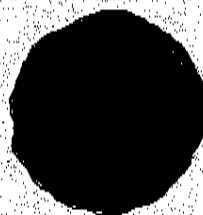


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Magna Charta

by

John S. Wurts



Part I

**The Romance
of
The Great Charter**

Second Edition

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As a tribute to the bravery of our forefathers
and their magnificent resistance
to all attempts at invasion of their freedom
and

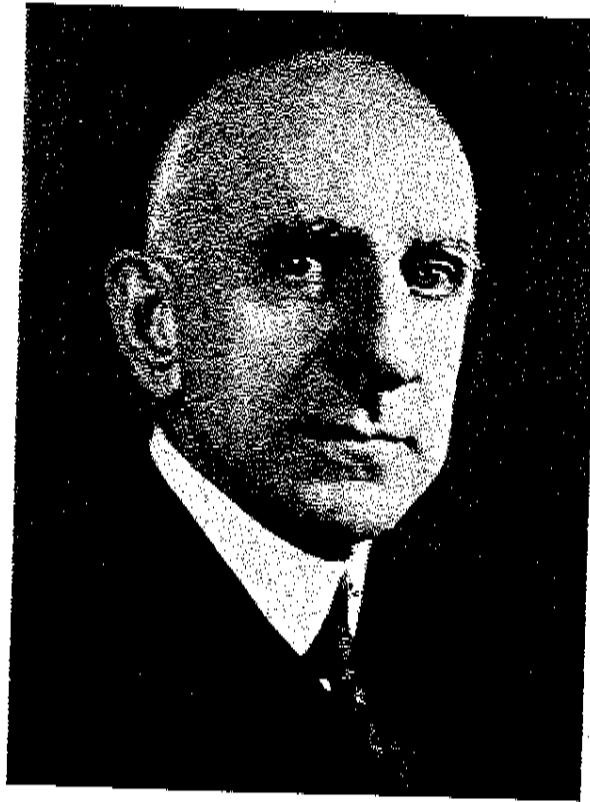
As an inspiration to the men
in the armed forces of our Country
this edition of Magna Charta
is presented by

MARY LOGAN ORCUTT
as a memorial to her husband
WILLIAM WARREN ORCUTT

Born 14 February 1869

Died 27 April 1942

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John S. Winters

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MAGNA CHARTA

In Two Parts:

Part I

The Romance of the Great Charter

Remarks of

JOHN S. WURTS

of Germantown, Pa.
(Editor, Americans of Royal Descent)

before

THE NATIONAL SOCIETY MAGNA CHARTA DAMES

Meeting Around
The Original Magna Charta

In the British Pavilion
New York World's Fair

October 10, 1939

A portion of this message was broadcast over the radio from coast to coast.

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PART II

PEDIGREES OF THE BARONS

(Now in course of preparation)



The Romance of The Great Charter

THE ENGLISH-SPEAKING RACE was born free. It never had to purchase freedom from anyone, although it has time and again been faced by the necessity of keeping a tyrant from invading its freedom. Such a tyrant was King John, and Magna Charta was the price he paid for his arrogance and greed.

The story of Magna Charta is a Romance. A Romance in its highest sense is defined to be a blending of the heroic, the marvelous and the mysterious, and used in this sense, the word Romance exactly describes what I would say about this piece of parchment, around which we are gathered today.

The story of Magna Charta is indeed a Romance: It is a blending of the heroic, the marvelous and the mysterious, the full significance of which only the imagination can grasp. It is wonderful in its history. It transcends the ordinary. Hence it is a Romance. But who were the heroes? And what was their marvelous achievement?

In case we have forgotten our English history, let us be reminded that King John was a horrid person, an arbitrary and mercenary ruler, who threw people into dungeons at the drop of a hat. He married off wards of the Crown, young widows and pretty girls, to foreign adventurers and then collected a nice percentage of the wards' fortunes from their husbands. He had a tiresome habit of forcing the peasants to build bridges over streams he might wish to cross while hunting, and at one time he made the whole of England his own private game preserve, so that none of the starving peasantry could kill even a rabbit for supper. He greatly increased the royal taxes and replenished his exchequer with the confiscated property of the clergy. While "a king can do no wrong" he certainly can make mistakes.

While brave Richard the Lion Hearted was leading a crusade to the walls of Jerusalem, John vainly tried to usurp the crown, declaring falsely that King Richard was dead. Once when fighting in France, King John entertained his foes at dinner, then treacherously murdered them all and took their fortress and, when some years later Richard died, indeed seized the throne, although Arthur, the son of his brother Geoffrey, was the rightful heir. Prince Arthur, aged 12, after a time of imprisonment was stabbed, presumably by John. Such treacherous success however, did not last long.

Shortly after John became King, in 1199, he quarrelled with the Pope who promptly laid an interdict upon his kingdom, prohibiting services in all the Churches and the administration of the sacraments. The Church bells were not rung. The dead were refused Christian burial. He then excommunicated all England. This lasted over six years, till it was lifted in June 1213, during which time no one had been rightly married, or buried and few baptized. Pope Innocent III found John hard to control, for he was always forgetting the "divine authority" of the Church.

Then the Pope deposed John, proclaimed him no longer

King, and set Philip of France to war against him. To checkmate Philip's invasion John, ignoring the deposing, made a gift to the Pope of all the realm, crown and revenue by written indenture dated 13 May 1213. But John at once received the crown back as the Pope's tenant and vassal, at a ferm or annual rental of a thousand marks for the whole kingdom, 700 for England and 300 for Ireland, payable semi-annually in advance to Master Pandulf the Pope's Delegate. The Pope then must protect John against Philip and instructs Philip to desist but, ignoring the Pope, Philip fights on.



KING JOHN

In writing the historic play "King John," it is rather remarkable that Shakespeare omitted, perhaps intentionally, to make any allusion whatever to that greatest event of King John's reign, the procuring from him the grant of Magna Charta. But the same writer, in the play "Henry VIII," also forbore mentioning any of the unpleasant features of that King's personal character. Nor did he mention that great event of his reign, the Reformation. However, the "King John" play has much to do with other affairs of the realm in which our Barons were concerned, and this introduced as characters, in the play, several of the prominent men of England and of France. Strange to say, only one of them, Roger Bigod, the Earl of Norfolk and Suffolk, was on the side of the Barons when they contended with King John for the Great Charter. The Earl has but a small part in the play. He came on and went off in four scenes and spoke only fifty words, and they never became a quotation from Shakespeare.

Instead of politics, the dramatist could have better made an interesting farce, with amusing situations if he had employed the state of public affairs in England. Through this act of surrender of his crown to the Pope, John brought about a remarkable condition in his realm, for thereupon the bond of feudalism in England was broken, and he was feudally extinct, when all feudal obligations to him ceased, and the Baronage died with him. Yet he did this with the consent of sixteen Earls, and many wealthy Barons, which may be understood as doing it without protest, as it may have been viewed as a harmless political measure, for the act protected England from threatened French invasion, since it made England taboo, it being now "Church property," and the French, being faithful to the Church, dare not trespass. And this scheme of defense and protection obtained for 150 years.

But what should most interest us, descendants of many of the Barons affected by John's act, is that the Barons did not do homage for their fees to the new lord paramount, the Pope, and hence, did not receive from him a renewal, by letters patent, of the Baronies. On the contrary the Pope, as the head of the fee, excommunicated them.

Under this condition, the Barons were only yeomen, or freeholders, or copy-holders of King John, now the freeholder of the Pope, and therefore, when the Barons met on Runnemedede, they were outlaws against the Pope, the lord paramount, and the Pope's freeholder, John. Therefore these yeomen, erstwhile Barons of the realm, being now only sub-tenants, could not legislate, if that is what they did, as Barons, and the Magna Charta was without life or force and wholly invalid!

The Baronage, thus broken in 1213. (as far as feudal law was concerned, and it was still the supreme system) so remained for 150 years, while rent was paid annually to the Pope. The celebrated "Chronicle" of the monk, Matthew of Westminster (in printed volume II, 116) gives the full text of the King's surrender to the Pope, and tells of John's reception of the realm as a freeholder, the feudatory of the Church of Rome, witnessed on 15 May 1213, by many prominent Englishmen. When their peculiar status after the surrender was fully recognized by the Barons they wished to know where they actually stood, and Magna Charta was in part to assure them, and it may be seen that in the introduction our Barons wrote themselves as "liberis hominibus regni nostri," the freemen of the kingdom. But they really were then only sub-tenants of John, the tenant in chief.

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And they wrote of Earls and Barons holding "in chief by military service" of John. This was absurd. John was a tenant, paying rent, and the Earls and Barons were only his sub-tenants. And it was also absurd to say that John would for a certain purpose, "summon Earls and Great Barons of the realm singly by our letters." This was John's custom while lord paramount before 15 May 1213, but now he had no such right, having surrendered it to the Pope. Nor could there be Barons' Courts; and many other feudal prerogatives allowed Barons, became extinct or inoperative under this peculiar condition imposed upon England by John, and by His Majesty the Pope, who was in effect the real King of England.



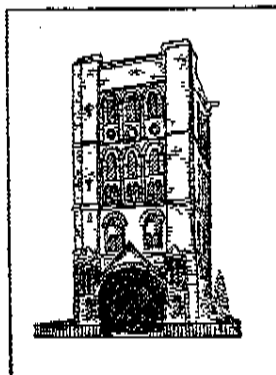
It is interesting to note that the Nobles, ever ready to follow John's banner against any foe of England, now refused to fight for him abroad and because of this refusal, John's tyranny at home knew no bounds. At the battle of Bouvines on 27 July 1214, John being utterly defeated, never again attempted to regain his Norman provinces.

For many years, the wretched people had been most unjustly oppressed; first they were despoiled of their possessions, then murdered. Those who had any property lost it by heavy taxes and unjust decrees. Justice was bought and sold; an heir and his land were disposed of to the highest bidder; permission to marry had to be purchased from the king; and the monarch demanded what taxes he thought fit to levy. All this reached its climax in the reign of John, a prince, "utterly contemptible for his folly." We recall in particular his infamous conduct in Sherwood Forest toward Maid Marion, Baron FitzWalter's daughter, whom he despoiled and caused to be poisoned. When to his exactions he added the debauchery of his Nobles' wives and daughters, the storm burst.

And a part of that storm broke on the walls of Colchester Castle. When the Barons learned that their King was raising forces for their repression, they each undertook the defense of a definite district of the country, in pursuit of which obligation it fell to the lot of Saire de Quincey, the first Earl of Winchester, to attack the Castle of Colchester. For John had had the forethought to dismiss the custodian of that fortress and give it into the charge of a Fleming upon whose faithfulness he could rely, besides sending from London a good supply of military engines and engineers. Notwithstanding that preparation, the Castle seems to have fallen an easy prey to de Quincey, who, however, was in turn attacked by the siege train which had been so successful in reducing Rochester Castle. The defense was stubborn, so stubborn that John himself came to direct the operations; but de Quincey held out for nearly two months, and then seems to have escaped safely to France.

As we contemplate the long struggle and the dramatic circumstances in which Magna Charta was secured, we instantly recall Stephen Langton one of the noblest men of his time, a wise and learned ecclesiastic, who seemed specially raised up by Heaven to oppose and subdue the King. An English Cardinal was Stephen Langton Archbishop of Canterbury, a true English Patriot for all that he was appointed by a foreign Pope without consultation of the English Church. He assembled the Barons in conference at the Abbey at Saint Edmunds-Bury to devise means to resist the impositions of King John. And here John reluctantly met them on 4 November 1214, but the Barons got nothing from him except his assurance that he most certainly expected them to pay the war tax he had levied. According to Matthew of Westminster, after the King left the Abbey, the Barons, declaring they had no faith in John's promises, were called to order by Stephen Langton. One by one they took a solemn oath on the high altar that they would stand united and not relinquish their efforts until they would compel the

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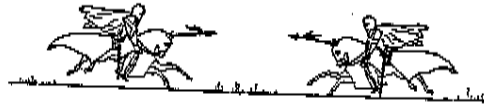


ABBEY AT ST. EDMUNDSBURY

King to confirm their liberties or they would wage war against him to the death.

A rough draft containing the principal items they desired had been prepared and this was submitted and approved by formal proceedings. John must consent to its proposals and confirm them by his seal or take the consequences. When shown to the King, his only reply was that as it was a great and difficult thing which they asked, he must have more time for its consideration. Roger of Wendover tells us that when John saw the Articles he swore by "God's teeth," his favorite oath, that he would never agree to such demands or any part of them.

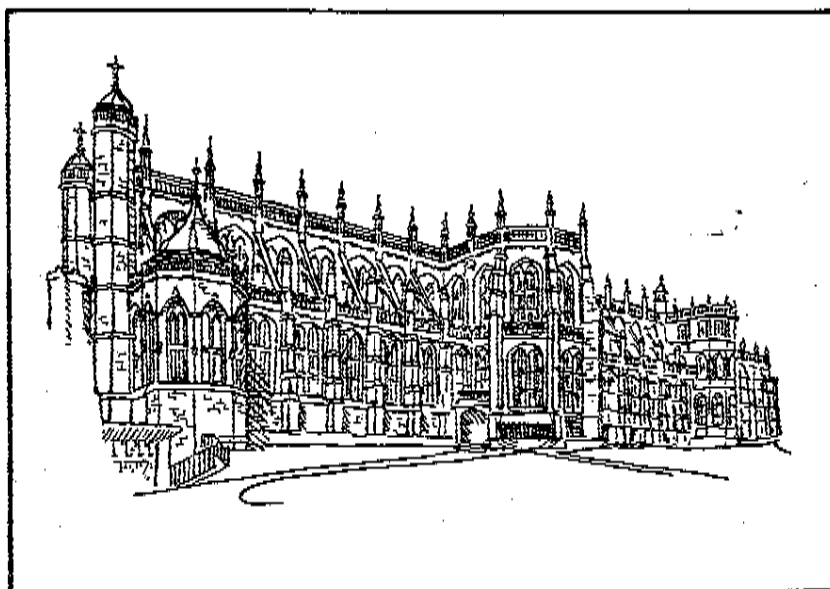
To further delay the issue, the resourceful John, just before Easter 1215, announced that he was preparing for the Holy Crusade, when of course he would have it understood that he could not be disturbed for many months with even the matter of a Charter. During all this time there was general confusion throughout all England. The Barons had closed all courts. No man was even allowed to serve a writ in the king's name. John was deceived by his apparent successes. He underestimated the powers arrayed against him. The struggle was inevitable; to the modern mind the chief marvel is that it was so long delayed. The causes which led



to the charter of English liberties were many, but they all had their root in the intolerable tyranny of the Norman kings.

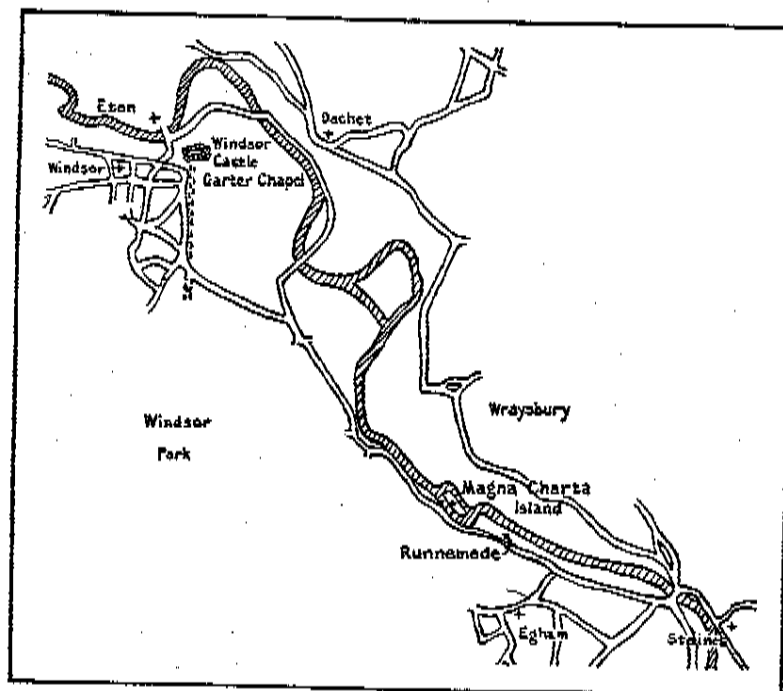
Easter day, 19 April 1215, arrived and the Barons, who always kept their engagements, assembled according to their promise at Stamford in Lincolnshire, with a well-equipped army of more than two thousand knights. But as the place was not of his own selection John found it not convenient to meet them and sent word that he would await their coming at Oxford. But upon learning of their number, John decided not to attend there in person, sending instead two of his representatives, Stephen Langton and William Marshall, Earl Pembroke, who received the articles with the understanding that if the King still refused, the Barons would force his lingering consent by seizing his fortresses. When John received the Barons' Articles he replied, "They might as well ask for my Kingdom," completely ignoring the fact that he had already surrendered his Crown to the Pope. But indeed the only alternative was the loss of his Kingdom!

On Tuesday, 5 May 1215, the Barons chose Robert FitzWalter their leader, with the title of "Marshal of the Army of God and Holy Church." Theirs was a holy crusade against John to recover the liberties their forefathers had enjoyed and to restore the good old customs violated by a base and innovating king.



GARTER CHAPEL

The towns of Exeter and Lincoln soon surrendered to the Baronial army. John, now at Windsor Castle, was informed that they were preparing to besiege the Castle and Tower of London, his strongest fortress, where they arrived 24 May 1215. Of the Peers who had been neutral or faithful to the King, very few continued to side with him. Virtually powerless, with business of all kinds at a standstill, and with nearly his whole Baronage, and the majority of his subjects of all degrees in arms against him, he seems to have decided to surrender, at least for the time being. He finally called his Barons to a conference. They said "then let the day be the 15th of June and the place Runnemedede."



Runnymede is within sight of Windsor Castle and of St. George's Chapel, the shrine of the Knights of the Garter, built by King Edward III about 1344. The towing-path, on the Surrey bank skirting the field of Runnymede gives a beautiful five-mile ramble from Windsor to Staines. For ages the meadow called Runnymede has been crownland, and rented for pasturage, a portion being reserved in it for a racetrack, where the Egham races were run each year on a two-mile track in August and September, and this has been the only annual celebration on the historic field; but the events of 1215 are recalled by the racing for the "Magna Charta," the "Runnymede," and the "King John" stakes.

In the Datchet Road there is an old farm house, known as King John's hunting lodge, but having no more connection with King John than has the so-called Magna Charta Island, which lies off Wrybury. At Ankerwyke House

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still stands an immense yew tree, said to be older than the Magna Charta.

Of this wonder, William Thomas Fitzgerald, in 1807, wrote some lines beginning:

"What scenes have pass'd since first this ancient yew
In all the strength of youthful beauty grew!
Here patriot Barons might have musing stood,
And plann'd the Charter for their country's good
And here, perhaps, from Runnemedede retir'd
The haughty JOHN, with secret vengeance fired . . ."

Did King John ride out daily on horseback from Windsor Castle? Or did he travel four or five miles to the scene by boat? If we follow the latter route today, we pass under the turrets of the Royal Castle, and the grounds of Eton College, and drift in the shade of the huge riverside trees in Windsor Park. Navigation shall be free, says the Charter. A quaint thought that the young people now splashing round the bend of the river in bathing costumes or boating in summer dressess, should have a clause to themselves in Magna Charta. Presently we come to Runnemedede, a long stretch of green meadow without hedges or fences, lying along the South bank at a curve in the River Thames, about thirty miles west of London. It is indeed a tranquil English scene. In the distance one can see a village and hear the tinkling of the cowbells.

At the tiny Norman church in the hamlet of Egham, Stephen Langton, the fearless Archbishop of Canterbury, gathered the Barons on a June day in 1215 to pray for strength to humble the arrogant King John. Today in the church at Egham may be seen the set of Barons' shields and plaques presented to it by The National Society Magna Charta Dames.

When it was proposed, a few years ago, to sell the field of Runnemedede to the highest bidder, a great outcry was made. The former Cara Rogers, now Lady Fairhaven, a member of the Magna Charta Dames, an American girl, bought and

presented to the British people the field of Runnemedede as a memorial to her husband to be kept for all time as a sacred, historic spot.

On the day appointed, Trinity Monday, the 15th of June, 1215, King John met his Barons on the field of Runnemedede, the ancient meadow of council. His followers were few because John's injustices and selfishness had increased his unpopularity beyond all bounds. With him were but a score of persons, most of whom despised him and were his advisors only in form. Encamped on the field of Runnemedede more than two thousand Knights and Barons in arms awaited his coming.

We are told the Barons could at this time have demanded even more from John, for he now was in no position to refuse them anything they asked, but they seem from all that can be learned of them to have been an honorable set of men bent on having only what was just and right, and they simply remained firm to their first demands and asked no more.

The Barons had their demands carefully written on parchment. These John had seen seven months before. From what we know of John's character, he may have argued stubbornly for a time but at all events he now knew that he was there to yield, and that he was opposed by overwhelming force and so before the day had passed he had affixed his seal to the original but preliminary draft known as the "Articles of the Barons." The immediate forerunner of Magna Charta, these forty-nine articles contained the main principles of the Charter. The King has now promised to rule according to law.

The undoubted original of the preliminary rough draft of Magna Charta, with a fragment of King John's seal in brown wax attached, may still be seen preserved in the British Museum. This supremely interesting original had been retained in the possession of King John. It was later

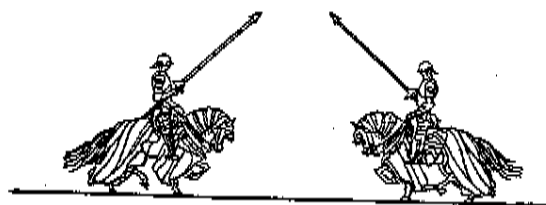
captured by the Dauphin of France, reclaimed by the Protector, William Marshall, then Bishop Laud and later Dr. Warner had it, and thereafter it came into the more appreciative hands of Bishop Gilbert Burnet, the celebrated historian, an ancestor of Mrs. S. Fahs Smith. This priceless manuscript was later owned by that Bishop's son's executor, whose daughter sold it, with proof of this chain of ownership, to the Earl of Stanhope, and he, in 1769, presented it to the British Museum, where this, the original preliminary draft, known as the "Forty-nine articles of the Barons," the forerunner of Magna Charta may now be seen.



The exact terms of the Charter itself were decided and engrossed during four subsequent days of negotiation, and it was on the 19th that the great seal was affixed to all copies. Doubtless, twenty-five duplicate originals were made, perhaps one for each of the Sureties. These were all dated back to the 15th of June, and duly sealed by the King. John didn't sign any of them with his autograph. As a matter of fact, he could neither read nor write, nor could the Barons, nor Knights, except a few, of whom was the celebrated Richard de Gilpin, the scholar, an ancestor of Mrs. William S. Hallowell. He was the Secretary and Adviser of the Baron of Kendal whom he accompanied to Runnemede. No one signed Magna Charta, it wasn't necessary as at common law sealing was sufficient to authenticate any formal document.

No doubt each of the twenty-five Surety Barons carried a copy home and had it read at the principal crossroads by order of the King, where the people swore by uplifted hand to support the Sureties in their determination to make the King keep all his promises.

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The first Magna Charta commemoration took place in the year 1215 when, by command of their Marshal, Robert, Lord FitzWalter, a great tournament in celebration of the granting of the Charter and the "Conclusion of peace betwixt the King and his Barons" was held "near London in Staines Wood and at the town of Hounslow, on Monday, 29th June" 1215. And today, it is supremely fitting that such a group as the Magna Charta Dames should meet in this place around this original parchment to continue that fraternity, comradeship, and responsibility for others contemplated by the Charter, and to promote which this Society of Descendants has its reason for being.



Each year since 1909 the Magna Charta Dames have held celebrations in commemoration of this important event. As descendants they are deeply appreciative of the work accomplished by their Magna Charta ancestors and desire that the benefits flowing from The Great Charter might be more widely known and better understood.

We have supposed that at least twenty-five duplicate originals were made. Four original sealed copies of Magna Charta survive. The two in the British Museum were acquired with the library of that omniverous collector of manuscripts, Sir Robert Cotton. It is said that for a few shillings he recovered one of them from a tailor when he was about to cut it into strips for measures. The other, found in Dover Castle, was later much damaged by a fire at the Cottonian Library over two centuries ago. The third copy is at Salisbury Cathedral where no doubt it has always been kept.

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John by the grace of God King of England Lord of
 Ireland Duke of Normandy and Aquitaine and
 Count of Anjou to all his faithful subjects Greeting
 Know ye that we by this our present Charter have
 confirmed for us and our heirs forever. No freeman
 shall be seized or imprisoned or disseised or outlawed
 or banished or in any way destroyed nor will we
 go upon him nor will we send upon him unless by
 the lawful judgment of his peers or by the law of
 the land To no one will we sell to no one will we
 deny or delay right or justice Given by our hand
 in the meadow which is called Runnymede between
 Windsor and Staines this fifteenth day of June in
 the seventeenth year of our reign



An illustration of the letters in which Magna Charta is written.

A free translation from the Latin, of the opening and closing sentences of the Great Charter of King John, together with its two most celebrated sections.

The one before us is the most perfect of the four originals surviving and is known as the Lincoln copy. It has been graciously lent by its owners, the Dean and Chapter of Lincoln Cathedral, and so far as we know, has been kept there since 1215. Probably Hugh, Bishop of Lincoln, brought it straight home from Runnemede after the sealing. Naturally, the Dean and Chapter have taken the most elaborate measures to preserve and protect their priceless treasure.

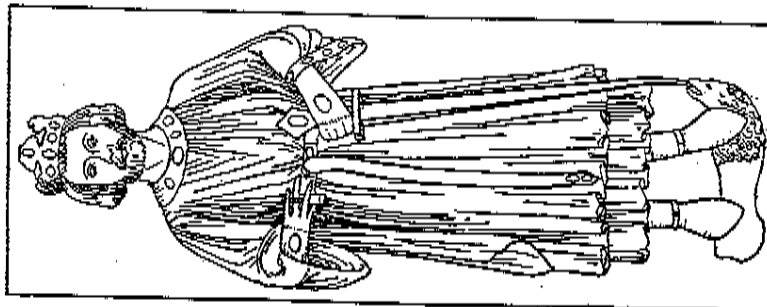
The whole Charter is as you see written on a single piece of sheepskin measuring $17\frac{1}{2} \times 18$ inches. It is held between two sheets of heavy plate glass, and the bronze frame has been so fastened together that only the person who knows the secret of the screws can open it. It is indeed a priceless parchment, but the unseen benefits which it has brought to mankind are of even greater value. We have heard it stated on good authority that at the close of the World's Fair, this original Magna Charta will be placed for safe keeping in the Library of Congress at Washington.

If you understand medieval Latin and can interpret all the little quirks and flourishes by which the penman abbreviated his words, you will have no difficulty at all in reading Magna Charta. What kind of ink was used? Was it made from nut galls? Or was it cuttlefish ink? The cuttle fish as you know is provided with a sack of black fluid to throw out and cloud the water enabling him to escape from his pursuers. What a contrast there is between the clear unfaded lettering more than seven hundred years old, and the faded endorsement you see on its margin made only 133 years ago.

Did John soon repent of his act? Did he think better of his bargain? Edmund Burke says of John that, without questioning in any part the terms of a treaty which he intended to observe in none, he agreed to everything the Barons thought fit to ask, hoping that the exorbitance of their demands would justify in the eyes of the world the breach

of all his promises. As a matter of fact, John did not keep his pledges made in Magna Charta and we are convinced he never intended to do so. Promptly on John's appeal, Pope Innocent III formally annulled the Charter and excommunicated the King's enemies and all disturbers of the peace. John with unexpected vigor then proceeded against the Barons who, under the terms of the Charter itself, immediately declared war upon the King who had been false to his promises, and the following Spring Philip's son invaded England. A year and four months after Magna Charta had been secured, and while chaos reigned and the future seemed trembling in the balance, the struggle was brought to an end by the sudden death of John.

It happened in this way. After one of his masterful retreats from a far superior force, John was feasted by the Burghers of Lynn and at Swinestead Abbey, where the Monks set before him lampreys and cider and partaking thereof gluttonously, he fell ill from acute indigestion. Suffering for nine days in great agony and fever inflamed by this debauch, he was carried to Newark Castle where he died early in the morning, 19 October 1216, in the 49th year of his age. His body, at his desire, was honorably buried in the Cathedral of Worcester.



BRONZE EFFIGY AT THE TOMB OF KING JOHN

Did he really mean to keep the Charter? Was he sincere or only bluffing to gain time? His early death gives no positive answer to this question. Dying suddenly in the midst of his success, John's death opened the way to a compromise and we now find all parties returning to allegiance to his youthful son, Henry III, then aged ten years, who was hastily crowned, with William Marshall, Lord Pembroke, as Regent and Protector. Although his son, the Surety, William Marshall, Jr., died without issue, the Protector William Marshall is, through his daughters, an ancestor of several of the Magna Charta Dames.



The seal which John used was accidentally lost with all his treasure, when he was surprised by a rushing tide while crossing a dangerous quicksand called the Wash not very far from Wisbeach, only a few weeks before his death.

Magna Charta came at a time of great human achievements and in the midst of a generation that has to its credit some of the most enduring accomplishments of the race. That first half of the thirteenth century saw the rise of the great Gothic cathedrals, the development of the universities of Europe into the form which they practically retained ever since, and the creation of a literature in every country in Europe that still lives. A generation never does merely one thing well. It does all well or none. The after time has inherited more that is of enduring value for the race from that generation than perhaps from any other in human history.

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We are living in a most important time in the history of our country. Our responsibility demands our best thought and effort. Shall we be indifferent to so great a need? At such a time as this it is surely a great privilege to be associated with persons of like mind in a work so truly worthwhile. We Americans are a thoughtful people, and careful thought makes for refinement and leads to good manners and gentle behavior. We all seek the well-being of our society and the influence it may have for the good of our beloved land, for righteousness and truth.

The Great Charter of Liberties has become The Mother of Constitutions! The liberties of half the civilized world are derived from Magna Charta! It is recognized as the basis of our laws, and of national liberty generally. That which before was vague is now made definite. Long standing customs, called Common Law, which had never before been reduced to writing, now for the first time become written law. **No taxation without representation!** Liberty is the keynote of the Charter. Liberty for all Englishmen! To have and to hold, to them and their heirs, for ever! The King is not above the law; the law is inviolable. Magna Charta places the king below the law.

Magna Charta is an expression in written words of the principles of human life which had been either grossly neglected or altogether forgotten by King John.

Magna Charta begins and ends with the declaration that the Church shall be free. All that there is in Magna Charta flows out of that.

"No free man shall be taken, or imprisoned, or dispossessed, or outlawed, or banished, or in any way destroyed, nor will we go upon him nor upon him send, except by the legal judgment of his peers or by the law of the land. To no one will we sell, to no one will we deny, or delay, right or justice." So read the celebrated 39th and 40th sections.

Section 61 authorized the election of the aforesaid twenty-five Surety Barons who should see that the provisions of the Charter were carried into effect. Their names are not recorded in the Magna Charta, but we learn them from Matthew Paris' "Chronica Majora."

These Sureties were astonishingly inter-related. Among them were several instances of father and son, of father-in-law and son-in-law, of brothers and of cousins. They had a common descent from Charlemagne. Four-fifths, or twenty of the twenty-five, were related in the degree of second cousin or nearer. Of these twenty-five Surety Barons only seventeen have descendants surviving to the present day and all seventeen are now represented by descendants in the membership of the Magna Charta Dames.

The most remarkable portion of section 61, if not of the whole charter, is that which grants unto the Barons, upon the failure of the King to keep his pledges, the right to distress and harass the King by any means in their power. In other words, they had permission to levy war upon their King, and commit other acts of high treason without, according to John's agreement, being guilty of any wrong. An amazing thing, legalized rebellion!

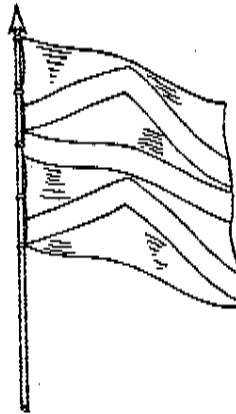
And the English spirit of fair play is crystallized in the final pronouncement of Magna Charta by which the Barons offered that all the concessions which the King made to them would in turn be passed on to their sub-tenants.



But the events which followed Magna Charta show that although the celebrated Charter had been truly and completely obtained from the reluctant John, it required constant vigilance on the part of the subject to maintain his prize unimpaired.

The triumphant success of the popular cause over the obstinacy of John, was a precedent to which the people have always delighted to refer. And we are their beneficiaries. It may be true that the Barons did not know or fully realize what they were moving toward, but they had a very clear and definite idea of what they were trying to get away from; and that was the arbitrary royal will.

Ours is a great heritage: Through seven and a quarter centuries, and down through some thirty generations, we trace the chain of events which binds Magna Charta to our celebration here today. Pioneer Americans inherited and brought across the sea the institutions of Old England. The unwritten Constitution of England was the constitution of these pioneers in the new world, and into the rights and benefits of Magna Charta they, our ancestors, entered as the lineal descendants of those free men of England to whom those rights and benefits had been assured forever.



There is a most vital relationship, both by chain of events and by inheritance, between that striking scene at Runnemedede in 1215 and this meeting here today, celebrating not only the anniversary of the Great Charter but also the 150th year since the inauguration of our first President, General George Washington.

If Magna Charta was, as has been sometimes said, a reactionary document, it was reactionary only in that it revived and confirmed liberties that had been forgotten and invaded by royal power. These liberties are part of man's nature and an attribute to human personality. To deny them, to hamper them, to invade them, is to install tyranny in the land. To take note of them, to build upon them and to appeal to them, is to open the door to that constructive progress whose limits are set only by the spiritual aspiration, the intellectual power and the moral earnestness of man.

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The story of Magna Charta is indeed a Romance, a blending of the heroic, the marvelous, the mysterious!

(1) It is **heroic** in that it required the combined bravery of lords and people to withstand the treachery of John.

(2) It is **mysterious** in its causes, in exactly what happened and in its supreme benefit to mankind, and

(3) It is **marvelous**, in view of the resourcefulness of John, that the people ever accomplished their aim. John certainly was a remarkable man, not all good nor all bad, and that the Barons eventually got him to confirm the Great Charter is also remarkable.



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Magna Charta asserts that great and eternal principle that each individual has inalienable rights, of which no government may deprive him, but to secure which all government exists.

Let all tyrants take note: Magna Charta has never been repealed.

Magna Charta guarantees freedom.

Freedom is the lesson which England has taught the world.

(End)

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**The Twenty-five Celebrated Sureties
for the Observance of the Statutes
contained in Magna Charta**

- *WILLIAM D'ALBINI,
Lord of Belvoir Castle, Leicestershire. d. 1236.
- *ROGER BIGOD,
Earl of Norfolk (and Suffolk ?) d. 1220.
- *HUGH BIGOD, The Earl of Norfolk's heir. d. 1225.
- *HENRY DE BOHUN, Earl of Hereford. d. 1220.
- *RICHARD DE CLARE, Earl of Hertford. d. 1218.
- *GILBERT DE CLARE,
The Earl of Hertford's heir. d. 1229.
- *JOHN FITZROBERT,
Lord of Warkworth Castle, Northumberland. d. 1240.
- *ROBERT FITZWALTER,
Lord of Dunmow Castle, Essexshire. d. 1234.
- WILLIAM DE FORTIBUS,
Earl of Albemarle. d. 1241. No great grand children.
- WILLIAM DE HARDELL,
Mayor of London. d. after 1216. No known issue.
- *WILLIAM DE HUNTINGFIELD,
A feudal baron in Suffolk. d. 1256.

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- *JOHN DE LACIE,
Lord of Halton Castle, Cheshire. d. 1240.
- *WILLIAM DE LANVALLEI,
Lord of Stanway Castle, Essex. d. 1217.
- *WILLIAM MALET,
Lord of Curry-Malet, Somersetshire. d. 1224.
- GEOFFREY DE MANDEVILLE,
Earl of Essex and Gloucester. d. 1216. No issue.
- WILLIAM MARSHALL,
The Earl of Pembroke's heir. d. 1231. No issue.
- ROGER DE MONTBEGON,
Lord of Horneby, Lancashire. d. 1226. No issue.
- RICHARD DE MONTFICHET,
A feudal baron in Essex? d. after 1258. No issue.
- *WILLIAM DE MOWBRAY,
Lord of Axholme Castle, Lincolnshire. d. 1223.
- RICHARD DE PERCY,
A feudal baron of Yorkshire. d. 1244. No issue.
- *SAIRE DE QUINCEY, Earl of Winchester. d. 1219.
- *ROBERT DE ROOS,
Lord of Hamlake Castle, Yorkshire. d. 1226.
- *GEOFFREY DE SAYE,
A feudal baron in Sussex? d. 1230.
- *ROBERT DE VERE, Earl of Oxford. d. 1221.
- EUSTACE DE VESCI, No issue surviving.
Lord of Alnwick, Northumberland. d. 1216.

*These are the 17 Sureties known to have descendants living to the present day. All 17 are now represented by descendants in the membership of the Magna Charta Dames.

ACKNOWLEDGMENT AND BIBLIOGRAPHY

This sketch has been presented as a contribution toward the seven hundred and twenty-fifth anniversary observance of the granting of Magna Charta. In its preparation the compiler has made a special use of the following books and articles and would here acknowledge his indebtedness to them:

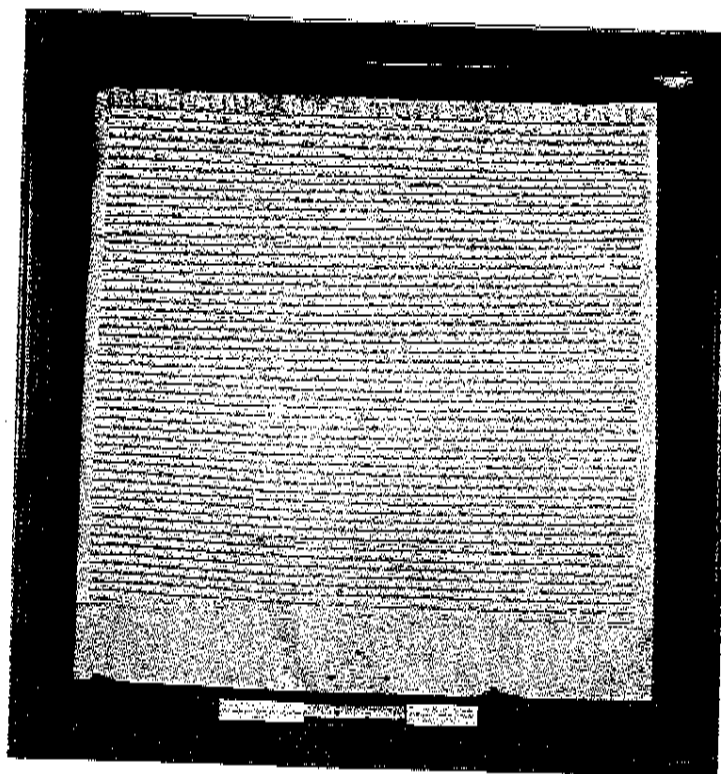
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Printed in the U. S. A.
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