

essential clauses," as Mr. Hallam calls them, "protect the personal liberty and property of all freemen, by giving security from arbitrary imprisonment and arbitrary spoliation. . . . Interpreted by any honest Court of law (they) convey an ample security for the two main rights of civil society." And Lord Coke, in his commentary, quaintly says: "As the goldfiner will not cut of the dust, shreds, or shreds of gold, let passe the least crum, in respect of the excellency of the metal, so ought not the learned reader to passe any syllable of this law, in respect of the excellency of the matter."

We see in the reign of Henry III., a confirmation of the Great Charter, and the production of Henry de Bracton's monumental treatise upon the Laws and Customs of England which swayed the Judges for four hundred years, in which the author, although writing as far back as 1265, boldly declared: "The King has a superior, for instance God. Likewise the Law, through which he has been made King. . . . Therefore if the King be without a bridle, that is without law, they ought to put a bridle upon him."

We see in the reign of Edward I. the Statutes of Westminster, of Gloucester, of Marlbridge, of Quia Emptores, of Statutes Merchant, and Statutes Staple and of Elegit, by which more was done in settling and establishing, through the re-arrangement of the Courts, the distributive justice of the Kingdom than in all the succeeding reigns together until the time of Sir Matthew Hale. We see in the same reign the birth of the House of Commons, and the royal declaration, in 1297, that from thenceforth forever "no aids, tasks, nor prises shall be taken but by the common consent of the realm and for the common profit thereof."

We see during the 14th and 15th centuries, the steady rise of the powers of Parliament, strengthening their control over taxation and appropriations, and establishing what we know so well as "the privileges of Parliament." We see in the *De Laudibus Legum Angliæ* of Sir John Fortescue, the teacher of the young prince who was stabbed to death upon the field of Tewksbury by "false, fleeting, perjured Clarence," the striking declaration that "the King can neither make any alteration or change in the laws of the realm without the consent of his subjects, nor burden them against