

THE GREAT CHARTER NO NOVELTY.

TO assure not only the political and social prosperity of a state but even its very existence, a government based upon a constitution of sound and fixed principles of equity and right is necessary, for therein rests the only safeguard of life, liberty and property. Such a government and such a constitution all Englishmen believe they possess, and with feelings of pride and admiration they look back to the 15th of June, A.D. 1215, and behold the birth of an institution which forms the keystone of that constitution, and which has come down to the present day with undiminished lustre, as the grandest and noblest work in the political history of England. We refer to the Magna Carta or Great Charter. It is not our intention here to trace in detail the long list of abuses, exactions and other infamous and tyrannical acts on the one hand, and the series of murmurings and demands, together with the final revolt on the other; but merely to touch upon some particulars relating to the immediate creation of this great bulwark of English liberty on account of their important bearing on the matter in hand, and then pass on to an examination of its enactments in order to determine the principles upon which it was founded, in keeping with our subject.

When the barons met at St. Albans on the 4th of August, A.D. 1213, incensed at the tyrannical intolerance of John, they issued a proclamation that the laws granted by Henry I should be observed,

but at that time they had a very incomplete idea of the extent and variety of the enactments referred to. However, a few weeks later they again assembled at St. Paul's, under the great churchman, Stephen Langton, Archbishop of Canterburg, who from the moment of his election to the first ecclesiastical office of the kingdom, resolved to wrest the liberty of his country from the cruel clutches of the tyrant. Producing an old and shrivelled document, the original charter granted by Henry I on his accession, which had been found in the archives of London, Langton read it to them, and then commented upon it in such terms that the barons aroused to enthusiasm, bound themselves by oath to stand by each other and conquer or die in defense of their liberties. It was this charter of Henry I just referred to, containing in itself the laws of the Confessor, modified by the amendments of the conqueror, that forms the basis of the charter to which John was obliged to subscribe at Runnymede. But, beyond the provisions contained in the character of Henry I, there is embodied in the Magna Carta the customs and enactments introduced during the intervening century. It may be questioned why the charter of Henry I was substituted for the laws of Edward. The reason is quite evident. The laws of the Confessor, for the most part had their existence in tradition, and moreover, they were supposed to be embodied in Henry's charter. Again, the adoption of the latter was in