

And here I cannot but observe, that those People must be of a very base and slavish Temper, who object any thing against a Charter, which either grants or confirms their Liberties; and yet such there are who tell us that it was extorted by Force from King *John*, and defended by Rebellion.

But these Men do not consider that King *John* was not the first, who granted such a Charter, for those of *H. 1.* King *Stephen*, and *Henry 2.* confirm the Liberties of the People.

Besides, these are not properly the Concessions of Kings, but Affirmations of the Common Law, and ratified by the Suffrages of the People, who claimed them as their Rights and Privileges, and as their Birth-right: And they did not enter into War with that King, (I mean King *John*) because he would not grant them new Privileges, but because he abused them of those Rights to which they were entitled as well by the Common Law, as by the Grants of any former Kings.

This excellent Law holds the first place in our Statute Books; for though there were, no doubt, many Acts of Parliament long before this, yet they are not now extant: 'Tis called *Magna Charta*, or the Great Charter, not in respect of its Bulk, but in regard of the great Importance and Weight of the Matters therein contain'd; it is also styled *Charta Libertatum Regni*, the Charter of the Liberties of the Kingdom, and upon great Reason (saith *Coke* in his Proem) is it so called from the Effect, *Quia liberos facit*, because it makes and preserves the People free.

Though it run in the Style of the King as a Charter, yet (as my Lord *Coke* well observes on the 38th Chapter) it appears to have passed in Parliament; for there was then a Fifteenth granted to the King, by the Bishops, Earls, Barons, Free-