

T H E

Statutes at Large,

F R O M

MAGNA CHARTA,

T O T H E

END of the LAST PARLIAMENT, 1761.

In EIGHT VOLUMES.

By OWEN RUFFHEAD, Esq;



L O N D O N :

Printed by MARK BASKETT, Printer to the
King's Most Excellent Majesty, and by the
Assigns of ROBERT BASKETT ;

And by HENRY WOODFALL and WILLIAM
STRAHAN, Law Printers to the King's
Most Excellent Majesty.

MDCCLXIX.

T H E

STATUTES at Large, &c.

M A G N A C H A R T A.

The GREAT CHARTER,

Made in the Ninth Year of King Henry the Third, and confirmed by King Edward the First in the Five and twentieth Year of His Reign.

Ex. Rot. in Turr. Lond. m. 39, 40.
EDWARDUS Dei gratia Rex Angl' Dominus Hiberniæ & Dux Acquit' Omnibus ad quos presentes littere pervenerint salutem. Inspeximus Magnam Cartam domini H. quondam regis Angl' patris nostri de Libertatibus Angl' in hec verba. HENRICUS Dei gratia Rex Angl' Dominus Hibern' Dux Norman' Acquit' & Comes Andegav' Archiepis' Epis' Abbatibus Prioribus Comitibus Baronibus Vicecomitibus Prepositis Ministris & omnibus ballivis & fidelibus suis presentem cartam inspectur salutem. Sciatis quod nos intuitu Dei & pro salute anime nostre & animarum antecessorum & successorum nostrorum ad exaltationem sancte ecclesie & emendationem regni nostri spontanea & bona voluntate nostra dedimus & concessimus Archiepiscopis Epis' Abbatibus Prioribus Comitibus Baronibus & omnibus de regno nostro has libertates subscriptas tenendas in regno nostro Angl' imperpetuum.

15 Ed. 3. stat. 1. c. 1. 28 Ed. 3. c. 1. 31 Ed. 3. stat. 1. c. 1.
45 Ed. 3. c. 1. 50 Ed. 3. c. 2. 1 Rich. 2. c. 1. 2 Rich. 2. stat. 2. c. 1.
8. c. 1. 12 Rich. 2. c. 1. 1 Hen. 4. c. 1. 2 Hen. 4. c. 1. 4 Hen. 4. c. 1. 7 Hen. 4. c. 1. 9 Hen. 4. c. 1. 13 Hen. 4. c. 1. 4 Hen.

EDWARD by the grace of God King of England, Lord of Ireland, and Duke of Guyan, to all * Archbishops, Bishops, &c. We have seen the Great Charter of the Lord Henry, sometimes King of England, our father, of the Liberties of England, in these words: "HENRY by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Guyan, and Earl of Anjou, to all Archbishops, Bishops, Abbots, Priors, Earls, Barons, Sheriffs, Provosts, Officers, and to all Bailiffs and other our faithful Subjects, which shall see this present Charter, Greeting. Know ye that we, unto the Honour of Almighty God, and for the salvation of the souls of our progenitors and successors † Kings of England, to the advancement of holy Church, and amendment of our Realm, of our meer and free will, have given and granted to all Archbishops, Bishops, Abbots, Priors, Earls, Barons, and to all freemen of this our realm, these liberties following, to be kept in our kingdom of England for ever."

* Orig. To widdm
theþe Presents shall
come, Greeting.

Co. Lit. 87.
Statutes of
Confirmation.
52 H. 3. c. 5.
25 Ed. 1. stat. 1.
c. 1, 2, 3, & 4.
28 Ed. 1. stat. 3.
c. 1.
2 Ed. 3. stat. 2.
c. 1.
† Not in Orig.
2 Ed. 3. c. 1.
4 Ed. 3. c. 1.
5 Ed. 3. c. 1, 9.
10 Ed. 3. stat. 1.
c. 1.
14 Ed. 3. stat. 1.
c. 1.
42 Ed. 3. c. 1.
c. 2. 8 Rich.
5. c. 1.

C A P. I.

A Confirmation of Liberties.

IN primis concessimus Deo & hac presenti carta nostra confirmavimus pro nobis & heredibus nostris imperpetuum quod ecclesia Anglicana libera sit & habeat omnia jura sua integra & libertates suas illesas. Concessimus etiam & dedimus omnibus

FIRST, We have granted to God, and by this our present Charter have confirmed, for us and our Heirs for ever, That the Church of England shall be free, and shall have all her whole rights and liberties inviolable. (2) We have granted also, and

^a Defunt & dedimus in Recordo Dunelmensi.

Confirmed by
52 H. 3. c. 5.
and 42 Ed. 3. c. 1.

' given to all the free-men of our realm, for us and
' our Heirs for ever, these liberties underwritten, to
' have and to hold to them and their Heirs, of us and
' our Heirs for ever.'

Ex Rot. in Turr. Lond.
liberis hominibus regni nostri pro nobis & here-
dibus nostris imperpetuum has libertates subscriptas
habendas & tenendas eis & heredibus suis de nobis
& heredibus nostris a imperpetuum.

C A P. II.

The Relief of the King's Tenant of full Age.

7 Co. 33.
9 Co. 124.
40 Ed. 3. f. 9.
Co. Lit. 76. a.
83. b. 106. a.
2 Inst. 5.

' IF any of our Earls or Barons, or any other, which
' holdeth of Us in chief by Knights service, die and
' at the time of his death his heir be of full age, and
' oweth to us Relief, he shall have his inheritance by
' the old Relief; that is to say, the heir or heirs of an
' Earl, for a whole Earldom, by one hundred pound;
' the heir or heirs of a Baron, for an whole Barony,
' by one hundred marks; the heir or heirs of a Knight,
' for one whole Knights fee, one hundred shillings at
' the most; and he that hath less, shall give less, ac-
' cording to the old custom of the fees.'

' SI quis Comitum vel Baronum nostrorum sive
' aliorum tenentium de nobis in capite per servi-
' tium militare mortuus fuerit & cum decesserit heres
' ejus plene etatis fuerit & relevium debeat habeat
' hereditatem suam per antiquum relevium scilicet
' heres vel heredes Comitum de^b Comitatu integro per
' centum libras heres vel heredes Baronis de Baronia
' integra per Centum^c marcas heres vel heredes mil-
' litis de feodo Militis integro per Centum solidos ad
' plus & qui minus^d habuerit minus det secundum
' antiquam consuetudinem feodorum.

3 Bull. 125.
Braft. 84. a.
Rendered obso-
lete by 12 Car. 2.

c. 24. which takes away Knight's service, &c.

C A P. III.

The Wardship of an Heir within Age. The Heir a Knight.

Hob. 46.
Fitz. Gard.
136. 142. 156.
15 Ed. 4. f. 10.
Plowd. f. 267.
6 Co. 73.
8 Co. 173.
2 Inst. 10.
12 Co. 81.

' BUT if the Heir of any such be within age, his
' Lord shall not have the ward of him, nor of his
' land, before that he hath taken of him homage.
' (2) And after that such an heir hath been in ward
' (when he is come to full age) that is to say, to the
' age of one and twenty years, he shall have his inhe-
' ritage without Relief, and without Fine; so that if
' such an heir, being within age, be made Knight,
' yet nevertheless his land shall remain in the keeping
' of his Lord unto the term aforesaid.'

' SI autem heres alicujus talium infra etatem fuerit
' dominus ejus non habeat custodiam ejus nec
' terre sue antequam homagium ejus cepit & post-
' quam talis heres fuerit in custodia eum ad etatem
' pervenerit scilicet viginti & unius anni habeat here-
' ditatem suam sine relevio & sine fine Ita tamen quod
' si ipse dum infra etatem fuerit fiat Miles nichilo-
' minus terra remaneat in custodia dominorum suorum
' usque ad terminum predictum.

F. N. B. fo. 269.
Obs. by 12 Car.
2. c. 24. which

takes away Wardship, &c. by reason of Tenure.

C A P. IV.

No Waste shall be made by a Guardian in Wards Lands.

Raft. pl. 693.
Fitz. Warr. 13.
24. 138. 146.
Co. Lit. 54. a.
21 H. 4. f. 53.
2 Inst. 12.

' THE keeper of the land of such an heir, being
' within age, shall not take of the Lands of the
' heir, but reasonable issues, reasonable customs, and
' reasonable services, and that without destruction and
' waste of his men and his goods. (2) And if we com-
' mit the custody of any such land to the Sheriff, or to
' any other, which is answerable unto us for the issues
' of the same land, and he make destruction or waste
' of those things that he hath in custody, we will take
' of him amends* and recompence therefore; (3) and the
' land shall be committed to two lawful and discreet
' men of that fee, which shall answer unto us for the
' issues of the same land, or unto him whom we will
' assign. (4) And if we give or sell to any man the
' custody of any such land, and he therein do make
' destruction or waste, he shall lose the same custody;
' and it shall be assigned to two lawful and discreet
' men of that fee, which also in like manner shall be
' answerable to us, as afore is said.'

' Custos terre hujusmodi heredis qui infra eta-
' tem fuerit non capiat de terra heredis nisi
' rationabiles exitus & rationabiles consuetudines &
' rationabilia servicia & hoc sine destructione & vasto
' hominum & rerum. Et si nos commiserimus cus-
' todiam alicujus talis terre vicecomiti vel alicui alii
' qui de exitibus terre illius nobis debeat respondere
' & ille de custodia destructionem vel vastum fecerit
' nos ab eo capiemus emendam & terra committatur
' duobus legalibus & discretis hominibus de feodo
' illo qui de exitibus terre illius nobis respondeant
' vel illi cui illos assignaverimus. Et si dederimus
' vel vendiderimus alicui custodiam alicujus talis
' terre & ille inde destructionem fecerit vel vastum
' amittat illam custodiam & tradatur duobus legalibus
' & discretis hominibus de feodo illo qui similiter
' nobis respondeant sicut predictum est.

* Not in Orig.

Enforced by
6 Ed. 1. c. 5.
And see 28 Ed. 1.
stat. 3. c. 18.
14 Ed. 2. stat. 1.

c. 13. 36 Ed. 3. stat. 1. c. 13. The three last Statutes restraining Escheators from Waste, Obs. by 12 Car. 2. c. 24.

* Deest 'imperpetuum,' ib.

b 'Baronia comitis integra,' ib.

c 'Libras,' ib.

d 'Debuerit,' ib.

C A P. V.

Guardians shall maintain the Inheritance of their Wards: and of Bishopricks, &c.

Ex Rot. in Turr. Lond.

CUSTOS autem quamdiu custodiam terre a hujusmodi habuerit sustentet domos parcos b vivaria stagna Molendina. & cetera ad terram illam pertinentia de exitibus terre ejusdem & reddat heredi cum ad plenam etatem pervenerit terram suam totam instauratam de carucis & de omnibus aliis rebus ad minue c sicut illam recepit. Hec omnia observentur de custodiis Archiepiscopatum Episcopatum Abbathiarum Prioratum ecclesiarum & dignitatum vacantium que ad nos pertinent excepto quod custodie hujusmodi vendi non debent.

THE keeper, so long as he hath the custody of the land of such an heir, shall keep up the houses, parks, warrens, * ponds, † mills, and other things pertaining to the same land, with the issues of the said land; and he shall deliver to the Heir, when he cometh to his full age, all his land stored with ploughs, and all other things, at the least as he received it. All these things shall be observed in the custodies of Archbishopricks, Bishopricks, Abbeys, Priories, Churches, and Dignities vacant, which appertain to us; except this, that such custody shall not be sold.

10 H. 7. f. 30. 2 Inst. 14. * Add Fish. † Add Posh. No Waste shall be committed in Wards Lands. Enforced by 3 Ed. 1. c. 21. See 36 Ed. 3. c. 13. restraining Escheators from Waste. as to Abbeys, &c.

Obs. by 12 Car. 2. c. 24. so far as it relates to Wardships by reason of Tenure, and by 31 H. 8. c. 13. as to Abbeys, &c.

C A P. VI.

Heirs shall be married without Disparagement.

HERedes maritentur absque disparagacione.

HEirs shall be married without Disparagement.

Co. Lit. 80. 2 Inst. 15. Enforced by 20 H. 3. c. 6.

C A P. VII.

A Widow shall have her Marriage, Inheritance, and Quarentine. The King's Widow, &c.

VIDUA post mortem mariti sui statim & sine difficultate aliqua habeat maritagium suum & hereditatem suam nec aliquid det pro dote sua d nec pro maritagio suo vel pro hereditate sua quam hereditatem maritus suus & ipsa tenuerunt e simul die obitus ipsius mariti f sui & maneat in capitali Mesuagio mariti sui per quadraginta dies post obitum mariti sui infra quos dies assignetur ei dos sua nisi prius fuerit ei assignata vel nisi domus illa sit Castrum & si de castro recesserit domus ei competens statim provideatur in qua possit honeste morari quousque dos sua ei assignetur g secundum quod predictum est & habeat rationabile estoverium suum interim de communi Assignetur autem ei pro dote sua tertia pars totius terre mariti sui que sua fuit in vita sua nisi de minori fuerit dotata ad Hostium ecclesie. Nulla vidua distringatur ad se maritandam dum voluerit vivere sine marito Ita tamen quod securitatem faciet quod se non maritabit sine assensu nostro si de nobis tenuerit vel sine assensu domini sui si de alio tenuerit.

A Widow, after the death of her husband, incontinent, and without any Difficulty, shall have her marriage, and her inheritance, (2) and shall give nothing for her dower, her marriage, or her inheritance, which her husband and she held the day of the death of her husband, (3) and she shall tarry in the chief house of her husband by forty days after the death of her husband, within which days her dower shall be assigned her (if it were not assigned her before) or that the house be a castle; (4) and if she depart from the castle, then a competent house shall be forthwith provided for her, in the which she may honestly dwell, until her dower be to her assigned, as it is aforesaid; and she shall have in the mean time her reasonable estovers of the common; (5) and for her dower shall be assigned unto her the third part of all the Lands of her husband, which were his during coverture, except she were endowed of less at the Church-door. (6) No widow shall be distrained to marry herself: * nevertheless she shall find surety, that she shall not marry without our licence and assent (if she hold of us) nor without the assent of the Lord, if she hold of another.

Hobart 153. Dyer, f. 76. Plow. 32. Bro. Dower, 101. Regist. fol. 175. Co. Lit. 32. b. 2 Inst. 16. 19 H. 6. f. 14. See 17 Ed. 2. c. 4. for the Oath of Widows who hold in Capite, not to marry without the King's Licence. * Add While she chooses to live single. Fitz. Dower, 194, 196. Enforced and of their Dowers.

amended by 20 Hen. 3. c. 1. which gives Damages to the Widows who are deforced

C A P. VIII.

How Sureties shall be charged to the King.

NOS vero vel Ballivi nostri non seisemus terram aliquam b vel redditum pro debito aliquo quamdiu catalla debitoris presentia sufficiunt ad debitum reddend' & ipse debitor paratus sit inde satisfacere. Nec plegii ipsius debitoris distringantur quam diu ipse capitalis debitor sufficiat ad solutionem l ipsius debiti & si capitalis debitor defecerit in solutione debiti non habens unde reddat aut reddere

WE or our Bailiffs shall not seise any land or rent for any debt, as long as the present Goods and Chattels of the debtor do suffice to pay the debt, and the debtor himself be ready to satisfy therefore. (2) Neither shall the pledges of the debtor be distrained, as long as the principal debtor is sufficient for the payment of the debt. (3) And if the principal debtor fail in payment of the debt, having nothing

Plowd. 440. 2 Inst. 18.

a Deest 'hujusmodi,' ib. b Deest 'vivaria,' ib. c 'secundum quod,' ib. d 'vel,' ib. e Deest 'simul,' ib. f Deest 'sui,' ib. g 'sicut,' ib. h 'nec,' ib. i Deest 'ipsum,' ib.

Regist. 158. ' wherewith to pay, or will not pay where he is able,
 * Orig. *The Debt.* ' the pledges shall answer for the debt. (4) And if
 † Add *Principal.* ' they will, they shall have the lands and rents of the
 ' debtor, until they be satisfied of * *that* which they
 ' before payed for him, except that the † debtor can
 ' shew himself to be acquitted against the said sureties.'

Ex Rot. in Turr. Lond.
 nolit cum possit plegii^a de debito respondeant &
 si voluerint habeant terras & redditus debitoris
 quousque sit eis satisfactum de debito quod ante
 pro eo solverunt nisi capital' debitor monstraverit
 se inde esse quietum versus eosdem plegios.

Infra, c. 28. See 33 H. 8. c. 39. for the Erection of a Court of Surveyors, and for the more effectual Recovery of the King's Debts; which Court was by 1 M. Seff. 2. c. 10. dissolved and annexed to the Exchequer.

C A P. IX.

The Liberties of London, and other Cities and Towns confirmed.

* Read *ibid.* ' THE city of London shall have all * *the* old li-
 Cro. Car. 251. ' berties and customs, † *which it hath been used*
 † *Not in Orig.* ' to have. Moreover we will and grant, that all
 45 Ed. 3. f. 26. ' other Cities, Boroughs, Towns, and the Barons
 5 H. 7. f. 10, 19. ' of the Five Ports, and all other Ports, shall have
 11 H. 7. f. 21. ' all their liberties and free customs.'
 5 Co. 63.
 8 Co. 125.
 2 Inst. 20.
 3 Bulstr. 2.
 Mirror 311.

Civitas London' habeat omnes^b libertates suas.
 Antiquas & consuetudines suas. Preterea volumus
 & concedimus quod omnes Civitates alie &
 Burgi & ville & Barones de quinque portibus &
 omnes portus habeant omnes libertates & liberas
 consuetudines suas.

C A P. X.

None shall distrain for more Service than is due.

1 Roll. 164. ' NO man shall be distrained to do more service
 2 Roll. 182. ' for a Knight's fee, nor any freehold, than
 10 Co. 108. ' therefore is due.'
 Fitz. Avowry,
 96, 157, 200.

Nullus distringatur ad faciendum majus servi-
 tium de feodo Militis nec de alio libero te-
 nemento quam inde debetur.

Plowd. 243. 14 Hen. 7. f. 14. Fitz. Brief, 661, 881, 882. Fitz. Prærog. 28. V. N. B. f. 15. 2 Inst. 21.

C A P. XI.

Common Pleas shall not follow the King's Court.

Co. Lit. 71. a. ' C Ommun Pleas shall not follow our Court, but
 Plow. 244. ' shall be holden in some place certain.'
 2 Inst. 21.
 12 Co. 59.

Communia placita non sequantur Curiam nos-
 tram set teneantur in aliquo loco certo.

Regist. 187. Confirmed by 28 Ed. 1. stat. 3. c. 4. 4 Inst. 99. 11 Co. 75.

C A P. XII.

Where and before whom Assises shall be taken. Adjournment for Difficulty.

12 Co. 31, 52. ' A Ssises of novel disseisin, and of Mortdancer, shall
 23 Co. 8. ' not be taken but in the shires, and after this
 Fitz. Affize, 27. ' manner: * If we be out of this Realm, our chief
 * Read *We, or if* ' Justicers shall send our Justicers through every Coun-
we be out, &c. ' ty once in the Year, which, with the Knights of
 8 Co. 57. ' the shires, shall take the said Assises in those coun-
 Fitz. Mortdanc. ' ties; (2) and those things that at the coming of our
 2, 21, 53. ' foresaid Justicers, being sent to take those Assises in the
 24 Ed. 3. f. 23. ' counties, cannot be determined, shall be ended by
 1 Anderson 230. ' them in some other place in their circuit; (3) and
 2 H. 4. f. 1, 20. ' those things, which for difficulty of some articles can-
 2 Inst. 24. ' not be determined by them, shall be referred to our
 ' Justicers of the Bench, and there shall be ended.'

Recognitiones de nova disseisina & de morte an-
 tecessoris non capiantur nisi in suis Comitatu-
 bus & hoc modo: Nos vel si extra regnum fuerim-
 us capitalis Justic' noster mittemus Justic' nos-
 tros per unumquemque Comitatum semel in anno
 qui cum militibus Comitatum capiant in Comi-
 tatibus assisas predictas & illa que in illo adventu
 suo in Comitatus per Justic' nostros predictos ad
 dictas assisas capiendas missos terminari non possunt
 per eosdem terminentur alibi in itinere suo & ea-
 que per eosdem propter difficultatem aliquorum ar-
 ticulorum terminari non possunt referantur ad Ju-
 stic' nostros de Banco & ibi terminentur.

Regist. 197. Enforced and amended by 13 Ed. 1. stat. 1. c. 30. See 6 Ric. 2. stat. 1. c. 5. ordaining that Justices of Assize shall hold their Sessions in principal Towns. And 11 Ric. 2. c. 11. providing that the Chancellor and Justices shall have power to appoint where Assizes shall be held.

C A P. XIII.

Assises of Darrein Presentment.

Regist. 30. ' A Ssises of Darrein Presentment shall be alway
 See 13 Ed. 1. ' taken before our Justices of the Bench, and
 stat. 1. c. 30. ' there shall be determined.'
which ordain
that these Assises shall be determined in their own Shire. And see 52 H. 3. c. 12. 32 H. 8. c. 21. § 7. and 16 Car. 1. c. 6. § 13. what Days shall be given in Assises of Darrein Presentment.

Assise de ultima presentatione semper capian-
 tur coram Justiciar' de Banco & ibi termi-
 nentur.

^a ' Pro,' ib. ^b ' Antiquas libertates et liberas consuetudines suas,' ib. ^c Dcest ' nostros,' ib.

C A P. XIV.

How Men of all Sorts shall be amerced, and by whom.

Ex Rot. in Turr. Lond.

Liber homo non amerietur pro parvo delicto nisi secundum modum ipsius delicti & pro magno delicto secundum magnitudinem delicti salvo contentemento suo & mercator eodem modo salva mercandisa sua & villanus alterius quam noster eodem modo amerietur salvo wanagio suo si incidere in manum nostram. Et nulla predictarum misericordiarum ponatur nisi per sacramentum proborum & leg' hominum de visneto. Comites & Barones non amerientur nisi per pares suos & non nisi secundum modum delicti. Nulla ecclesiastica persona amerietur secundum quantitatem beneficii sui ecclesiastici set secundum laicum tenementum suum & secundum quantitatem delicti.

A Free-man shall not be amerced for a small fault, but after the manner of the fault; and for a great fault after the greatness thereof, saving to him his contentement; (2) and a Merchant likewise, saving to him his Merchandise; (3) and any other's villain than ours shall be likewise amerced, saving his wainage, if he fall into our mercy. (4) And none of the said amerciements shall be assessed, but by the oath of honest and lawful men of the vicinage. (5) Earls and Barons shall not be amerced but by their Peers, and after the manner of their offence. (6) No man of the Church shall be amerced after the quantity of his spiritual Benefice, but after his Lay-tenement, and after the quantity of his offence.

24 Ed. 3. c. 1. ordaining, that Fines for Trespasses shall be reasonable; and 1 W. & M. Sess. 2. c. 2. §. 11. declaring excessive Fines and cruel Punishments to be illegal. And likewise Grants of Fines before Conviction.

Mirror 312. Confirmed by 4 Ed. 3. c. 6. Regist. 182, 187. 1 Roll 74, 446. Br. Amercement, 2, 25, 32, 33, 53, 65. 10 H. 6. fo. 7. 7 H. 6. fo. 13. 29 Ed. 4. fo. 9. 2 Bulltr. 140. 3 Bulltr. 279. Mirror 312. 21 Ed. 4. fo. 77. 8 Co. 38, 59. 3 Inst. 27. See

C A P. XV.

Making of Bridges and Banks.

NEC villa nec liber homo distringatur facere pontes ad riparias nisi qui ab antiquo & de jure facere debent.

NO Town nor Freeman shall be distrained to make Bridges nor Banks, but such as of old time and of right have accustomed to make them in the time of King Henry our Grandfather.

a Matter of Doubt, whether this marginal Alteration is proper to be adopted; The Original appears to speak of Banks as well as Bridges; and if, instead of ad Riparias, we read aut Riparias, as it is printed in 2 Inst. the Passage will be perfectly intelligible, and the old Translation just. It is true, in some Statutes, the Word Riparias, as Lord Coke explains it, signifies the Water or River running between the Banks, and there Mr. Cays Alteration appears to be very proper. But here, as his Lordship observes, it seems to be synonymous with Ripas, and in this Sense likewise it seems to be taken by the Author of the Mirrors des Justices. Besides, the Phrase of making Bridges at Rivers, may perhaps be deemed a Redundancy of Expression.

2 Inst. 29. * To make Bridges at Rivers †. † Q. It may be

C A P. XVI.

Defending of Banks.

Nulle riparie defendantur decetero nisi ille que fuerunt in defenso tempore H. Regis Avinostrie per eadem loca & eisdem terminos sicut esse consueverunt tempore suo.

NO * Banks shall be defended from henceforth, but such as were in defence in the time of King Henry our Grandfather, by the same places, and the same bounds, as they were wont to be in his time.

2 Inst. 30. * Rivers. See the Note to the foregoing Chapter, and Lord Coke's Exposition of this Chapter, p. 30.

C A P. XVII.

Holding Pleas of the Crown.

N ullus Vicecomes Constabularius coronatur vel alii Ballivi nostri teneant placita corone nostre.

NO Sheriff, Constable, Escheator, Coroner, nor any other our Bailiffs, shall hold Pleas of our Crown.

2 Inst. 30. Mirror 313.

C A P. XVIII.

The King's Debtor dying, the King shall be first paid.

S i aliquis tenens de nobis laicum feodum moriatur & Vicecomes vel Ballivus noster ostendat litteras nostras patentes de summonitione nostra de debito quod defunctus nobis debuit liceat Vicecomiti vel Ballivo nostro attachiare & imbreviare omnia bona & catalla defuncti inventa in laico feodo ad valentiam illius debiti per visum legalium hominum Ita tamen quod nichil inde amoveatur donec persolvatur nobis debitum quod clarum fuerit & residuum relinquatur executoribus ad faciendum testamentum defuncti & si nichil nobis debeatur ab ipso

I F any that holdeth of us Lay-fee do die, and our Sheriff or Bailiff do shew our Letters Patents of our summon for Debt, which the dead man did owe to us; it shall be lawful to our Sheriff or Bailiff to attach and inroll all the goods and chattles of the dead, being found in the said fee, to the Value of the same Debt, by the sight and testimony of lawful men, so that nothing thereof shall be taken away, until we be clearly paid off the debt; (2) and the residue shall remain to the Executors to perform the testament of the dead; (3) and if nothing be owing

our Rast. Ent. f. 54. C. 3. Ent. f. 564. Fitz. Declines, 52, 56, 58, 60. Bro. Ration. 25, 5, 6. 2 Inst. 32. † Add Lay. † Not in Orig. Supra, cap. 2.

a 'set,' ib. b Deest liber, ib. c 'ex,' ib. d 'Debet,' ib. e 'Coronatores,' ib. f Desunt 'omnia bona &,' ib. g Deest 'inde,' ib.

unto us, all the chattles shall go to the use of the dead (saving to his wife and children their reasonable parts.)
See 35 H. 8. c. 39. for the Extension of a Court of Surveynors, and for the more effectual Recovery of the King's Debts; which Court was, by 1 M. Seff. 2. c. 10. dissolved, and annexed to the Exchequer.

Ex Rot. in Turr. Lond.
 omnia catalla cedunt defuncto salvis uxori ejus & pueris ipsius rationalibus partibus suis.

C A P. XIX.

Purveyance for a Castle.

NO Constable, nor his Bailiff, shall take corn or other chattles of any man, if the man be not of the Town where the Castle is, but he shall forthwith pay for the same, unless that the will of the seller was to respite the payment; (2) and if he be of the same Town, the price shall be paid unto him within forty days.

NULLUS Constabularius vel ejus ballivus capiat blaca vel alia catalla alicujus qui non sit de villa ubi castrum situm est nisi statum reddat denarios inde aut respectum inde habere possit de voluntate venditoris Si autem de ipsa villa fuerit infra quadraginta dies precium reddat.

C A P. XX.

Doing of Castle-ward.

NO Constable shall distrain any Knight for to give money for keeping of his Castle, if he himself will do it in his proper person, or cause it to be done by another sufficient man, if he may not do it himself for a reasonable cause. (2) And if we do lead or send him in an army, he shall be free from Castle-ward for the time that he shall be with us in fee in our host, for the which he hath done service in our wars.

NULLUS Constabularius distringat aliquem Militem ad dand' denar' pro custodia castri si ipse eam facere voluerit in propria persona sua vel per alium probum hominem^a fac' si ipse eum facere non possit propter rationabilem causam. Et si nos^b adduxerimus vel miserimus eum in exercitum^c sit quietus de custodia secundum quantitatem temporis quo per nos fuerit in exercitu de feodo pro quo fecit servicium in exercitu.

C A P. XXI.

Taking of Horses, Carts, and Wood.

NO Sheriff nor Bailiff of ours, or any other, shall take the Horses or Carts of any man to make carriage, except he pay the old price limited, that is to say, for carriage with two horse, x. d. a day; for three horse, xiv. d. a day. (2) No demesne Cart of any Spiritual person or Knight, or any Lord, shall be taken by our Bailiffs; (3) nor we, nor our Bailiffs, nor any other, shall take any man's wood for our Castles, or other our necessities to be done, but by the licence of him whose the wood is.

NULLUS vicecomes vel ballivus noster vel^d aliquis alius capiat equos vel caretas alicujus pro cariagio faciendo nisi reddat liberationem antiquitus statutam scilicet pro^e una caretta ad duos equos decem denar' per diem & pro caretta ad tres equos quatuordecem denar' per diem. Nulla caretta dominica alicujus ecclesiastice persone vel Militis vel alicujus domine per ballivos^f nostros captatur. Nec nos nec Ballivi nostri nec alii capiemus boscum alienum ad castra vel^g ad alia agenda nostra nisi per voluntatem illius cujus boscus ille furit.

Chief Officers of his Majesty's Carriages to provide Carts, &c. by Warrant from the Green Cloth. And see 13 & 14 Car. 2. c. 20. giving Power to Officers of the Navy to press Carriages, &c. for the Use of the Navy and Ordnance. See likewise the yearly Mutiny Act.

C A P. XXII.

How long Felons Lands shall be holden by the King.

WE will not hold the Lands of them that be convict of Felony but one year and one day, and then those Lands shall be delivered to the Lords of the fee.

NOS non tenebimus terras illorum qui convicti fuerint de feloniam nisi per unum annum & unum diem & tunc reddantur terre^h ille dominis feodorum.

C A P. XXIII.

In what Places Wears shall be put down.

ALL Wears from henceforth shall be utterly put down by Thames and Medway, and through all England, but only by the Sea-coasts.

OMnes kidelli deponantur decetero penitus per Tamisiam & Medeweyam & per totam Angli' nisi per cofteram maris.

^a Deest 'fac', ib. ^b 'Duxerimus,' ib. ^c 'Quietus de custodia erit,' ib. ^d Deest 'aliquis,' ib. ^e Deest 'una,' ib. ^f 'Prædictos,' ib. ^g D. 'ad,' ib. ^h D. 'illē,' ib.

10 Co. 138.
 11 Co. 35.
 Confirmed and amended by 12 Ed. 4. c. 7. which inflicts Penalty on Offenders.
 2 Inst. 38.

C A P. XXIV.

In what Case a *Præcipe in Capite* is not grantable.

Ex Rot. in Turr. Lond.

B Reve quod vocatur *Præcipe* decetero non fiat alicui de aliquo libero tenemento unde liber homo perdat Curiam suam.

THE Writ that is called *Præcipe in capite* shall be from henceforth granted to no person of any freehold, whereby any freeman may lose his Court.

38 Ed. 3. c. 15.
13 Co. f. 42.
F. N. B. fol. 51.
12. 39. h.
2 Inst. 39.

C A P. XXV.

There shall be but one Measure throughout the Realm.

UNA Mensura vini sit per totum regnum nostrum & una mensura cervisie & una mensura bladi per scilicet quarter London & una latitudo pannorum tinctorum Russetorum & haubergettorum scilicet due ulne infra Listas. De ponderibus vero sit sicut de mensuris.

ONE measure of Wine shall be through our Realm, and one measure of Ale, and one measure of Corn, that is to say, the Quarter of London; and one breadth of dyed Cloth, Russets, and Habergests, that is to say, two Yards within the lists. (2) and it shall be of Weights as it is of Measures.

2 Inst. 40.
Confirmed and amended by 14 Ed. 3. stat. 1. c. 12.
Amended by 27 Ed. 3. stat. 2. c. 12.
See farther 51 Ric. 2. c. 3.

10. which inflict Penalty on Offenders. Confirmed and farther amended by 8 H. 6. c. 5. 11 H. 7. c. 4. 16 Car. 1. c. 19. and 22 Car. 2. c. 8. H. 3. stat. 1. 31 Ed. 1. de Ponderibus & Mensuris. 31 Ed. 3. stat. 1. c. 2. 34 Ed. 3. c. 5 & 6. 13 Ric. 2. stat. 1. c. 9. 15 Ric. 2. c. 4. and 12 H. 7. c. 5. with regard to Weights and Measures.

C A P. XXVI.

Inquisition of Life and Member.

Nichil decetero detur pro brevi inquisitionis ab eo qui inquisitionem petit de vita vel de membris set gratis concedatur & non negetur.

Nothing from henceforth shall be given for a Writ of Inquisition, nor taken of him that prayeth Inquisition of Life, or of Member, but it shall be granted freely, and not deoied.

2 Inst. 47.
Amended by 3 Ed. 1. c. 12.
Altered by 6 Ed. 1. stat. 1. c. 9.

13 Ed. 1. stat. 1. c. 29. Mirror 314. Regist. 133, 134. And see 28 Ed. 3. c. 9. which takes away this Writ of Inquisition, otherwise called the Writ de Odio et Atia.

C A P. XXVII.

Tenure of the King in Socage, and of another by Knights Service. Petit Serjeantry.

Si aliqui teneant de nobis per feodi firmam vel per focagium vel burgagium & de alio teneant terram per servicium militar' nos non habebimus custodiam heredis nec terre sue que est de feodo alterius occasione illius feodi firme vel focagii vel burgagii nec habebimus custodiam illius feodi firme vel focagii vel Burgagii nisi ipsa feodi firma debeat servicium militare. Nos non habebimus custodiam heredis vel alicujus terre quam tenet de aliquo alio per servicium militare occasione alicujus parve serjantie quam tenet de nobis per servicium reddendi nobis cultellos vel sagittas vel hujusmodi.

IF any do hold of us by Fee-ferm, or by Socage, or Burgage, and he holdeth Lands of another by Knights Service, we will not have the Custody of his heir, nor of his Land, which is holden of the Fee of another, by reason of that Fee-ferm, Socage, or Burgage. (2) Neither will we have the custody of such Fee-ferm, or Socage, or Burgage, except Knights Service be due unto us out of the same Fee-ferm. (3) We will not have the custody of the Heir, or of any Land,* by occasion of any Petit Serjeanty, that any man holdeth of us by Service to pay a Knife, an Arrow, or the like.

Bro. Tenures, 69.
Fitz. Gard. 145.
2 Inst. 43.

* Which be hold-
eth of another by
Knight's Service.
Obl. This Tenure
being abolished by
12 Car. 2. c. 24.

C A P. XXVIII.

Wager of Law shall not be without Witnesses.

Nullus Ballivus decetero ponat aliquem ad legem manifestam nec ad juramentum simplici loquela sua sine testibus fidelibus ad hoc inductis.

NO Bailiff from henceforth shall put any man to his open Law, nor to an Oath, upon his own bare saying, without faithful Witnesses brought in for the same.

Fitz. Ley, 78.
Bro. Ley, 37.
2 Inst. 44.

C A P. XXIX.

(None shall be condemned without Trial) Justice shall not be sold or deferred.

Nullus liber homo * capiatur vel imprisonetur aut disseñiatur de libero tenemento suo vel libertatibus vel liberis consuetudinibus suis aut utla-

NO Freeman shall be taken, or imprisoned, or be disseised of his Freehold, or Liberties; or free Customs, or be outlawed, or exiled, or any other-

5 Co. 64.
10 Co. 74.
11 Co. 99.
2 Inst. 45.

** Deest 'libero,' ib. 'Ut,' ib. 'D' 'de,' ib. 'Aliquis teneat,' ib. 'Per burgagium,' ib. 'Alicujus,' ib. 'D. 'aliquo,' ib. 'Serjantie,' ib. 'Vel,' ib. 'De cetero capiatur aut,' ib.*

* wife

Reg. A. 136.
Mirror 314.
1 Anderl. 158.
2 Bulltr. 378.
3 Bulltr. 47.
Wood's Inst.
613. 614. Enforced by 2 Ed. 3. c. 8. Confirmed by 5 Ed. 3. c. 9. 14 Ed. 5. Stat. 1. c. 14. Confirmed and amended by 25 Ed. 3. Stat. 5. c. 4. 28 Ed. 3. c. 3. 37 Ed. 3. c. 18. 42 Ed. 3. c. 3. 11 R. 2. c. 10. See 4 H. 7. c. 12. giving Directions to Justices of the Peace, and 16 Car. 1. c. 10. for taking away the 2. ur-Chamber.

wise destroyed; nor will we not pass upon him, nor condemn him*, but by lawful Judgment of his Peers, or by the Law of the Land. (2) We will sell to no man, we will not deny or defer to any man either Justice or Right.'

Ex Rot. in Turr. Lond.
getur aut exulet aut aliquo modo destruatut nec super eum ibimus nec super eum mittemus nisi per legale iudicium parium suorum vel per legem terre. Nulli vendemus nulli negabimus aut differemus rectum vel iusticiam.

* The Words above, marked in Italicks, do by no means express the Sense of the Original. The two Verbs, Ibmus and Mittemus evidently stand in Contradistinction to each other, and are indeed much easier expounded than translated; therefore, we cannot do better than recur to Lord Coke's Exposition, which is as follows:—'No Man shall be condemned at the King's Suit, either before the King in his Bench, where the Pleas are Coram Rege, (and so are the Words nec super eum ibimus, to be understood) nor before any other Commissioner or Judge whatsoever (and so are the Words Nec super eum mittemus, to be understood.)'

C A P. XXX.

Merchant Strangers coming into this Realm shall be well used.

1 Inst. 57.
12 Co. 31.
2 Roll. 115.
1 Bulltr. 134.

ALL Merchants (if they were not openly prohibited before) shall have their safe and sure Conduct to depart out of England, to come into England, to tarry in, and go through England, as well by Land as by Water, to buy and sell without any manner of evil Tolts, by the old and rightful Customs, except in Time of War. (2) And if they be of a land making War against us, and * be found in our Realm at the beginning of the Wars, they shall be attached without harm of body or goods, until it be known unto us, or our Chief Justice, how our Merchants be intreated there in the land making War against us; (3) and if our Merchants be well intreated there, theirs shall be likewise with us.'

OMnes mercatores nisi publice antea prohibiti fuerint habeant saluum & securum conductum exire de Angli' & venire in Angli' & morari & ire per Angli' tam per terram quam per aquam ad emend' & vendend' sine omnibus tollis malis per antiquas & rectas consuetudines preterquam in tempore guerre & si sint de terra contra nos guerina & tales inveniuntur in terra nostra in principio guerre attachentur sine dampno corporum vel rerum donec sciatur a nobis vel a capitali Justic' nostro quomodo Mercatores terre nostre tractentur qui tunc inveniuntur in terra illa contra nos guerina & si nostri salvi sint ibi alii salvi sint in terra nostra.

* Add such.
Confirmed and amended by 9 Ed. 3. Stat. 1. c. 7. 14 Ed. 3. Stat. 2. c. 2. 25 Ed. 3. Stat. 4. c. 2. 2 R. 2. Stat. 1. c. 1. 11 R. 2. c. 7. To these may be added, 2 Ed. 3. c. 9. which confirms this chap. 16 Rich. 2. c. 1. which puts Merchant Strangers under some Restrictions. 5 H. 4. c. 7. 4 H. 5. c. 5. And 12 H. 7. c. 6. concerning Merchant Adventurers.

C A P. XXXI.

Tenure of a Barony coming into the King's Hands by Eschete.

Bro. Livery, 58.
* Add Lancaster.
Bro. Tenures, 57. 61. 94. 99.
26 H. 8. pl. 3.
2 Inst. 14.

IF any man hold of any Eschete, as of the honour of Wallingford, Nottingham, Bolon, * or of any other Eschetes which be in our hands, and are Baronies, and die, his Heir shall give none other Relief, nor do none other Service to us, than he should to the Baron, if it were in the Baron's hand. (2) And we in the same wise shall hold it as the Baron held it; neither shall we have, by occasion of any + Barony or Eschete, any Eschete or keeping of any of our men, unless he that held the Barony or Eschete otherwise held of us in chief.'

SI quis tenuerit de aliqua escaeta sicut de honore Wallingford' Bolonie Nottingham' Lancast' vel aliis escaetis que sunt in manu nostra & sint Baronie & obierit heres ejus non det aliud relevium nec faciat nobis aliud servicium quam faceret Baroni si illa esset in manu Baronis & nos eodem modo eam tenebimus quo Baro eam tenuit Nec nos occasione talis Baronie vel escaete habebimus aliquam escaetam vel custodiam aliquorum nostrorum hominum nisi de nobis alibi tenuerit in capite ille qui tenuit baroniam vel escaetam.

+ Add such.
Regist. 124.
Enforced by 1 Ed. 3. Stat. 2. c. 13. and 1 Ed. 6. c. 4. Rendered obs. by 12 Car. 2. c. 24. which takes away Tenures in capite.

C A P. XXXII.

Lands shall not be aliened to the Prejudice of the Lord's Service.

Co. Lit. 43. a.
2 Inst. 65.
Altered by 18 Ed. 1. Stat. 1. c. 2.
Obs. by 12 Car. 2. c. 24.

NO Freeman from henceforth shall give or sell any more of his Land, but so that of the residue of the Lands the Lord of the Fee may have the Service due to him, which belongeth to the Fee.'

NULLus liber homo det decetero amplius alicui vel vendat de terra sua quam ut de residuo terre sue sufficientur possit fieri domino feodi servicium ei debitum quod pertinet ad feodum illud.

C A P. XXXIII.

Patrons of Abbies shall have the Custody of them in the time of Vacation.

Confirmed by 25 Ed. 3. Stat. 3. c. 1.

ALL Patrons of Abbies, which have the King's Charters of England or Advowson, or have old Tenure or Possession in the same, shall have the Custody of them when they fall void, as it hath been accustomed, and as it is afore declared.'

OMnes patroni Abbathiarum qui habent cartas regum Anglie de advocacione vel antiquam tenuram vel possessionem habeant earum custodiam cum vacaverint sicut habere debent & sicut superioris declaratum est.

1 Inst. 68.
Obs. by 34 H. 8. c. 13. for the Dissolution of Monasteries and Abbies.

a 'Alio modo.' ib. b D. 'conductum,' ib. c 'Si tales,' ib. d 'Bolon. Lancast. vel aliis quæ sunt,' ib. e 'Supra,' ib.

C A P. XXXIV.

In what only Cafe a Woman shall have an Appeal of Death.

Ex Rot. in Turr. Lond.

Nullus capiatur aut imprisonetur propter appellum femine de morte alterius quam viri sui.

NO Man shall be taken or imprisoned upon the Appeal of a Woman for the Death of any other, than of her Husband. Bro. Appeal, 5, 17, 60, 68, 101, 112. Raft. Ent. 43.

C A P. XXXV.

At what Time shall be kept a County Court, Sheriff's Turn, and a Leet.

Nullus Comitatus decetero teneatur nisi de mense in mensem & ubi major terminus esse solebat major fit. Nec aliquis Vicecomes vel Ballivus suus faciat tornum suum per Hundredum nisi bis in anno & non nisi in loco debito & consueto videlicet semel post Pasch' & iterum post festum sancti Michaelis. Et visus de franco plegio tunc fiat ad illum terminum sancti Michaelis sine occasione Ita scilicet quod quilibet habeat libertates suas quas habuit vel habere consuevit tempore H. Regis Avinostri vel quas postea perquisivit fiat autem visus de franco plegio sic videlicet quod pax nostra teneatur & quod theotinga teneatur integra sicut esse consuevit & quod Vicecomes non querat occasiones & quod contentus sit de eo quod Vic' habere consuevit de visu suo faciendo tempore H. Regis Avinostri.

NO County Court from henceforth shall be holden, but from Month to Month; and where greater time hath been used, there shall be greater: (2) Nor any Sheriff, or his Bailiff, shall keep his Turn in the Hundred but twice in the Year; and no where but in due place, and accustomed; that is to say, once after Easter, and again after the Feast of Saint Michael. (3) And the View of Frankpledge shall be likewise at the Feast of Saint Michael without occasion; so that every man may have his Liberties which he had, or used to have, in the time of King HENRY our Grandfather, or which he hath purchased since. (4) The View of Frankpledge shall be so done, that our Peace may be kept; (5) and that the Tything be wholly kept as it hath been accustomed; (6) and that the Sheriff seek no Occasions, and that he be content with so much as the Sheriff was wont to have for his View-making in the time of King HENRY our Grandfather. Fitz. Leet, 21. 8 H. 7. f. 4. 1 Roll 201. Cro. El. 125. 2 Leon. 74. * Add Bur. Regist. 175, 187. F. N. B. 161. Enforced and amended by 31 Ed. 3. Stat. 1. c. 15.

C A P. XXXVI.

No Land shall be given in Mortmain.

Nec liceat decetero alicui dare terram suam domui religiose ita quod illam resumat de eadem domo tenendam. Nec liceat alicui domui religiose terram alicujus sic accipere quod tradat illam illi a quo eam recepit tenendam. Si quis autem decetero terram suam alicui domui religiose sic dederit & super hoc convincatur donum suum penitus cassetur & terra illa domino illius seodi incurratur.

IT shall not be lawful from henceforth to any to give his Lands to any Religious House, and to take the same Land again to hold of the same House. Nor shall it be lawful to any House of Religion to take the Lands of any, and to lease the same to him of whom he received it. If any from henceforth give his Lands to any Religious house, and thereupon be convicted, the Gift shall be utterly void, and the Land shall accrue to the Lord of the Fee. Fitz. Mortm. 17. Bro. Mortm. 36. 2 Inil. 74. Wood's Inst. 101. Enforced and amended by 7 Ed. 1. Stat. 2. 13 Ed. 1. Stat. 1. c. 32. [18 Ed. 1. Stat. 1. 39 El. c. 5.]

c. 3.] 27 Ed. 1. St. 2. [18 Ed. 3. Stat. 3. c. 7.] 15 R. 2. c. 5. and 23 H. 8. c. 10. Altered by 1 & 2 Ph. & M. c. 8. permitting Gifts in Mortmain. 21 Jac. 1. c. 1. 13 & 14 Car. 2. c. 32. for erecting Hospitals, &c. 7 & 8 W. 3. c. 37. giving the Crown Power to grant Licences to alien in Mortmain. And 9 Geo. 2. c. 36. restraining Gifts in Mortmain by Will.

C A P. XXXVII.

A Subsidy in respect of this Charter, and the Charter of the Forest, granted to the King.

Scutagium decetero capiatur sicut capi & consuevit tempore H. Regis avi nostri. Et salve sint Archiepis' Epis' Abbatibus Prioribus Templar' Hospitellar' Comitibus Baronibus & omnibus aliis tam ecclesiasticis personis quam secularibus omnes libertates & libere consuetudines quas prius habuerunt. Omnes autem consuetudines & libertates predictas quas 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. Pro hac autem donatione & concessione libertatum istarum & aharum

Escuage from henceforth shall be taken like as it was wont to be in the time of King HENRY our Grandfather; reserving to all Archbishops, Bishops, Abbots, Priors, Templars, Hospitallers, Earls, Barons, and all persons, as well Spiritual as Temporal, all their free Liberties and free Customs, which they have had in time passed. (2) And all these Customs and Liberties aforesaid, which we have granted to be holden within this our Realm, as much as appertaineth to us and our Heirs, we shall observe; and all Men of this our Realm, as well Spiritual as Temporal (as much as in them is) shall observe the same. 2 Inil. 76. * For and our heirs, read with respect to ours.

a D. 'suus,' ib. b 'Et,' ib. c 'Tiethinga integra sit sicut,' ib. d D. 'de,' ib. e 'Non liceat,' ib. f 'Suo illius,' ib. g 'Solebat,' ib. h 'Decet,' 'omnes,' ib. VOL. I. C 'again:ft'

† For against all persons, read with respect to theirs.

† For on the other Part, read for us and our Heirs.

§ For Hereford, read Hereford.

* Add. Given at Westminster the 11th Day of February, in the 6th Year of our Reign. A Confirmation of the aforesaid Liberties made by K. Edw. I.

† For and if any Article, &c. read although some Articles in the same Charter contained have not hitherto perhaps been observed.

‡ The 12th Day of October, in the twenty-fifth Year of our Reign.

† against all persons in like wise. (4) And for this our Gift and Grant of these Liberties, and of other contained in our Charter of Liberties of our Forest, the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other our Subjects, have given unto us the Fifteenth Part of all their Moveables. (5) And we have granted unto them on the other part †; that neither we, nor our Heirs, shall procure or do any thing whereby the Liberties in this Charter contained shall be infringed or broken; (6) and if any thing be procured by any person contrary to the premises, it shall be had of no force nor effect. There being Witnesses; Lord B. Archbishop of Canterbury, E. Bishop of London, J. Bishop of Bath, P. of Winchester, H. of Lincoln, R. of Salisbury, W. of Rochester, W. of Worcester, J. of Ely, H. of Hereford, R. of Chichester. W. of Exeter, Bishops; the Abbot of St. Edmunds, the Abbot of St. Albans, the Abbot of Bello, the Abbot of St. Augustines in Canterbury, the Abbot of Evesham, the Abbot of Westminster, the Abbot of Bourgh St. Peter, the Abbot of Reding, the Abbot of Abendon, the Abbot of Malmesbury, the Abbot of Winchcomb, the Abbot of Hyde, the Abbot of Certesey, the Abbot of Sberburn, the Abbot of Cerne, the Abbot of Abbotebir, the Abbot of Middleton, the Abbot of Seleby, the Abbot of Cirencester; H. de Burgh Justice, H. Earl of Chester and Lincoln, W. Earl of Salisbury, W. Earl of Warren, G. de Clare Earl of Gloucester and Hereford §, W. de Ferrars Earl of Derby, W. de Mandeville Earl of Essex, H. de Bygod Earl of Norfolk, W. Earl of Albemarle, H. Earl of Hereford, J. Constable of Chester, R. de Ros, R. Fitzwalter, R. de Vyponte, W. de Bruer, R. de Muntefichet, P. Fitzherbert, W. de Aubenie, F. Gresly, F. de Breus, J. de Monemue, J. Fitzallen, H. de Mortimer, W. de Beauchamp, W. de St. John, P. de Mauly, Brian de Lisse, Thomas de Multon, R. de Argenteyn, G. de Nevil, W. de Mauduit, J. de Balun, and others*.

¶ II. We, ratifying and approving these Gifts and Grants aforesaid, confirm and make strong all the same for us and our Heirs perpetually, and, by the Tenour of these Presents, do renew the same; willing and granting for us and our Heirs, that this Charter, and all and singular his Articles, for ever shall be stedfastly, firmly, and inviolably observed; † and if any Article in the same Charter contained, yet hitherto peradventure hath not been kept, we will, and by Authority Royal command, from henceforth firmly they be observed. In witness whereof we have caused these our Letters Patents to be made. T. EDWARD our Son at Westminster, ‡ the Twenty-eighth Day of March, in the Twenty eighth Year of our Reign.

Ex Rot. in Turr. Lond.

contentarum in carta nostra de libertatibus foreste Archiepiscopi Episcopi Abbates Priores Comites Barones Milites libere tenentes & omnes de regno nostro dederunt nobis quintamdecimam partem omnium mobilium suorum. Concessimus etiam eisdem pro nobis & heredibus nostris quod nec nos nec heredes nostri aliquid perquiremus per quod libertates in hac carta contente infringantur vel infirmantur. Et si ab aliquo contra hoc aliquid perquisitum fuerit nichil valeat & pro nullo habeatur. Hiis testibus domino S. Cantuar' Archiep'o E. London' Ep'o J. Bathon' Ep'o P. Wynton' H. Lincoln' R. Sarum W. Roff' W. Wygorn' J. Elien' H. Hereforden' R. Cicestr' W. Exon' Episcopis. Abbate sancti Edmundi Abbate sancti Albani Abbate de Bello Abbate sancti Augustini Cantuar' Abbate de Evesham Abbate de Westm' Abbate de Burgo sancti Petri Abbate de Reding Abbate de Abyndon' Abbate de Malmesbur' Abbate de Wynchecumbe Abbate de Hida Abbate de Certesey Abbate de Shirburn' Abbate de Cerne Abbate de Abbotebir' Abbate de Middilton' Abbate de Seleby Abbate de Cirencestr' H. de Burgo Justiciario H. Comite Cestr' & Lincoln' W. Comite Sarum W. Comite Warren' G. de Clare Comite Gloucestr' & Hertford' W. de Ferrar Comite Derb' W. de Mandevilli Comite Essex' H. le Bigod Comite Norff' W. Comite Albemarle H. Comite Hereford' J. Constabular' Cestr' R. de Ros R. filio Walteri R. de Veteri Ponte W. de Bruer' R. de Muntefichet P. filio Herberti W. de Aubeny F. Gresly F. de Breus' J. de Monemue J. filio Alani H. de Mortuo Mari W. de Bello Campo W. de Sancto Johanne P. de Malo Lacu Briano de Insula Thoma de Multon R. de Argentein G. de Nevill W. Mauduit J. de Balun & aliis. Dat' apud Westm' xj. die Febr' anno regni nostri nono.

Nos autem donationes & concessiones predictas ratas habentes & gratas eas pro nobis & heredibus nostris concedimus & confirmamus easque tenore presentium innovamus volentes & concedentes pro nobis & heredibus nostris quod carta predicta in omnibus & singulis suis articulis imperpetuum firmiter & inviolabiliter observetur etiam si aliqui articuli in eadem carta contenti hucusque forsitan non fuerint observati. In cujus rei testimonium has litteras nostras fieri fecimus patentes. T. EDWARD filio nostro apud Westm' duodecimo die Octobr' anno regni nostri vicesimo quinto.