

Habeas Corpus

by Owen Barfield

(In the year 1722 a slave named James Sommersett, confined in irons on board a ship lying in the Thames and bound for Jamaica, was brought before the Courts by Habeas Corpus and released.)

“Nine chests of tea!”

“Nine tea!”

“One slave . . .”

“Nay, Captain, by your leave! Not yet!
See! It is written: *Thou mayst have
The body of James Sommersett!*”

They drop the rope, they man the gig,
They march him before men of weight
In silken gown and curly wig,
Choleric, gouty, obstinate;

Who, with budge Latin of the Schools,
Doze on a chair that’s called a Bench,
Discovering fictitious rules
In English judgments writ in French

“Please ye, my Lords, the chattel’s mine!”
“*Chattel?* Hath precedent been found?”
His Lordship leaves the court to dine.
The chain lies broken on the ground.

Nullus liber homo . . . Who spoke?
What voice of what enchanted Land?
Ere yet the fairy garlands broke,
And gun and gospel hand in hand

Went creeping in the wake of pelf
And mortgage out of mortgage grew
And lie from lie . . . To thy sweet self,
O Bottom, hadst thou stay’d but true!

“Habeas Corpus” was published on 27 February 1932 in *G. K.’s Weekly*. It is posted here by kind permission of the Owen Barfield Literary Estate.