

THE ORIGIN OF MAGNA CHARTA.

baron's demands. Preparatory to this, the barons assembled with some two thousand knights of their retainer in their train, and marched to Brackley, about fifteen miles from Oxford, where the king was. This was on the 27th April, 1215. The king thereupon sent to them to ascertain precisely what liberties they claimed, and they sent him back a schedule, with a threat that if he did not grant them they would seize his castles; and they referred again to the character of Henry I. The king was greatly indignant at the demand, and replied to them by an oath that he never would grant their demands, and the barons thereupon took measures to enforce them. In May they disclaimed their allegiance to John, and obtained absolution therefrom by the favor of one of the canons of Durham; and, in the end, took possession of London on the 24th of that month. The king found himself abandoned by his followers, and all his lords but seven, and concluded to yield to the requirements of the barons, and proposed a meeting for that purpose. The 9th June was fixed for the meeting, but they did not come together till the 15th. The conference then opened, and was continued till the 19th, when the heads of the agreement, to which the king consented to accede, were reduced to the form of a charter, and sealed with his great seal. Original duplicates of this were prepared and deposited in every diocese in the kingdom, several of which are still extant, and two of them are now in the British Museum.

This, in brief, is the history of this famous instrument, which has from that day been regarded as the *great charter* of English liberties, and held in the highest veneration by every Englishman, wherever he was to be found. The English colonists brought with them this sentiment in all its freshness and vitality; and, through the long struggle with the mother country, constantly referred to it as the great palladium of their rights as Englishmen. It enters largely into the declaration of their rights in the constitution of Massachusetts and other of the States, and furnished the elements of thought, if not the forms of expression, which sprung up in so many shapes in the earlier declarations of American liberties.

Its effect in England was important and immediate in one respect, which is noticed by Mr. Macaulay in his history. It united and merged the hitherto discordant elements of Saxon and Norman races into one nationality. A common suffering under the tyranny of a king who had proved himself false to all his subjects united them into a common struggle for redress; and the constant vigilance which was still requisite to guard the boon which they had thus won against the ill-concealed treachery of the king, operated to cement the now English *people*, nobles and commoners, Normans and Saxons, together, into what ere long became a homogeneous whole.

The work, seems to have been but half accomplished in the minds of the men of power in England when they had the signature and seal of only one king. They do not seem to have regarded his act as necessarily binding upon his successors; and we accordingly find that within a fortnight after the successor of John, Henry III., was crowned, although he was but then nine years of age, he ratified and renewed this charter with great solemnity, but with sundry modifications which the circumstances of the time seemed to require. This was repeated several times during the reign of Henry III., and by successive sovereigns, till the same had been gravely and solemnly confirmed more than thirty times down to the time of Henry V.; there being a disposition on the one side to evade, and on the other, as they had the king sufficiently in their power to insist upon his republishing or re-affirming the binding obligation of an instrument which took a variety of significant names, such as "*Charta Libertatum*," and "*Communis Libertas Angliæ*," or "*Libertatis Angliæ*," "*Charta de Libertatibus*," "*Magna Charta*," and the like. (Coke Lit. 81 a.)

The copy of the charter commonly found in our law books purports to be that which Henry III. granted in the ninth year of his reign, and is sufficiently identical with that of John to be referred to for an explanation of its provisions. Before doing that, however, I ought to speak more fully of the place at which the original was signed, now so famous in history, known as *Runnymede*. It is said to have taken its name from "*Rune*," the Saxon for council, and "*Mede*," or, "the council meadow," where formerly the Saxons had held their councils. It is a meadow of about one hundred and sixty acres, lying along the Thames, upon the Surrey side of the river, about eighteen miles from London, near Egham, Staines, and Windsor Park. In the history of Surrey it is described as still being a meadow, which is turned into racing ground in August of each year. In the Thames there is a little island which is the traditional spot upon which the charter was actually signed; and upon the bank of the stream, upon its opposite side, stood the famous tree called the "*Ankerwyke Yew*," which is still green and fresh after the lapse of six hundred and fifty years. (3 Hist. Surrey, 224, 1 Knight's Hist. Eng. 347, 351.)—*Law Reporter*.

EVADING TOLLS.

A very ingenious mode of evading the payment of toll at Whalley-bridge-gate, has been turned to a profit by a certain innkeeper, who made use of the evasion for the purpose of attracting customers to his house. It appears that the keeper of the White Hart has a field adjoining the inn, and between the inn and the entrance to the field, stands the Whalley-bridge-gate. Mellor, the appellant, who is a farmer, was driving 120 sheep from Tedding-