CHAPTER XI.

THE eldest son of Henry III. was Edward, who at the time of his father's death was in Sicily. The barons, nobles and prelates all liked him; he was extremely popular and was admired much for his ability, courage and soldierly character. He had proven himself a brave and courageous fighter during the civil strife, and upon every occasion had acquitted himself with credit and glory. Therefore, although he was absent from the kingdom, and it was not known whether he was alive or not, the nobles and barons, as well as all the prelates, swore fealty to him as king. There was no opposition to this choice, no dissenting voice, save from two or three hundred peasants who banded themselves together near the Scottish border with the intention of preventing Edward from landing in England. These were at once subjected by Edward's brother Edmund. According to custom,

Edward was king upon the death of his father; but being absent from England when that occurred, he did not receive news of his father's death for some time. When he did hear of it, he did not even then hurry himself to England, but spent some time on the way, stopping in France to visit his cousin the king, to try and arrange with him terms upon which the crown of England could secure Normandy again, and the other dominions formerly held by John on the continent.

When Edward arrived in England, and was duly crowned king, in 1275, he, in assuming authority, at once set about putting the barons in subjection to the laws of the land. They had been assuming most too much of late and were fast considering themselves as impregnable barriers to the execution of any laws other than those they desired. The Great Charter, though being aimed only at aggressions on the part of the king, it occurred to Edward, might as well be used to curb the aggressions of the

barons. What the barons expected of him in his duties to them, he in turn was determined that they should grant to their vassals and liege men. In 1275 he summoned a parliament at Westminster to consider into the conduct of some of the magistrates and judges, whose high-handed actions he in a measure attributed to the nobles. They had not been the paragons of virtue that their offices demanded, and they had grown under the lax laws of Henry III. to be very corrupt. The result of the examination on the part of this parliament, was the granting to Edward of authority for the removal of many of them, both judges and magistrates, and the appointment of others in their stead, who would be more careful and just in the interpretation and administration of the laws. These men were made to take oath not to accept any kind of bribe for any of their judicial decisions.

Up to this time Edward had said and done nothing relating to the charters. He had not annulled them; neither had he confirmed

them; but his acts in calling the barons into parliament, and his submission to the laws and recommendations as passed by that body, was of itself an implicit acknowledgment of their existence. Nothing definite was done by him in the matter until 1297. By this time his wars with Scotland were pretty well over, and he had so adjusted affairs there, that he could, with safety, leave the kingdom for a time; and he was anxious to go to Flanders to avenge himself upon Philip, king of France, for preventing the marriage of his son Edward to the daughter of the Earl of Flanders. Edward did not consider that the British army was of itself sufficient for the purpose of fighting Philip, so he formed an alliance with some of the German princes who were to supply him the men needed for his army, upon Edward's sending sufficient supplies and money for the enterprise. This was all done without consulting with his barons, but as he could not get the supplies he wanted without their consent, he summoned them in a parliament

which met early in 1297. The parliament voted him what he wanted, but the clergy refused to obey the vote of the nobles and refused and declined to pay their portion. Then ensued trouble between Edward and the Church. Edward to bring them to terms confiscated all their lay properties, and was about to remove some of the bishops from their sees, when they compromised with him and paid their tax. Edward now having all he needed was about to depart for Flanders, when he was handed a long remonstrance from the Bishops, Abbots, Earls, Barons, and in fact all the nobility of the land, setting forth the grievances they were compelled to suffer through violations of the Magna Charta. All that Edward did upon this occasion, was to promise that when he returned he would redress their grievances, and he ordered that the terms of the Magna Charta in the meantime, be obeyed. Yet he took no steps toward enforcing an obedience. It was on August 22d, 1297, that Edward set sail and departed from England leaving

the people much upset and overwrought by reason of the violations of the great charter.

The people now themselves were commencing to declare their rights. It was no longer the barons and clergy who commanded the king. It started thus, and gradually worked its way down till it reached the people themselves, who had grievances of their own they wanted redressed. They clamored so actively for them at this time that something had to be done to satisfy them, so at a Parliament held in October the barons recommended that Prince Edward, whom King Edward had left as Regent in his absence, should grant the charter anew, and send a copy of it to his father to be confirmed by him. This Prince Edward did, and after drawing up the instrument in the form of an *inspeximus*, dated October 12, 1297, and himself granting it, a copy was sent to King Edward, who at this time was in Ghent. Here, on November 5, 1297, he sealed and granted it.

This granting of this Confirmation Char-

ter in Ghent really surprised the barons. They had not expected it, and were at a loss to understand why Edward had granted it. For once they did not do justice to their king. They so far failed to understand why he had granted it while out of the kingdom, and therefore out of their reach, that upon his return in 1298 they demanded of him that he again confirm it, this time in England. He did confirm this charter in this year at a Parliament held in London, and again he confirmed it the following year; but the people were restless, and seemed to want their confirmation in a different manner, especially the Forest Charter, which needed some attention about this time. In 1299, to satisfy the people regarding not only the Great Charter, but also the Forest Charter, he appointed commissioners and perambulators to survey the forests and to set down their boundaries anew, so that none could mistake where they were. When the commissioners completed their work, which they did late in 1299, Edward called a Parliament

to meet them in January, 1300, to receive their report and to take action upon their survey. This Parliament met, and after due deliberation, and giving great care and thoroughness to the work of the commissioners, confirmed and approved their acts, and accepted the boundaries of the forests as laid out by them. King Edward then, on February 14, 1300, issued his last Confirmation Charter of the liberties and the laws of the forests.

This last act was the final one, and placed the Magna Charta of England in the firm position upon which it has rested ever since, the foundation for the constitution and laws of the kingdom.

From now on the government of the kingdom of England was no longer in doubt. It existed according to law, not power, and the laws that then sprang into existence brought forth many learned lawyers, who, through their learning and ability, and through the honesty and fidelity of the judges, caused the laws to be more than the mere customs they

formerly were—they made them the statutes of the realm by writing them out.

The long and bitter struggle, the trying and suffering times the people had endured on their part for nearly two hundred and fifty years, came to an end in this, the reign of Edward I.; and we see in it the final, formal, and lasting establishment of the Magna Charta in England.

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If I have traced logically, as I feel sure I have correctly, the events and causes from William's time down to the final establishment of this Great Charter, and have set out in a clear and intelligent manner, chronologically, and in such way that that of which I have written can be clearly understood and appreciated by the lay reader, I have accomplished the work I set out to perform.