of the twenty-five barons for the execution of all the previously mentioned matters and, with the barons, to distress us to the utmost of his power. We publicly and freely give permission to every one who wishes to take this oath, and we shall never forbid any one from taking it. Indeed, all those in the land who are unwilling to this oath, we shall by our command compel them to swear to it.

If any one of the twenty-five barons dies or leaves the country, or is in any other manner incapacitated so the previously mentioned provisions cannot be undertaken, the remaining barons of the twenty-five shall choose another in his place as they think fit, who shall be duly sworn in like the rest.

If there is any disagreement amongst the twenty-five barons on any matter presented to them, or if some of them are unwilling or unable to be present, what the majority of those present ordain or command shall be held as fixed and established, exactly as if all twenty-five had consented in this.

The said twenty-five barons shall swear to faithfully observe all the aforesaid articles and will do all they can to ensure that the articles are observed by others.

And we shall procure nothing from any one, either personally or indirectly, whereby any part of these concessions and liberties might be revoked or diminished; and if any such thing has been procured, let it be void and null, and we shall never make use of it ourselves or through someone else. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle61) ]
45. And all the ill-will, hatreds, and bitterness that have arisen between us and our people, clergy and laity, from the date of the quarrel, we have completely forgiven and pardoned to everyone. Moreover, we have fully forgiven and, as far as it concerns us, pardoned all transgressions occasioned by the said quarrel, between Easter in the sixteenth year of our reign [1215] and the restoration of peace, to all, both clergy and laymen, and completely forgiven, as far as this applies to us.

Additionally, we have had letters patent drawn up for the barons, over the seals of lord Stephen, archbishop of Canterbury, of the lord Henry, archbishop of Dublin, of the bishops mentioned before, and of Master Pandulf. The letters patent concern this security and the concessions previously stated. [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle62) ]
46. Thus, we wish and we firmly ordain that the English church shall be free, and that men in our kingdom shall have and keep all these previously determined liberties, rights, and concessions, well and in peace, freely and quietly, in their fullness and integrity, for themselves and their heirs, from us and our heirs, in all things and all places for ever, as is previously described here.

An oath has been sworn, on the one hand by us and on the other by the barons, that all the aforesaid provisions shall be observed 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. [That is 1215—the new regnal year began on 28 May.] [ [Latin](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinarticle63) ]

**Surety Barons For The Enforcement Of The Magna Carta**

As specified in Clause 61, this is the list of the twenty-five barons who acted as *Sureties*, or enforcers, of Magna Carta. These Barons were granted through Clause 61, authority to overrule the will of the King and to seize his castles and other possessions if necessary.

1. William d'Albini, Lord of Belvoir Castle
2. Roger Bigod, Earl of Norfolk and Suffolk
3. Hugh Bigod, Heir to the Earldoms of Norfolk and Suffolk
4. Henry de Bohun, Earl of Hereford
5. Richard de Clare, Earl of Hertford
6. Gilbert de Clare, heir to the earldom of Hertford
7. John FitzRobert, Lord of Warkworth Castle
8. Robert FitzWalter, Lord of Dunmow Castle
9. William de Fortibus, Earl of Albemarle
10. William Hardell, Mayor of the City of London
11. William de Huntingfield, Sheriff of Norfolk and Suffolk
12. John de Lacie, Lord of Pontefract Castle
13. William de Lanvallei, Lord of Standway Castle
14. William Malet, Sheriff of Somerset and Dorset
15. Geoffrey de Mandeville, Earl of Essex and Gloucester
16. William Marshall the younger, heir to the earldom of Pembroke
17. Roger de Montbegon, Lord of Hornby Castle
18. Richard de Montfichet, Baron
19. William de Mowbray, Lord of Axholme Castle
20. Richard de Percy, Baron
21. Saire de Quincey, Earl of Winchester
22. Robert de Roos, Lord of Hamlake Castle
23. Geoffrey de Saye, Baron
24. Robert de Vere, heir to the earldom of Oxford
25. Eustace de Vesci, Lord of Alnwick Castle

**Magna Carta Libertatum 1215**

**(Latin Original)**

* [English Translation](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#engmagnacarta)
* [Glossary](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#glossary)

**References at the end of sections:**
*i)“Articles” refer to “Articles of the Barons” written on or before June 15, 1215;
ii) the 1225 version of the Magna Carta.
Always remember that the original document was not divided into sections or numbered.*

Johannes del gracia rex Anglie, dominus Hibernie, dux Normannie, Aquitannie et comes Andegavie, archiepiscopis, episcopis, abbatibus, comitibus, baronibus, justiciariis, forestariis, vicecomitibus, prepositis, ministris et omnibus ballivis et fidelibus suis salutem.

Sciatis nos intuitu Dei et pro salute anime nostre et omnium antecessorum et heredum nostrorum ad honorem Dei et exaltacionem sancte Ecclesie, et emendacionem regni nostri, per consilium venerabilium patrum nostrorum, Stephani Cantuariensis archiepiscopi tocius Anglie primatis et sancte Romane ecclesie cardinalis, Henrici Dublinensis archiepiscopi, Willelmi Londoniensis, Petri Wintoniensis, Joscelini Bathoniensis et Glastoniensis, Hugonis Lincolniensis, Walteri Wygorniensis, Willelmi Coventrensis, et Benedicti Roffensis, episcoporum; magistri Pandulfi domini pape subdiaconi et familiaris, fratris Aymerici magistri milicie Templi in Anglia; et nobilium virorum Willelmi Mariscalli comitis Penbrocie, Willelmi comitis Sarrisberie, Willelmi comitis Warennie, Willelmi comitis Arundellie, Alani de Galeweya constabularii Scocie, Warini filii Geroldi, Petri filii Hereberti, Huberti de Burgo senescalli Pictavie, Hugonis de Nevilla, Mathei filli Hereberti, Thome Basset, Alani Basset, Philippi de Albiniaco, Roberti de Roppel', Johannis Mariscalli, Johannis filii Hugonis et aliorum fidelium nostrorum: [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#preamble) ]

1. dibus nostris in perpetuum, quod Anglicana ecclesie libera sit, et habeat jura sua integra, et libertates suas illesas; et ita volumus observari; quod apparet ex eo quod libertatem electionum, que maxima et magis necessaria reputatur ecclesie Anglicane, mera et spontanea voluntate, ante discordiam inter nos et barones nostros motam, concessimus et carta nostra confirmavimus, et eam obtinuimus a domino papa Innocentio tercio confirmari; quam et nos observabimus et ab heredibus nostris in perpetuum bona fide volumus observari.

Concessimus eciam omnibus liberis hominibus regni nostri, pro nobis et heredibus nostris in perpetuum, omnes libertates subscriptas, habendas et tenendas eis et heredibus suis, de nobis et heredibus nostris. [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article1) ]
2. Si quis comitum vel baronum nostrorum, sive aliorum tenencium de nobis in capite per servicium militare, mortuus fuerit, et cum decesserit heres suus plene etatis fuerit et relevium debeat, habeat hereditatem suam per antiquum relevium; scilicet heres vel heredes comitis de baronia comitis integra per centum libras; heres veI heredes baronis de baronia integra per centum libras; heres vel heredes militis de feodo militis integro per centum solidos ad plus; et qui minus debuerit minus det secundum antiquam consuetudinem feodorum. [*Articles*, section 1; 1225, section 2.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article2) ]
3. Si autem heres alicujus talium fuerit infra etatem et fuerit in custodia, cum ad etatem pervenerit, habeat hereditatem suam sine relevio et sine fine. [*Articles*, section 2; 1225, section 3.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article3) ]
4. Custos terre hujusmodi heredis qui infra etatem fuerit, non capiat de terra heredis nisi racionabiles exitus, et racionabiles consuetudines, et racionabilia servicia, et hoc sine destructione et vasto hominum vel rerum; et si nos commiserimus custodiam alicujus talis terre vicecomiti vel alicui alii qui de exitibus illius nobis respondere debeat, et ille destructionem de custodia fecerit veI vastum, nos ab illo capiemus emendam, et terra committatur duobus legalibus et discretis hominibus de feodo illo, qui de exitibus respondeant nobis vel ei cui eos assignaverimus; et si dederimus vel vendiderimus alicui custodiam alicujus talis terre, et ille destructionem inde fecerit vel vastum, amittat ipsam custodiam, et tradatur duobus legalibus et discretis hominibus de feodo illo qui similiter nobis respondeant sicut predictum est. [*Articles*, section 3; 1225, section 4.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article4) ]
5. Custos autem, quamdiu custodiam terre habuerit, sustentet domos, parcos, vivaria, stagna, molendina, et cetera ad terram illam pertinencia, de exitibus terre ejusdem; et reddat heredi cum ad plenam etatem pervenerit, terram suam totam instauratam de carucis et waynagiis, secundum quod tempus waynagii exiget et exitus terre racionabiliter poterunt sustinere. [*Articles*, section 3, 35; 1225, section 5.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article5) ]
6. Heredes maritentur absque disparagacione, ita tamen quod, antequam contrahatur matrimonium, ostendatur propinquis de consanguinitate ipsius heredis. [*Articles*, section 3; 1225, section 6.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article6) ]
7. Vidua post mortem mariti sui statim et sine difficultate habeat maritagium et hereditatem suam, nec aliquid det pro dote sua, vel pro maritagio suo, vel hereditate sua, quam hereditatem maritus suus et ipsa tenuerint die obitus ipsius mariti, et maneat in domo mariti sul per quadraginta dies post mortem ipsius, infra quos assignetur ei dos sua. [*Articles*, section 4; 1225, section 7.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article7) ]
8. Nulla vidua distringatur ad se maritandum, dum voluerit vivere sine marito, ita tamen quod securitatem faciat quod se non maritabit sine assensu nostro, si de nobis tenuerit, vel sine assensu domini sui de quo tenuerit, si de alio tenuerit. [*Articles*, section 17; 1225, section 7.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article8) ]
9. Nec nos nec ballivi nostri seisiemus terram aliquam nec redditum pro debito aliquo, quamdiu catalla debitoris sufficiunt ad debitum reddendum; nec plegii ipsius debitoris distringantur quamdiu ipse capitalis debitor sufficit ad solucionem debiti; et si capitalis debitor defecerit in solucione debiti, non habens unde solvat, plegii respondeant de debito; et si voluerint, habeant terras et redditus debitoris, donec sit eis satisfactum de debito quod ante pro eo solverint, nisi capitalis debitor monstraverit se esse quietum inde versus eosdem plegios. [*Articles*, section 5; 1225, section 8.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article9) ]
10. Si quis mutuo ceperit aliquid a Judeis, plus vel minus, et moriatur antequam debitum illud solvatur, debitum non usuret quamdiu heres fuerit infra etatem, de quocumque teneat; et si debitum illud inciderit in manus nostras, nos non capiemus nisi catallum contentum in carta. [*Articles*, section 34.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article10) ]
11. Et si quis moriatur, et debitum debeat Judeis, uxor ejus habeat dotem suam, et nichil reddat de debito illo, et si liberi ipsius defuncti qui fuerint infra etatem remanserint, provideantur eis necessaria secundum tenementum quod fuerit defuncti et de residuo solvatur debitum, salvo servicio dominorum; simili modo fiat de debitis que debentur aliis quaim Judeis. [*Articles*, section 35.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article11) ]
12. Nullum scutagium vel auxilium ponatur in regno nostro, nisi per commune consilium regni nostri, nisi ad corpus nostrum redimendum, et primogenitum filium nostrum militem faciendum, et ad filiam nostram primogenitam semel maritandam, et ad hec non fiat nisi racionabile auxilium; simili modo fiat de auxiliis de civitate Londoniarum. [*Articles*, section 32.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article12) ]
13. Et civitas Londoniarum habeat omnes antiquas libertates et liberas consuetudines suas, tam per terras quam per aquas. Preterea volumus et concedimus quod omnes alie civitates, et burgi, et ville, et portus, habeant omnes libertates et liberas consuetudines suas. [*Articles*, section 32; 1225, section 9.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article13) ]
14. Et ad habendum commune consilium regni de auxilio assidendo aliter quam in tribus casibus predictis, vel de scutagio assidendo, summoneri faciemus archiepiscopos, episcopos, abbates, comites, et majores barones sigillatim per litteras nostras; et preterea faciemus summoneri in generali per vicecomites et ballivos nostros omnes illos qui de nobis tenent in capite ad certum diem, scilicet ad terminum quadraginta dierum ad minus, et ad certum locum; et in omnibus litteris illius summonicionis causam summonicionis exprimemus; et sic facta summonicione negocium ad diem assignatum procedat secundum consilium illorum qui presentes fuerint, quamvis non omnes summoniti venerint. [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article14) ]
15. Nos non concedemus de cetero alicui quod capiat auxilium de liberis hominibus suis, nisi ad corpus suum redimendum, et ad faciendum primogenitum filium suum militem, et ad primogenitam filiam suam semel maritandam, et ad hec non fiat nisi racionabile auxilium. [*Articles*, section 6.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article15) ]
16. Nullus distringatur ad faciendum majus servicium de feodo militis, nec de alio libero tenemento, quam inde debetur. [*Articles*, section 7; 1225, section 10.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article16) ]
17. Communia placita non sequantur curiam nostram, set teneantur in aliquo loco certo. [*Articles*, section 8; 1225, section 11.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article17) ]
18. Recogniciones de nova disseisina, de morte antecessoris, et de ultima presentacione, non capiantur nisi in suis comitatibus et hoc modo; nos, vel si extra regnum fuerimus capitalis justiciarius noster, mittemus duos justiciarios per unumquemque comitatum per quatuor vices in anno, qui, cum quatuor militibus cujuslibet comitatus electis per comitatum, capiant in comitatu et in die et loco comitatus assisas predictas. [*Articles*, section 8; 1225, section 12.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18) ]
19. Et si in die comitatus assise predicte capi non possint, tot milites et libere tenentes remaneant de illis qui interfuerint comitatui die illo, per quos possint judicia sufficienter fieri, secundum quod negocium fuerit majus vel minus. [*Articles*, section 13.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article19) ]
20. Liber homo non amercietur pro parvo delicto, nisi secundum modum delicti; et pro magno delicto amercietur secundum magnitudinem delicti, salvo contenemento suo; et mercator eodem modo, salva mercandisa sua; et villanus eodem modo amercietur salvo waynagio suo; si inciderint in misericordiam nostram; et nulla predictarum misericordiarum ponatur, nisi per sacramentum proborum hominum de visneto. [*Articles*, section 9; 1225, section 14.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article20) ]
21. Comites et barones non amercientur nisi per pares suos, et non nisi secundum modum delicti. [1225, section 14.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article21) ]
22. Nullus clericus amercietur de laico tenemento suo, nisi secundum modum aliorum predictorum, et non secundum quantitatem beneficii sul ecclesiastici. [*Articles*, section 10; 1225, section 14.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article22) ]
23. Nec villa nec homo distringatur facere pontes ad riparias, nisi qui ab antiquo et de jure facere debent. [*Articles*, section 11; 1225, section 15.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article23) ]
24. Nullus vicecomes, constabularius, coronatores, vel alii ballivi nostri, teneant placita corone nostre. [*Articles*, section 14; 1225 section 17.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article24) ]
25. Omnes comitatus, hundredi, wapentakii, et trethingi sint ad antiquas firmas absque ullo incremento, exceptis dominicis maneriis nostris. [*Articles*, section 14.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article25) ]
26. Si aliquis tenens de nobis laicum feodum moriatur, et vicecomes vel ballivus noster ostendat litteras nostras patentes de summonicione nostra de debito quod defunctus nobis debuit, liceat vicecomiti vel ballivo nostro attachiare et inbreviare catalla defuncti inventa in laico feodo, ad valenciam illius debiti, per visum legallum hominum, ita tamen quod nichil inde amoveatur, donec persolvatur nobis debitum quod clarum fuerit, et residuum relinquatur executoribus ad faciendum testamentum defuncti; et si nichil nobis debeatur ab ipso, omnia catalla cedant defuncto, salvis uxori ipsius et pueris racionabilibus partibus suis. [*Articles*, section 15; 1225, section 18.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article26) ]
27. Si aliquis liber homo intestatus decesserit, catalla sua per manus propinquorum parentum et amicorum suorum, per visum ecclesie, distribuantur, salvis unicuique debitis que defunctus el debebat. [*Articles*, section 16.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article27) ]
28. Nullus constabularius, vel alius ballivus noster, capiat blada vel alia catalla allcujus, nisi statim inde reddat denarios, aut respectum inde habere possit de voluntate venditoris. [*Articles*, section 18; 1225, section 19.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article28) ]
29. Nullus constabularius distringat aliquem militem ad dandum denarios pro custodia castri, si facere voluerit custodiam illam in propria persona sua, vel per alium probum hominem, si ipse eam facere non possit propter racionabilem causam; et si nos duxerimus vel miserimus eum in exercitum, erit quietus de custodia, secundum quantitatem temporis quo per nos fuerit in exercitu. [*Articles*, section 19; 1225, section 20.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article29) ]
30. Nullus vicecomes, vel ballivus noster, vel aliquis alius, capiat equos vel carettas allcujus liberi hominis pro cariagio faciendo, nisi de voluntate ipsius liberi hominis. [*Articles*, section 20; 1225, section 21.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article30) ]
31. Nec nos nec ballivi nostri capiemus alienum boscum ad castra vel alia agenda nostra, nisi per voluntatem ipsius cujus boscus ille fuerit. [*Articles*, section 21; 1225, section 21.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article31) ]
32. Nos non tenebimus terras illorum qui convicti fuerint de felonia, nisi per unum annum et unum diem, et tunc reddantur terre dominis feodorum. [*Articles*, section 22; 1225, section 22.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article32) ]
33. Omnes kidelli de cetero deponantur penitus de Tamisia, et de Medewaye, et per totam Angliam, nisi per costeram maris. [*Articles*, section 23; 1225, section 23.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article33) ]
34. Breve quod vocatur 'Precipe' de cetero non fiat alicui de aliquo tenemento unde liber homo amittere possit curiam suam. [*Articles*, section 24; 1225, section 24.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article34) ]
35. Una mensura vini sit per totum regnum nostrum, et una mensura cervisie, et una mensura bladi, scilicet quarterium Londoniense, et una latitudo pannorum tinctorum et russetorum et halbergettorum, scilicet due ulne infra listas; de ponderibus autem sit ut de mensuris. [*Articles*, section 12; 1225, section 25.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article35) ]
36. Nichil detur vel capiatur de cetero pro brevi inquisicionis de vita vel membris, set gratis concedatur et non negetur. [*Articles*, section 26; 1225, section 26.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article36) ]
37. Si aliquis teneat de nobis per feodifirmam, vel per sokagium, vel per burgagium, et de alio terram, teneat per servicium militare, nos non habebimus custodiam heredis nec terre sue que est de feodo alterius occasione illius feodifirme, vel sokagii, vel burgagii; nec habebimus custodiam illius feodifirme, vel sokagii, vel burgagii, nisi ipsa feodifirma debeat servicium militare. Nos non habebimus custodiam heredis vel terre alicujus, quam tenet de alio per servicium militare, occasione alicujus parve serjanterie quam tenet de nobis per servicium reddendi nobis cultellos, vel sagittas, vel hujusmodi. [*Articles*, section 27; 1225, section 27.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article37) ]
38. Nullus ballivus ponat decetero aliquem ad legem simplici loquela sua, sine testibus fidelibus ad hoc inductis. [*Articles*, section 28; 1225, section 28.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article38) ]
39. Nullus liber homo capiatur, vel imprisonetur, aut disseisiatur, aut utlagetur, aut exuletur, aut aliquo modo destruatur, nec super cum ibimus, nec super cum mittemus, nisi per legale judicium parium suorum vel per legem terre. [*Articles*, section 29; 1225, section 29.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article39) ]
40. Nulli vendemus, nulli negabimus aut differemus rectum aut justiciam. [*Articles*, section 30; 1225 section 29.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article40) ]
41. Omnes mercatores habeant salvum et securum exire de Anglia, et venire in Angliam, et morari, et ire per Angliam, tam per terram quam per aquam, ad emendum et vendendum, sine omnibus malis toltis, per antiquas et rectas consuetudines, preterquam in tempore gwerre, et si sint de terra contra nos gwerrina; et si tales inveniantur in terra nostra in principio gwerre, attachientur sine dampno corporum et rerum, donec sciatur a nobis vel capitali justiciario nostro quomodo mercatores terre nostre tractentur, qui tunc invenientur in terra contra nos gwerrina; et si nostri salvi sint ibi, alii salvi sint in terra nostra. [*Articles*, section 31; 1225, section 30.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article41) ]
42. Liceat unicuique decetero exire de regno nostro, et redire, salvo et secure, per terram et per aquam, salva fide nostra, nisi tempore gwerre per aliquod breve tempus, propter communem utilitatem regni, exceptis imprisonatis et utlagatis secundum legem regni, et gente de terra contra nos gwerrina, et mercatoribus, de quibus fiat sicut predictum est. [*Articles*, section 33.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article42) ]
43. Si quis tenuerit de aliqua eskaeta, sicut de honore Wallingefordie, Notingeham, Bolonie, Lancastrie, vel de aliis eskaetis que sunt in manu nostra et sunt baronie, et obierit, heres ejus non det aliud relevium, nec faciat nobis aliud servicium quam faceret baroni si baronia illa esset in manu baronis; et nos eodem modo eam tenebimus quo baro eam tenuit. [*Articles*, section 36; 1225, section 31.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article43) ]
44. Homines qui manent extra forestam non veniant decetero coram justiciariis nostris de foresta per communes summoniciones, nisi sint in placito, vel plegii alicujus vel aliquorum, qui attachiati sint pro foresta. [*Articles*, section 39] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article44) ]
45. Nos non faciemus justiciarios, constabularios, vicecomites, vel ballivos, nisi de talibus qui sciant legem regni et eam bene velint observare. [*Articles*, section 42.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article45) ]
46. Omnes barones qui fundaverunt abbacias, unde habent cartas regum Anglie, vel antiquam tenuram, habeant earum custodiam cum vacaverint, sicut habere debent. [*Articles*, section 43; 1225, section 33.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article46) ]
47. Omnes foreste que afforestate sunt tempore nostro, statim deafforestentur; et ita fiat de ripariis que per nos tempore nostro posite sunt in defenso. [*Articles*, section 47; 1225 section 16] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article47) ]
48. Omnes male consuetudines, de forestis et warennis, et de forestariis et warennariis, vicecomitibus et eorum ministris, ripariis et earum custodibus, statim inquirantur in quolibet comitatu per duodecim milites, juratos de eodem comitatu, qui debent eligi per probos homines ejusdem comitatus, et infra quadraginta dies post inquisicionem factam, penitus, ita quod numquam revocentur, deleantur (per eosdem, ita quod nos hoc sciamus prius, vel justiciarius noster, si in Anglia non fuerimus).[[1]](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#en1) [*Articles*, section 39.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article48) ]
49. Omnes obsides, et cartas statim reddemus, que liberate fuerunt nobis ab Anglicis in securitatem pacis vel fidelis servicii. [*Articles*, section 38.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article49) ]
50. Nos amovebimus penitus de balliis, parentes Gerardi de Athyes, quod decetero nullam habeant balliam in Anglia, Engelardum de Cygony, Petrum et Gionem et Andream de Cancellis, Gionem de Cygony, Galfridum de Martinny et fratres ejus, Philippum Marc et fratres ejus, et Galfridum nepotem ejus, et totam sequelam eorundem. [*Articles*, section 40.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article50) ]
51. Et statim post pacis reformacionem amovebimus de regno omnes alienigenas milites, balistarios, servientes, stipendiarios, qui venerint cum equis et armis ad nocumentum regni. [*Articles*, section 41.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article51) ]
52. Si quis fuerit disseisitus vel elongatus per nos sine legali judicio parium suorum de terris, castellis, libertatibus, vel jure suo, statim ea ei restituemus; et si contencio super hoc orta fuerit, tunc inde fiat per judicium viginti quinque baronum, de quibus fit mencio inferius in securitate pacis. De omnibus autem illis de quibus aliquis disseisitus fuerit vel elongatus sine legali judicio parium suorum, per Henricum regem patrem nostrum vel per Ricardum regem fratrem nostrum, que in manu nostra habemus, vel que alii tenent, que nos oporteat warantizare, respectum habebimus usque ad communem terminum crucesignatorum, exceptis illis de quibus placitum motum fuit vel inquisicio facta per preceptum nostrum ante suscepcionem crucis nostre; cum autem redierimus de peregrinacione nostra, vel si forte remanserimus a peregrinacione nostra, statim inde plenam justiciam exhibebimus. [*Articles*, section 25.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article52) ]
53. Eundem autem respectum habebimus (et eodem modo de justicia exhibenda),[[1]](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#en1) de forestis deafforestandis (vel remansuris forestis)[[1]](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#en1) quas Henricus pater noster vel Ricardus frater noster afforestaverunt, et de custodiis terrarum que sunt de alieno feodo, cujusmodi custodias hucusque habuimus occasione feodi quod aliquis de nobis tenuit per servicium militare, et de abbaciis que fundate fuerint in feodo alterius quam nostro, in quibus dominus feodi dixerit se jus habere; et cum redierimus, vel si remanserimus a peregrinacione nostra, super hiis conquerentibus plenam justiciam statim exhibebimus. [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article53) ]
54. Nullus capiatur nec imprisonetur propter appellum femine de morte alterius quam viri sui. [1225, section 34.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article54) ]
55. Omnes fines qui injuste et contra legem terre facti sunt nobiscum, et omnia amerciamenta facta injuste et contra legem terre, omnino condonentur, vel fiat inde perjudicium viginti quinque baronum de quibus fit mencio inferius in securitate pacis, vel per judicium majoris partis eorundem, una cum predicto Stephano Cantuariensi archiepiscopo si interesse poterit et aliis quos secum ad hoc vocare voluerit. Et si interesse non poterit, nichilominus procedat negocium sine eo, ita quod, si aliquis vel aliqui de predictis viginti quinque baronibus fuerint in simili querela, amoveantur quantum ad hoc judicium et alii loco eorum per residuos de eisdem viginti quinque tantum ad hoc faciendum electi et jurati substituantur. [*Articles*, section 37.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article55) ]
56. Si nos disseisivimus vel elongavimus Walenses de terris vel libertatibus vel rebus aliis, sine legali judicio parium suorum (in Anglia vel in Wallia),[[2]](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#en2) eis statim reddantur; et si contencio super hoc orta fuerit, tunc inde fiat in Marchia per judicium parium suorum de tenementis Anglie secundum legem Anglie; de tenementis Wallie secundum legem Wallie; de tenementis Marchic secundum legem Marchie. Idem facient Walenses nobis et nostris. [*Articles*, section 44.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article56) ]
57. De omnibus autem illis de quibus aliquis Walensium disseisitus fuerit vel elongatus, sine legali judicio parium suorum, per Henricum regem patrem nostrum vel Ricardum regem fratrem nostrum, que nos in manu nostra habemus, vel que alii tenent que nos oporteat warantizare, respectum habebimus usque ad communem terminum crucesignatorum, illis exceptis de quibus placitum motum fuit vel inquisicio facta per preceptum nostrum ante suscepcionem crucis nostre; cum autem redierimus, vel si forte remanscrimus a peregrinatione nostra, statim eis inde plenam justitiam exhibebimus, secundum leges Walensium et partes predictas. [*Articles*, section 44.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article57) ]
58. Nos reddemus filium Lewelini statim, et omnes obsides de Wallia, et cartas que nobis liberate fuerunt in securitatem pacis. [*Articles*, section 45.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article58) ]
59. Nos faciemus Alexandro regi Scottorum de sororibus suis et obsidibus reddendis, et libertatibus suis, et jure suo, secundum formam in qua faciemus aliis baronibus nostris Anglie, nisi aliter esse debeat per cartas quas habemus de Willelmo patre ipsius, quondam rege Scottorum; et hoc erit per judicium parium suorum in curia nostra. [*Articles*, section 46.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article59) ]
60. Omnes autem istas consuetudines predictas et libertates quas nos concessimus in regno nostro tenendas quantum ad nos pertinet erga nostros, omnes de regno nostro, tam clerici quam laici, observent quantum ad se pertinet erga suos. [*Articles*, section 48; 1225, section 37] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article60) ]
61. Cum autem pro Deo, et ad emendacionem regni nostri, et ad melius sopiendum discordiam inter nos et barones nostros ortam, hec omnia predicta concesserimus, volentes ea integra et firma stabilitate (in perpetuum)[[2]](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#en2) gaudere, facimus et concedimus eis securitatem subscriptam;

videlicet quod barones eligant viginti quinque barones de regno quos voluerint, qui debeant pro totis viribus suis observare, tenere, et facere observari, pacem et libertates quas cis concessimus, et hac presenti carta nostra confirmavimus; ita scilicet quod, si nos, vel justiciarius noster, vel ballivi nostri, vel aliquis de ministris nostris, in aliquo erga aliquem deliquerimus, vel aliquem articulorum pacis aut securitatis transgressi fuerimus, et delictum ostensum fuerit quatuor baronibus de predictis viginti quinque baronibus, illi quatuor barones accedant ad nos vel ad justiciarium nostrum, si fuerimus extra regnum, proponentes nobis excessum, petent ut excessum illum sine dilacione faciamus emendari.

Et si nos excessum non emendaverimus, vel, si fuerimus extra regnum, justiciarius noster non emendaverit infra tempus quadraginta dierum computandum a tempore quo monstratum fuerit nobis vel justiciario nostro, si extra regnum fuerimus, predicti quatuor barones referant causam illam ad residuos de illis viginti quinque baronibus, et illi viginti quinque barones cum communa tocius terre distringent et gravabunt nos modis omnibus quibus poterunt, scilicet per capcionem castrorum, terrarum, possessionum et aliis modis quibus poterunt, donec fuerit emendatum secundum arbitrium eorum, salva persona nostra et regine nostre et liberorum nostrorum; et cum fuerit emendatum intendent nobis sicut prius fecerunt.

Et quicumque voluerit de terra juret quod ad predicta omnia exequenda parebit mandatis predictorum viginti quinque baronum, et quod gravabit nos pro posse suo cum ipsis, et nos publice et libere damus licenciam jurandi cuilibet qui jurare voluerit, et nulli umquam jurare prohibebimus. Omnes autem illos de terra qui per se et sponte sua noluerint jurare viginti quinque baronibus de distringendo et gravando nos cum eis, faciemus jurare eosdem de mandato nostro sicut predictum est.

Et si aliquis de viginti quinque baronibus decesserit, vel a terra recesserit, vel aliquo alio modo impeditus fuerit, quominus ista predicta possent exequi, qui residui fuerint de predictis viginti quinque baronibus eligant alium loco ipsius, pro arbitrio suo, qui simili modo erit juratus quo et ceteri. In omnibus autem que istis viginti quinque baronibus committuntur exequenda, si forte ipsi viginti quinque presentes fuerint, et inter se super re aliqua discordaverint, vel aliqui ex eis summoniti nolint vel nequeant interesse, ratum habeatur et firmum quod major pars eorum qui presentes fuerint providerit vel preceperit ac si omnes viginti quinque in hoc consensissent;

et predicti viginti quinque jurent quod omnia antedicta fideliter observabunt, et pro toto posse suo facient observari.

Et nos nichil impetrabimus ab aliquo, per nos nec per alium, per quod aliqua istarum concessionum et libertatum revocetur vel minuatur; et, si aliquid tale impetratum fuerit, irritum sit et inane et numquam eo utemur per nos nec per alium. [*Articles*, section 49.] [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article61) ]
62. Et omnes malas voluntates, indignaciones, et rancores, ortos inter nos et homines nostros, clericos et laicos, a tempore discordie, plene omnibus remisimus et condonavimus. Preterea omnes transgressiones factas occasione ejusdem discordie, a Pascha anno regni nostri sextodecimo usque ad pacem reformatam, plene remisimus omnibus, clericis et laicis, et quantum ad nos pertinet plene condonavimus. Et insuper fecimus eis fieri litteras testimoniales patentes domini Stephani Cantuariensis archiepiscopi, domini Henrici Dublinensis archiepiscopi, et episcoporum predictorum et magistri Pandulfi, super securitate ista et concessionibus prefatis. [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article62) ]
63. Quare volumus et firmiter precipimus quod Anglicana ecclesia libera sit et quod homines in regno nostro habeant et teneant omnes prefatas libertates, Jura, et concessiones, bene et in pace, libere et quiete, plene et integre, sibi et heredibus suis, de nobis et heredibus nostris, in omnibus rebus et locis, in perpetuum, sicut predictum est. Juratum est autem tam ex parte nostra quam ex parte baronum, quod hec omnia supradicta bona fide et sine malo ingenio observabuntur. Testibus supradictis et multis aliis. Data per manum nostram in prato quod vocatur Ronimed inter Windlesoram et Stanes, quinto dccimo die Junii, anno regni nostri decimo septimo. [ [English](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article63) ]

**End Notes**

**1** This was at the foot of the Manuscripts Ci and Cii, both held in the British Library.

**2** This was at the foot of Manuscript Ci, which is one of the two manuscripts held in the British Library, and sometimes considered to be the oldest copy.

**Glossary**

* [English Translation](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#engmagnacarta)
* [Latin Original](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#latinmagnacarta)

This glossary gives meanings for words at the time of the Magna Carta. With some words, a closer definition is given. In addition, where appropriate, a historical commentary and even an illustration of the evolution of the sense of the word is laid out. Definitions not relevant to the context of the *Magna Carta*, or useful to understanding appropriate senses of a word, have been omitted to reduce confusion.

The Latin in which the Magna Carta was written is often ambiguous, since the language of the day had failed to keep pace with the growing richness and complexity of English life after the Conquest. Not infrequently, a word has a general sense and one or more particular ones, only the context showing which is being employed.

Some words have a confused and confusing etymology, which has led to the interpretations in various translations of the *Magna Carta* being at variance with each other.

In the case of [***fee***](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fee), in one translation this has resulted in a less than clear interpretation, with the same word being used where two different words would better distinguish between the feudal agreement and the property to which it applies.

With regard to ***fee***, some related words and their meanings have also been given – [*feu*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#feu), [*feud*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#feud), [*feudal*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#feudal), [*fief*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fief).

**Aid** –  **1** under the feudal system: a pecuniary contribution by a feudal vassal to his lord (limited by Magna Carta to three special occasions as listed in Article [12](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article12)).
[Articles [12](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article12), [14](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article14), [15](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article15)]

**2** Help or assistance help that is legally claimed from someone who has a joint-interest in a defence.
For example: a lord who holds a fee-farm of the king may legally claim aid from the king if someone else makes demands regarding that fee-farm.

***to pray in aid***: to claim such assistance.
***aid-prayer***: the appeal made for such assistance.

**Amerce** – To punish by an arbitrary fine. [Articles [20](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article20), [21](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article21), [22](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article22)]

At first always passive (as in Magna Carta), ‘to be amerced’ was originally to be at the mercy of any one as to amount of fine, be fined at his pleasure. Later, the active form, ‘to amerce’ was developed, with the meaning, to fine arbitrarily or according to one’s own estimate.

**Amercement** – a fine imposed by a court of law. [Articles [20](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article20), [55](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article55)]

**Assize** – a court sitting at intervals in each county of England and Wales to administer the civil and criminal law. Also, a trial in which sworn assessors or jurymen (usually but not always, consisting of twelve men) decide questions of fact; a judicial inquest. [Articles [18](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18), [19](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article19)]

It is not clear whether the intransitive idea of ‘a sitting’, or the transitive one of ‘a thing settled’, was the original sense; perhaps both were equally early.

Originally, the word *assize* applied to all legal proceedings of the nature of inquests or recognitions, fiscal, civil, or criminal. In particular, it applied to the *Grand* or *Great Assize* created by Henry II (King John’s father) to replace trial by battle.

Hence, an action to be decided by such a trial; this also applied to the writ by which the action is instituted.

Hence (usually in the plural), the sessions held periodically in each county of England, for the purpose of administering civil and criminal justice, by judges acting under certain special commissions.

It was provided by Magna Carta that the judges should visit each county once every year to take assizes (that is, to try writs of assize) of [*Mort d’ancestre*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#mort-dancestre), [*Novel disseisin*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#novel-disseisin), and [*Darrein presentment*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#darrein-presentiment). Thus, the jury who constituted the [*Grand Assize*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#grand-assize) might not be obliged to travel from remote corners of England to appear in court at Westminster.

From this came the names *assizes*, and *justices* or *judges of assize*, still retained by these circuit courts and itinerant judges, after their judicial functions had been greatly extended in various directions, especially in that of the trial of felonies and offences.

Assizes were abolished by the Courts Act, 1971; their criminal jurisdiction was transferred to the Crown Courts.

**Bailiff** (ballivus or bellivus) – A bailiff was a minor local official responsible to the sheriff of the county, but the word was often used in a more general sense. Royal officials. [Articles [18](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18), [19](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article19), [61](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article61)]

**Bailiwick –** A district or place under the jurisdiction of a bailie or bailiff. Used as a general term that included sheriffdom; and applied to foreign towns or districts under a vogt or bailli. [Article [50](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article50)]

**Burgage** – A tenure whereby lands or tenements in cities and towns were held from the king or other lord, for a certain yearly rent, the properties being formerly the site of houses in an ancient borough. [Articles <href="#ARTICLE37">37]

One of three types of tenancy holdings. The other two are [*socage*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#socage) and [*fee-farm*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fee-farm).

**Castles** – before the reign of Henry II even major castles were mostly built of wood, as were the less important buildings and auxiliary defences long after his time. [Article [31](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article31)]

**Castle-guard** – A kind of [knight-service](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#knights-service), whereby a [feudal](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#feudal) tenant was bound, when required, to defend the lord’s castle; also the tenure of such service. [Article [29](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article29)]

**Chattel** – A movable possession; any possession or piece of property other than real estate or a freehold. (Property; goods; money; = cattle.) [Article [9](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article9), [26](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article26), [27](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article27)]

Originally , *chattel* was derived from the Latin *capital* meaning principal, property or goods, and was spelt *catel*.

In mediæval times, the word *catel* was used in the sense ‘principal sum of money, capital, wealth, property’. Under the feudal system the use of *catel* was confined to movable property or wealth, as being the only form of ‘personal’ property. (?) Freehold ownership came later, from appproximately 1525.

In legal Anglo-French, the Norman *catel* was superseded at an early period by the Parisian *chatel*, but the form as adopted in Norman English was *cattel*, *cattle*. In English, *cattle* was more and more identified with ‘beast held in possession, live stock’ (almost the only use after 1500) whereas *chattel* passed from legal French into general use for the wider sense of ‘article of property’. Thus, since the 16th century, the phrase *goods and cattel* is better known as *goods and chattels*.

**in chief** – [med.L. in capite, F. en chief]. In feudal law, this applied to a tenant holding, or tenure held, immediately from the Lord Paramount, as when a tenant held directly from the king, rendering to him personally the service belonging to the tenure. Hence, by extension, applied to tenancy by a perpetual [feu](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#feu)-duty or ground-rent, as opposed to a lease for a limited period. [Article [2](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article2), [14](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article14)]

**[clerk](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html%22%20%5Cl%20%22clerk) in holy orders** – The Church recognised four major or holy orders (subdeacon, deacon, priest, bishop), and four minor orders (porter, lector, exorcist, acolyte). The minor orders were church offices rendered by persons not ordained. Hence the distintion: clerk in holy orders, clerk in minor orders. [Article [22](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article22)]

**clerk –** The original sense was ‘man in a religious order, cleric, clergyman’. As the scholarship of the Middle Ages was practically limited to the clergy, and these performed all the writing, notarial, and secretarial work of the time, the name ‘clerk’ came to be equivalent to ‘scholar’, and specially applicable to a notary, secretary, recorder, accountant, or penman. The last has now come to be the ordinary sense, all the others being either archaic, historical, formal, or contextual.

**Common Pleas** – suits or legal actions between subject and subject regarding real property. At this time, common pleas concerned principally land, buildings and titles. Ordinary lawsuits. [Article [17](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article17)]

**Constable** – The chief officer of the household, court, administration, or military forces of a ruler.

The governor or warden of a royal fortress or castle. (This is still the official title of the governors of some royal castles in England.) [Article [24](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article24), [28](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article28), [29](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article29), [45](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article45)]

Derived from late Latin: *comes stabuli,* count or officer of the stable.

**Contenement** – rendering of *contenementum* in Magna Carta.
Many different explanations as to the word’s exact meaning have been offered. The meaning is perhaps simply ‘holding’, but some take it in the wider sense ‘property (of any kind) necessary to the freeman for the maintenance of his position’. His livelihood.[Article [20](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article20)]

**Darrein Presentiment** – An action at law (writ of assize) drawn up to demonstrate that a patron, or his ancestors, had a right of precedence regarding putting (presenting) a clergyman (or clerk) in an ecclesiastical benefice (or church). This was necessary if the clergyman had died, leaving the church empty, and a stranger then attempted to put their own clergyman there instead, to the ‘disturbance’ of the original patron. [Article [18](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18)]

An inquest to establish who presented the incumbent to a benefice whose patronage was in dispute, on the last occasion that it was vacant.

(*Darrein* means last, ultimate, final.)

**Demesne** – In this context: the private property of the Crown, Crown-lands. [Article [25](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article25)]
Possession (of real estate) as if one’s own.
This applied either to the absolute ownership of the king, or to the tenure of the person who held land to his own use, mediately or immediately from the king. In opposition was the notion of ‘to hold in service’ (*tenere in servitio*).

*Demesne* is a differentiated spelling of the word *domain* (in Latin, *dominicus* – of or belonging to a lord or master). The Anglo-French legal spelling *demesne* was partially the result of the insertion of a non-etymological *s* to indicate a long vowel). Other influences suggest association or connection to one or several of the following words: *mesne*, *mesne*, *mensa*.

**Disparagement** – Marriage to one of inferior (lower) rank; the disgrace or dishonour involved in such a misalliance. [Article [6](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article6)]

**Distrain** – To constrain or force (a person) by the seizure and detention of a [chattel](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#chattel) or thing, to perform some obligation. The obligation might be to pay money owed, to make satisfaction for some wrong done by him or by his beasts, or to ensure a court appearance. *Distrain* also means to punish by such seizure and detention for the non-performance of such obligation. [Article [9](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article9), [16](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article16), [61](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article61)]

**Disseise,** **disseize** – To put out of actual *seisin* or possession; to dispossess (a person) of his estates, etc., usually wrongfully or by force; to oust. [Article [39](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article39), [52](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article52), [56](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article56)]

**Disseisin**, **disseizin** – The act or fact of disseising; privation of seisin; usually, the wrongful dispossession (by forcible entry or otherwise) of the lands, etc. of another. [Article [18](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18)]

**Novel disseisin** - an ordinance of Henry II, establishing an action at law, by one who had been recently dispossessed, for the recovery of the *seisin* of land; also the action thus established.
An inquest into an alleged recent eviction of a tenant from his free tenement. [Article [18](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18)]
(Literally: disseisin of fresh or recent date.)

**Ell** – A measure of length varying in different countries. The English ell = 45 inches; the Scotch = 37in; the Flemish = 27 in. [Article [35](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article35)]

The word *ell* seems to have been variously taken to represent the distance from the elbow or from the shoulder to the wrist or to the finger-tips, said to have been based on the length of the right arm of King Henry 1.

**Escheat** – An ‘incident’ of feudal law, whereby a [fief](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fief) reverted to the lord when the tenant died without leaving a successor qualified to inherit under the original grant. Hence, the lapsing of land to the Crown, or to the lord of the manor, on the death of the owner intestate without heirs. [Article [43](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article43)]

**Faithful subjects (fideles) –** those bound by an oath of loyalty, in this context probably the freemen of the country. [[Preamble](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#preamble)]

**Fee** –

**1** [Mainly from Teutonic and Aryan: *feoh*, *fioh*, *féo*; and Teutonic: *fehu.*]
Live stock, cattle, whether large or small, whence movable property in general; goods, possessions, money, wealth.

**2** [Mainly from Ancient French: *fee*, *fie*; Old French: *fé*, *fié*, *fiet*, *fief*, *fieu*, *fiu* and medieval Latin: *feodum*, *feudum*.]

**2a** An estate in land (in England always a heritable estate), held on condition of homage and service to a superior lord, by whom it is granted and in whom the ownership remains; a [fief](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fief), [feudal](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#feudal) benefice. [Article [4](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article4)]

This meaning is also given by the word [*feu*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#feu). (*Feu* can also mean ‘a tract of land held in fee’.)

(1) The heritable right to an office of profit, granted by a superior lord and held on condition of feudal homage.

(2) Homage rendered, or fealty promised, by a vassal to a superior. Also, employment, service.

**2b** Denoting a payment or gift.

The meanings for **fee** in this (**2b**) sense are commonly linked to **fee** *meaning* **1**, but the Ancient French is *fee*, and the medieval Latin is *feodum*, both in England and on the continent.

The two nouns, however, being coincident in form (looking the same), were certainly confused, and in many instances it makes no difference to the sense whether the word is taken as *meaning* **1** or as meaning **2b**. It is possible that this confusion still exists in some translations of the Magna Carta.

Of the various senses known for **2b**, given below, senses 3 – 5 seem to have been influenced by [2a](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#2a); sense 6 agrees with a continental use of *feodum* (**2b**).

(3) A tribute or offering to a superior.

(4) The sum which a public officer (? originally, one who held his office 'in fee': see [2a-1](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#1)) is authorized to demand as payment for the execution of his official functions.

(5) A perquisite allowed to an officer or servant (esp. a forester, a cook or scullion).

(6) A fixed salary or wage; the pay of a soldier. Also pl. Wages.

***Fee*** is sometimes confused with [*fief*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fief) , because of the difficulty in distinguishing the similar-looking words of Teutonic and of Romanic and medieval Latin origins.

The Teutonic derivation, *fehu*, means ‘something granted to a subject by the kindness of his lord’. However, this is far from the early sense of the medieval Latin word *feodum*.

A more tenable theory is that the Old French *fiu* is an adoption of the Teutonic *fehu* in the contextual sense of ‘wages, payment for service’. The Romanic word certainly had this meaning, and it is conceivable that the feudal sense is a specific application of it.

**Fee-farm** – That kind of tenure by which land is held in fee-simple subject to a perpetual fixed rent, without any other services; the estate of the tenant in land so held; rarely, the land itself. [Article [37](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article37)]

It is a debated question whether a fee-farm merely implies a perpetual rent of any kind, or whether it should be confined to a perpetual rent-service, or to a perpetual rent-charge equivalent to at least a fourth of the value of the land.

Also see [*feu*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#feu), below.

**Knight’s fee** – Under the feudal system: the amount of land held by an armed knight in exchange for his [services](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#knights-service) owed to the sovereign. It is now agreed that the different knight's fees were not equal in extent, whether they were approximately equal in value is still doubtful. [Article [2](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article2), [16](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article16)]

**Feu** –

**1** as for [*fee 2*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fee2) ; also, a tract of land held in fee. (Used by modern Scottish jurists indiscriminately with *fee* as a rendering of medieval Latin *feudum*.)

**2** A feudal tenure of land in which the vassal, in place of military service, makes a return of grain or money (as opposed to military holding or to holding at a nominal rent); a grant of lands on these conditions; in modern use, a perpetual lease for a fixed rent (= feu-farm).

**Feud,** feod – as for [*fee 2*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fee2)

**Feudal** – Of or pertaining to a feud or fief; of the nature of a feud or fief. [Article [11](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article11)]
**Feudal system** – the system of polity which prevailed in Europe during the Middle Ages, and which was based on the relation of superior and vassal arising out of the holding of lands in feud.

**Fief** – as for [*fee 2*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#fee2), that is, a (Knights) fee; a Manor, or inheritance held by homage. [Article [2](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article2), [4](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article4), [32](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article32), [37](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article37), [52](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article52) ]

**Lay fief** – a property, held through homage to a higher lord, but not resulting from clerical or other positions held by appointment. [Article [26](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article26)] See also [lay holding](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#lay-holding) below.

**Free** – here particularly liberty to obey the canon law of the Western Church which, amongst other things, insisted on ecclesiastical elections being free from lay pressure. [Article [1](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article1)]

**Freeman** – those of free status in the eyes of the law (that is, not [villeins](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#villein)) and as such having certain rights denied to villeins, such as access to the Kings courts in certain actions, freedom to move about and marry and exemption from certain onerous duties. [Article [1](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article1)]

**Hauberget, halberget, halberject, haberjet**– A kind of cloth named in Magna Carta, and in some ancient documents, possibly hemp. [Article <HREF= designtimesp="16311" ?#article35?>35]

This word is of obscure origin, but appears to be related to [*hauberk*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#hauberk) and [*haubergeon*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#haubergeon).

**Hauberk –** A piece of defensive armour: originally intended for the defence of the neck and shoulders. By the 12th and 13th centuries, the hauberk had developed into a long coat of mail, or military tunic, usually of ring or chain mail, which adapted itself readily to the motions of the body.

**Haubergeon** – A sleeveless coat or jacket of mail or scale armour, originally smaller and lighter than a hauberk.

**Inquests**– formal inquiries made by the sheriff acting on a royal writ, whereby a local jury was summoned to testify as to the facts in a particular matter. In the problems of [*Novel Disseisin*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#novel-disseisin)*,* [*Mort d'Ancestor*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#mort-dancestre) and [*Darrein Presentiment*](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#darrein-presentiment), the jury had to establish which party was previously in possession, not which had the rightful title in the dispute. In all cases, the plaintiff was given possession if the verdict was in his favour. [Article [18](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18), [48](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article48)]

**Intestate** - To die not having made a will. [Article [27](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article27)]

**Issue** – Offspring, progeny; a child or children; a descendant or descendants. Now chiefly in legal use or with reference to legal succession. [Article [4](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article4), [5](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article5)]

**Justiciar** – A judge presiding over, or belonging to, one of the king’s superior courts, or exercising special judicial functions. [Article [18](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18), [41](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article41), [44](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article44), [48](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article48), [61](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article61)]

[Article [18](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18), [41](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article41), [48](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article48)] The chief (*capitalis*) justiciar, an official who acted as regent during the frequent absences from England of the early Angevin kings. The office of justiciar came to an end in the 13th century, his judicial functions passing to the Lord Chief Justice.

**Knight** – In the Middle Ages: originally, a military servant of the king or other person of rank; a feudal tenant holding land from a superior on condition of serving in the field as a mounted and well-armed man. A mounted soldier, here a well-to-do landowner, ranking below baron and earl.
In the fully-developed feudal system: one raised to honourable military rank by the king or other qualified person, the distinction being usually conferred only upon one of noble birth who had served a regular apprenticeship (as page and squire) to the profession of arms, and thus being a regular step in this even for those of the highest rank.

In early use, as the type of the military profession, the *knight* was frequently contrasted with *clerk*, *merchant*, etc. and, in point of rank, with *king*. [Article <HREF= designtimesp="16370" ?#article2?>2, [12](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article12), [15](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article15), [18](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18), [19](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article19), [29](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article29), [48](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article48), [51](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article51)]

**Knight’s service** – Under the feudal system, the military service which a knight was bound to render as a condition of holding his lands (his [knight’s fee](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#knights-fee)); hence, the tenure of land under the condition of performing military service.
A duty (whether a payment in money or kind, a definite amount of forced labour, or some act useful or complimentary) which a tenant is bound to render periodically to his lord. [Article [37](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article37), [53](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article53)]

**Kiddle** – Fishweir. Used in a general sense to cover all large, static contrivances for catching fish; inevitably these might cause serious inconvenience to boats navigation in inland waters. [Article [33](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article33)]

**Law-worthy –** Of people: having a standing in the law-courts; being possessed of full legal rights; able to bring a suit in a law-court. [Article [26](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article26)] As far as I understand at present, a [villein](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#villein) would not be law-worthy.
Of things: within the purview of the law; able to be dealt with by a court of law.

**Lay holding** – property held by performing secular and not ecclesiastical duties. [Article [22](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article22)]

**Letter(s) patent** – An open letter or document , usually from a sovereign or person in authority, issued for various purposes, e.g. to put on record some agreement or contract, to authorize or command something to be done, to confer some right, privilege, title, property, or office; now, especially, to grant for a statutory term to a person or persons the sole right to make, use, or sell some invention. [Article [26](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article26)]

**Magna Carta** – Latin for “the Great Charter”.

**Mort d'ancestor** – The term applied to a court case ([assize](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#assize)) brought by the rightful heir against one who wrongfully took possession of his inheritance (lands) on the death of the rightful heir’s ancestor. [Article [18](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article18)]

An inquest as to whether an heir had been prevented from taking possession of some property he should have inherited.

**Peer** – Equal.in rank. [Article <HREF= designtimesp="16423" ?#article21?>21, [39](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article39), [56](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article56), [59](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article59)]

**[Pleas](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html%22%20%5Cl%20%22common-pleas) of our Crown** – grave criminal offences such as ambush, forcible entry, neglect of summons to local military service [Article [24](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article24)]

**Praecipe** - A writ requiring something to be done, or demanding a reason for its non-performance. [Article [34](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article34)]

**Relief** – A payment, varying in value and kind according to rank and tenure, made to the overlord by the heir of a feudal tenant on taking up possession of the vacant estate. [Article [2](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article2), <HREF= designtimesp="16444" ?#article3?>3, [43](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article43)]

Also, formal acknowledgement of feudal tenure made by a vassal to his lord.

**[Riding](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html%22%20%5Cl%20%22trithing)** – One of the three administrative districts into which Yorkshire was formerly divided (the East, West, and North Ridings).
[This ceased to be an official designation after Local Government reorganization outside Greater London on 1 April 1974.]

Division into three parts, tripartition. (rare)
See [trithing](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#trithing).

**Russet** – a coarse, home-spun cloth much used by the peasantry, possible hemp. [Article [35](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article35)]

**Scutage** – A tax levied on someone holding lands by [knight’s service](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#knights-service) (holding [knight’s fees](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#knights-fee)); in a restricted sense, such a tax paid in lieu of military service. [Article [12](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article12), [14](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article14)]

**Serjeanty –** A form of feudal tenure on condition of rendering some specified personal service to the king. Sergeanty was distinguished as *grand* and *petit* (or *petty*) serjeanty. *Grand serjeanty* obliges the tenant to a service ‘touching the defence of the country’, such as acting as marshal, putting an army in the field, or finding a horseman and his equipment for the army; while *petit* (small) *serjeanty* binds the tenant to a service ‘amounting to half a mark or less’, such a carrying to the king a bag, a brooch, an arrow, or a bow without string, etc. [Article [37](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article37)]

**Sheriff** – In England before the Norman Conquest, the *scíreréfa* (also called *scírman*) was a high officer, the representative of the royal authority in a shire, who presided in the shire-moot, and was responsible for the administration of the royal demesne and the execution of the law.
After the Conquest, the office of sheriff was continued, that title being retained in English documents, while in Latin and French the usual term was *vicecomes*, *viscounte*, which had been applied to similar functionaries in Normandy. [[Preamble](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#preamble), Article [14](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article14), [24](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article24), [26](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article26), [30](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article30), [45](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article45), [48](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article48)]

The etymological form *shire-reeve* has occasionally been used by legal antiquaries**.**

**Socage** – The tenure of land by specific subordinate services other than knight-service. [Article [37](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article37)]

The view now generally accepted is that the original distinctive feature of socage was attendance at the court held by the superior, by virtue of his right of *soc* (plough), that is farming rights.

**Stank** – A pond or pool. Also a ditch or dyke of slowly-moving water, a moat. [Article [5](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article5)]

**Surety** – In this context, a person who undertakes some specific responsibility on behalf of another who remains primarily liable; one who makes himself liable for the default or miscarriage of another, or for the performance of some act on his part. Formerly also applied collectively to a number of persons. [Article [9](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article9)]

**Trithing** – [Riding](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#riding) [Article [25](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article25)]

Derived from Old Norse *Þriðjung,* meaning ‘thirding’, third part.

The character *Þ* is called ‘thorn’ and now represents the sound ‘th’. As is the way, when saying (for instance) *north trithing*, the initial *Þ* or *th* sound in *trithing* was absorbed by being elided with the preceding ‘th’ of north, or ‘t’ of east and west. This elision then passed into the written version of the word, becoming *riding*. (Try for yourself to quickly say “north thrithing” or “north trithing”, while keeping the words separate. It will probably require an almost complete break in speech to achieve your objective.) Similarly, the central ‘th’ hardened to a ‘d’ sound.

**Vill** – A territorial unit or division under the feudal system, consisting of a number of houses or buildings with their adjacent lands, more or less contiguous and having a common organization; corresponding to the Anglo-Saxon tithing and to the modern township or civil parish. [Article [23](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article23)]

**Villein** – One of the class of serfs in the feudal system; specifically, a peasant occupier or cultivator entirely subject to a lord, or attached to a manor; a tenant in villeinage; also applied to a person regarded as holding a similar position in other communities, a bondsman. Hence formerly in general use, a peasant, country labourer, or low-born rustic. [Article [20](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article20)]

This definition is over-simplistic. A deeper discussion is in preparation.

Objectively, a villein’s position was not greatly different from that of a modern ‘wage slave’ (perhaps one in a relatively poor country), other than the fact that they could not change master.

**Wapentake** – A subdivision of certain English shires, corresponding to the ‘[hundred](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#hundred)’ of other counties. [Article [25](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article25)]

The shires which had divisions so termed were Yorkshire, Derbyshire, Notts, Lincolnshire, Northamptonshire, and Leicestershire; in all of which the Danish element in the population was large. In Derbyshire there was latterly only one wapentake (that of Wirksworth), the other divisions of the shire being termed ‘hundreds’. In Lincolnshire most of the county divisions were ‘wapentakes’, but a few were called ‘hundreds’ and ‘sokes’.

Traces of the existence of the term remained in popular use in other counties, as Cheshire and Cumberland into the 20th century.

**Hundred** – In England (and subsequently. in Ireland): A subdivision of a county or shire, having its own court; also formerly applied to the court itself. [Article [25](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article25)]

Most of the English counties were divided into hundreds; but in some counties *wapentakes*, and in others *wards*, appear as divisions of a similar kind. The origin of the division into hundreds, which appears already in Old English times, is exceedingly obscure, and very diverse opinions have been given as to its origin. ‘It has been regarded as denoting simply a division of a hundred hides of land; as the district which furnished a hundred warriors to the host; as representing the original settlement of the hundred warriors; or as composed of a hundred hides, each of which furnished a single warrior’ [Stubbs *Constitutional History* I. v. §45]. ‘It is certain that in some instances the hundred was deemed to contain exactly 100 hides of land’ [F. W. Maitland]. The hundred, in Old High German (Alemannisch) *huntari*, *huntre*, was a subdivision of the *gau* in Ancient Germany; but connexion between this and the English *hundred* is not clearly made out.

**Wainage**, **waynage** – see [**gainage**](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#gainage).

The [chattels](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#chattel) on which the [villein](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#villein) depended for his livelihood: such as his farm implements, seed-corn and stock. [Article [5](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article5), [20](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#article20)]

**Gainage** – [Ancient French *gaignage* (Anglo-Latin *wainagium*)]

The profit or produce derived from the tillage of land.

In the Law Dictionaries of the 17–18th century, the word is given with various conjectural explanations which relate to the use of *wainnagium* ([wainage](https://worldfreemansociety.org/1-Subs/Magna%20Carta%201215.html#wainage)) in Magna Carta. The interpretation ‘implements of husbandry’ is probably correct, though it led to an erroneous derivation from *wain*.