

Records of the Judicial Proceedings against William Penn and William Mead in London, June 1670 to May 1671.

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THE aim of this article is to present the text of some original documents discovered among the records of the London Sessions, now preserved at the City Guildhall. They form the sum-total of references in these archives to William Penn's remarkable trial, and having regard to the fact that the famous Quaker is closely associated with the County of Berks it is thought they may be of interest to the readers of the Society's Journal. All biographies of William Penn give some account of this episode, the chief sources being his own three Tracts, "The Peoples Ancient and Just Liberties Asserted," "The Second Part of the Peoples Ancient and Just Liberties Asserted," and "Truth Rescued from Imposture" (all printed in 1670), which contain a full and vivid description of the trial.

The official records, here published for the first time, give several fresh and interesting details, notably in the matter of bailment and the length of imprisonment undergone by Penn's associates. The names of the Grand Jury and of the third witness are likewise new information. On one point a long-standing misconception is corrected. I refer to the date of the offence as given in the indictment. Notwithstanding Penn's criticism in the first Tract (page 25) "It saith That the Prisoners were met upon the 15th day of August 1670," the original indictment (document II (6) below) has the correct date, August 14th. Penn's complaint, no doubt, has reference to the "copy" of the indictment obtained by him at the beginning of the trial (cf. first Tract, page 6), and not to the original.

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A word as to the nature and scope of these judicial records in general. The records of the London Sessions consist of a series of original files, each file containing the official documents relating to the Sessions of Newgate Gaol-Delivery and Special Sessions of Oyer and Terminer (both held at the Old Bailey) and to the Sessions of the Peace held at the Guildhall. These sessions were held concurrently about eight times a year. On the several files are to be found the recognizances for appearance at the sessions, the indictments of persons tried thereat, memoranda of proceedings in various cases and other writings pertaining to the business of the court, such as jury-panels, precepts and writs of *venire facias*. The membranes are all strung together at one end, the first document so filed being invariably the Newgate calendar of the current date—a long strip of skin on which are inscribed the names of all the prisoners in the gaol at the time, the date of their committal and their offence, with brief marginal notes indicating the proceedings taken against each prisoner. These calendars—sometimes of great interest—were drawn up for each sessional date by an official of the gaol from particulars first entered in the Newgate "Book" or register, which has since disappeared—probably burnt at the time of the Gordon Riots. For the period with which we are dealing the series of files is complete: the sessions referred to below are thus successive.

The documents and extracts are here arranged not in the order in which they occur on the files, but in logical order, so that the course of the proceedings may be more readily understood. The abbreviated Latin of the originals has been extended and translations have been added in an Appendix. In the case of the three lengthy Memoranda (Nos. 7, 8 and 9 below), only English translations are given—with a view to economy of space.

I. FILE FOR SESSIONS BEGINNING 29TH JUNE 1670.

[Newgate Calendar for this Sessions: among entries of commitment to the gaol since preceding Sessions, *inter alia*.]¹

¹ This extract has no immediate connection with the episode at the next sessions (August), but William Mead played so important a part in the latter that it is not without its interest.

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*Deliberatus fuit
per warrantum
Domini Maioris
Thome Bludworth
Militis and Willelmi
Peak Militis.*²

W^m Mead Com^d by my L^d Maior S^r
John Robinson S^r Tho' Bludworth
S^r Rich' Ford S^r George Waterman
and others for inciting and stirring
upp his Maj^{ties} subjects to y^e dis-
obedience of his lawes for w^{ch} Mis-
demeanors and for refusing to
finde sureties he is comited to
Newgate by Warr^t dat' X^o day of
June 1670.

II. FILE FOR SESSIONS BEGINNING 31st AUGUST 1670.

(1) [Newgate Calendar for this Sessions: *inter alia* in sub-
section headed "Prisoners upon Baile"].

William Mead. Comitted per my Lo^d Maior for Abettinge
and assistinge of one William Penn who was
preachinge seditiously in Gracechurch
streete gatheringe a Tumult of people etc.
Dat. 14 Augusti 1670 Bayled per my Lo^d
Major 16³ Augusti 1670.

William Penn. Comitted by my Lo^d Maior who was taken
in Gracechurch streete preachinge sedi-
tiously and causinge a greate Tumult of
People in y^e said streete to be there
gathered together Riotously and Routouslie
Dat 14th August 1670.

² In English: "He was set at liberty by the warrant of the Lord Mayor, Sir Thomas Bludworth, Knight, and Sir William Peak, Knight." This marginal note was added to the calendar in court at the present sessions by the clerk of gaol-deliveries. The past tense, *Deliberatus fuit*, implies that Mead was discharged sometime before the beginning of this sessions. All such clerical minutes subsequently added to documents I have italicized throughout.

³ *Sic* in MS. for 15. Cf. document (3) in text, which probably gives the correct date. The date "14 August" (in both entries) is the date of committal to gaol. Penn, therefore, now spent *two* nights in Newgate (cf. doc. (2) in text).

- (2) [Recognizance of Thomas Middleton for the appearance of William Penn].

London scilicet. Memorandum quod decimo sexto die Augusti Anno Regni Domini nostri Caroli secundi Angliae etc. vicesimo secundo venit coram me Samuele Starling Milite Majore Civitatis London ac uno Justiciariorum dicti domini Regis ad pacem conservandam etc. Thomas Middleton Armiger unus Commissionariorum de le Navy office et tunc et ibidem recognovit se debere dicto Domino Regi quadraginta libras legalis etc. levare etc.

Conditio etc. quod si Willelmus Penn personaliter comparebit ad proximam Sessionem Gaolae deliberacionis pro Civitate London tenendam etc. ad respondendum etc. Et abinde non etc. quod tunc etc. alioquin etc.⁴

[signed] Sam^l Starling Major.

for causeing a Rout or Ryot

in Gracechurch Str^t.

*Comparuit*⁵

- (3) [Recognizance of Daniel Rawlinson and Ralph Ingram for the appearance of William Mead].

London scilicet. Memorandum quod decimo quinto die Augusti Anno Regni Domini nostri Caroli secundi Angliae etc. vicesimo secundo venit coram me Samuele Starling Majore Civitatis London ac uno Justiciariorum dicti Domini Regis ad pacem conservandam etc. Danniell Rawlinson de Fenchurch Str^t vintarius et Radulphus Ingram de loco predicto mercator scissor et tunc et ibidem recognoverunt se et eorum utrumque per se debere dicto Domino Regi L^{libras} legalis etc. levare etc.

Conditio etc. quod si Willelmus Mead personaliter comparebit ad proximam sessionem Gaolae deliberacionis pro Civitate London tenendam etc. ad respondendum etc. et abinde non etc. quod tunc etc. alioquin etc.⁶

[signed] Sam^l Starling Major.

being charged to have comitted a Rout or Ryot in Gracechurch Str^t.

Comparuit.

⁴ English translation in Appendix (1).

⁵ English: "He appeared."

⁶ English translation in Appendix (2).

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- (4) [Recognizance of Richard Read and James Cooke for their appearance to give evidence and prosecute against William Mead and William Penn].

London scilicet. Memorandum quod decimo quinto die Augusti Anno Regni Domini nostri Caroli secundi Angliae etc. vicesimo secundo venerunt coram me Samuele Starling Milite Majore Civitatis London ac uno Justiciariorum dicti Domini Regis ad pacem conservandam etc. Ricardus Read Constabularius in le Gracechurch Street et Jacobus Cooke de Rosemary lane pandoxator et tunc et ibidem recognoverunt se et eorum utrumque debere dicto Domino Regi XL libras legalis etc. levare etc.

Conditio etc. quod si predicti Ricardus et Jacobus et eorum utrumque⁷ per se personaliter comparebunt ad proximam sessionem Gaolae deliberacionis pro Civitate London tenendam etc. ad dandam evidenciam et prosequendum versus Willelmum Meade et Willelmum Penne et abinde non etc. quod tunc etc. alioquin etc.⁸

[signed] Sam^l Starling Major.

y^e s^d William Meade and
William Penne causing a
Rout or Ryot in Gracechurch
Str^t on y^e 14th of Aug: instant.

*Comparuit*⁹

- (5) [Subsequent note on the Newgate Calendar, written in Court].

<i>Indictatur</i> ¹⁰ W ^m Meade	} came uppon bayle and comitted the 3 rd September 1670. ¹¹
<i>Indictatur</i> W ^m Penn	

⁷ Sic in MS. for *utrumque*.

⁸ English translation in Appendix, (3).

⁹ Sic in MS. for *comparuerunt*, " They appeared."

¹⁰ English: " He is indicted,"

¹¹ The date " 3rd September " refers only to their committal to Newgate (cf. Tract, " The Peoples Ancient," etc., p.18). They appeared on Thursday, Sept. 1st, and pleaded to their indictment, but the trial was postponed till Sept. 3rd. The entry proves that bail was allowed until this date.

- (6) [Indictment against William Penn and William Mead for unlawful assembly and tumult.]¹²

London scilicet. Juratores pro Domino Rege super sacra-
ponit se non culpabilis Ideo eat
mentum suum presentant quod Willelmus Penn nuper de
*inde sine die etc.*¹³ . *ponit se non culpabilis Ideo eat inde*
London Generocius et Willelmus Meade nuper de London
sine die etc.

Lynnendraper unacum diversis aliis personis Juratoribus
predictis ignotis ad numerum trecentarum personarum
quarto decimo die Augusti¹⁴ Anno Regni Domini nostri
Caroli secundi Dei gratia Angliae Scotiae Franciae et
Hiberniae Regis fidei Defensoris etc. vicesimo secundo circa
horam undecimam ante meridiem eiusdem diei vi et armis
etc. apud London videlicet in parochia sancti Benedicti
Gracechurch in warda Pontis London predicti in quadam
platea ibidem anglice communiter vocata Gracechurchstreete
illicite et tumultuose sese assemblaverunt et congregaverunt
ad pacem dicti Domini Regis nunc perturbandam Predict-
isque Willelmo Penn et Willelmo Meade unacum predictis
aliis personis Juratoribus predictis ignotis adtunc et ibidem
sic assemblatis et congregatis prefatus Willelmus Penn
per agreementum inter ipsum Willelmum Penn et Willelmum
Meade prehabitu ac per abettamentum dicti Willelmi Meade
adtunc in aperta platea predicta ibidem in parochia et warda
predictis illicite super se absumpsit predicare et loqui et
adtunc et ibidem predicabat et loquebatur ad predictum
Willelmum Meade et predictas alias personas Juratoribus
predictis ignotas in platea predicta adtunc et ibidem

¹² As will be seen in Memorandum (7) in text, this indictment was preferred and the trial conducted not at the Gaol Delivery Sessions, but at a special Sessions of Oyer and Terminer which began on the same day (31st August) as the former, and at the same place—Justice Hall, Old Bailey. These records nowhere give the actual date of the trial.

¹³ English: "He puts himself [on a jury of the country]: [he is found] not guilty; therefore let him go [acquitted] of the charge without a day etc." At this period such minutes recording trial and judgment were always thus inscribed by the clerk on the indictment above the first occurrence of the name of the indicted person.

¹⁴ See remarks concerning this date in the Introduction.

existentes assemblatas et congregatas Racione cuius magnus concursus et tumultus populorum Juratoribus predictis ignotorum in platea predicta adtunc et ibidem per longum tempus remanserunt et continuaverunt In Contemptum dicti Domini Regis nunc Legumque suarum Ad Magnam perturbacionem pacis ipsius Domini Regis Ad Magnum terrorem et disturbacionem quam plurimorum Ligeorum et Subditorum dicti Domini Regis nunc In malum exemplum omnium aliorum in consimili casu delinquentium Ac contra pacem dicti Domini Regis nunc Coronam et Dignitatem suas etc.¹⁵

Jacobus Cooke
Ricardus Reade
Johannes Reeve¹⁶

[Endorsed] Billa Vera.¹⁷

- (7) [Memorandum of proceedings against William Meade for contempt of court. Translation].

London to wit. Be it remembered that at the Court of the Session of Oyer and Terminer of the Lord the King, held for the City of London at Justice Hall in the Old Bailey, London, in the parish of Saint Sepulchre in the ward of Farringdon without London aforesaid, on Wednesday, to wit the thirty-first day of August in the twenty-second year of the reign of our Lord Charles the second, by the grace of God, King of England, Scotland, France and Ireland, Defender of the faith etc. before Sir Samuel Starling, Knight, Mayor of the City of London, Sir John Fredericke, Knight, Sir John Robinson, Knight and Baronet, Lieutenant of the Tower of the said Lord the King at London, Sir Thomas Bludworth, Knight, Sir William Peake, Knight and Sir

¹⁵ English translation in Appendix, (4)

¹⁶ Prosecuting informers ; cf. document (4) in text. The names are in the same official hand that wrote the indictment formula. John Reeve also served on the Grand Jury (cf., Memorandum (8) in text). In the Tract, "The Peoples Ancient and Just Liberties" (p. 9) his testimony at the trial is given but his name omitted.

¹⁷ English : " True Bill."

William Turner, Knight, Aldermen of the City aforesaid, and Sir John Howell, Knight, Sergeant at Law and Recorder of the same City, Sir Richard Ford, Knight, Sir George Waterman, Knight, Sir William Hooker, Knight, Sir Robert Vyner, Knight and Baronet and Sir Francis Caplyn, Knight, Aldermen of the City aforesaid and others their Fellows, Justices of the said Lord the King appointed by letters-patent of the same Lord the King addressed under the great seal of the said Lord the King of England to the same Justices above named and others and any four or more of them, to inquire into the truth, by the oath of good and lawful men of the City of London and by other ways, modes and means by which they shall the better ascertain or shall be able [to ascertain], both within the Liberties and without, the truth of the matter concerning whatsoever treasons, misprisions of treasons, insurrections, [etc. a long list of offences follows] and other transgressions, offences and injuries whatsoever, also concerning the accessories of the same within the City aforesaid, both within the Liberties and without, by whomsoever and in whatsoever manner had, done, perpetrated, or committed, by what persons or person, to what persons or person, when, how and in what manner, and concerning other articles and circumstances in any way affecting the premisses or any of them, and to hear and determine the same treasons and other premisses according to the Laws and customs of the realm of the said Lord the King of England, it is recorded as follows :

London to wit. When William Penn and William Meade, by the oath of 12¹⁸ Jurors, good and lawful men of the City of London aforesaid, were now here indicted for certain trespasses, contempts, unlawful assembly and tumult done and perpetrated by the said William Penn and William Meade, together with divers others persons unknown to the Jurors

¹⁸ XII^{cim} in MS. for XVII^{cim}. The names of the seventeen persons who formed the Grand Jury are given in Memorandum (8) in text.

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aforesaid to the number of three hundred persons, being unlawfully and tumultously assembled and congregated in Gracechurch Street in London on the fourteenth day of the present month of August, to the disturbance of the peace of the said Lord the King, and when thereupon the said William Meade [was] now here solemnly charged to answer and plead to the indictment aforesaid, the same William Meade in his proper person now came here in the open court of the said Lord the King before the aforesaid Justices covered with his hat upon his head, with contemptuous manner and demeanour and then and there stood in the open court aforesaid to plead to the indictment aforesaid covered with his hat aforesaid upon his aforesaid head, in contempt of the same court, and although the said William Meade was repeatedly required and ordered by the court aforesaid to take and remove his aforesaid hat from his head aforesaid, nevertheless he, William Meade, then and there pertinaciously and contemptuously refused to do this, but then and there in the court aforesaid before the aforesaid Justices unlawfully, contemptuously, insolently and pertinaciously stood and continued to stand covered with his aforesaid hat upon his aforesaid head, and in various other ways, by opprobrious words and acts, then and there in the aforesaid court misbehaved himself, to the greatest contempt of the said Lord the King and of the court aforesaid and of the authority of the same court, to the evil example of all others in a like case offending. Therefore it was ordered by the court here that a fine of forty marks be imposed upon the aforesaid William Meade for his trespasses, contempts and offences aforesaid done by him, William Meade, against the court here, and that the same William Meade be taken and committed to the gaol of the Lord the King at Newgate, there to be safely guarded and to remain under the custody of the Sheriffs of London until he shall have paid to the aforesaid Lord the King forty marks for his aforesaid fine or shall have been delivered thence by due course of law. And

thereupon the aforesaid William Meade being present now here in the court of the said Lord the King at the aforesaid Sessions of Oyer and Terminer before the aforesaid Justices, now here by the order of the said court was immediately taken, and was committed to the said gaol of the said Lord the King at Newgate, there to be safely guarded and to remain under the custody of the Sheriffs of London until he, William Meade, shall have paid to the aforesaid Lord the King forty marks for his fine aforesaid or shall have been delivered thence by due course of law etc.¹⁹

- (8) [Memorandum of proceedings on the above indictment against William Penn and William Mead. Translation].
London to wit. Be it remembered that at the court of the Session of Oyer and Terminer [etc., as in preceding document down to "according to the laws and customs of the realm of the said Lord the King of England"] by the oath of Percival Gilbourne, Edward Anthony, Nicholas Caplyn, Richard Carpenter, Christopher Taylor, Humphrey Satterthwaite, Edmund Baker, Adrian Quinney, Thomas Parker, John Reeve,²⁰ Benjamin Broomer, Matthew Waddington, William Cuthbert, John Horne, John Johnson, Thomas Tanton and Isaac Bullocke, good and lawful men of the City of London aforesaid, then and there being sworn and charged to inquire for the said Lord the King and the body of the City aforesaid, it is presented that William Penn, late of London, Gentleman, and William Meade, late of London, Linen draper, together with divers other persons unknown to the Jurors aforesaid [etc., the indictment is here repeated]. Wherefore a precept was issued to the Sheriffs of the City of London aforesaid that they fail not etc., to cause them, William Penn and William Meade, to come to the aforesaid court there in their proper persons according to the recognizance undertaken by them and their sureties to this effect. And the aforesaid indictment being heard, they severally say that they are not guilty of the charge and herein

¹⁹ Thirteen other persons (including William Penn) were likewise fined for contempt of court on this occasion. Cf. extract (10b) in text, and note.

²⁰ Reeve was also called as a witness: cf. foot of indictment, and note.

severally put themselves upon their country, and likewise William Avery, Esquire, Common Clerk of the City of London, who for the aforesaid Lord the King now herein prosecutes etc. Therefore let a Jury come immediately etc. And the Jurors of that Jury, impanelled for this trial by Sir John Smyth, Knight, and James Edwards, Esquire, Sheriffs of the City of London aforesaid, to wit, Thomas Veere, Edward Bushell, Gregory Walkelate, John Brightman, William Leaver, Henry Mitchell, Henry Henley, William Plomstead, John Bailey, John Hamond, Charles Millsom and James Damaske, similarly summoned, came, who, being elected, chosen and sworn to speak the truth concerning the premisses, say upon their oath that the aforesaid William Penn and William Meade are not guilty nor is either of them guilty of the aforesaid trespasses, contempts, unlawful assembly and tumult specified in the indictment aforesaid [and] as above imputed to them, as the same William Penn and William Meade, in pleading as above, did allege. Therefore it is considered by the court here that the aforesaid William Penn and William Meade go, and each of them go [acquitted] of the charge without a day etc.

- (9) [Memorandum of proceedings against the Petty Jury for perverse verdict. Translation].

London to wit. At the court of the Session of Oyer and Terminer of the Lord the King, held for the City of London [etc., as in preceding Memorandum, down to "according to the laws and customs of the realm of the said Lord the King of England"] it is decreed by the court here that a fine of forty marks be severally imposed upon Thomas Veere, Edward Bushell, Gregory Walkelate, John Brightman, William Leaver, Henry Mitchell, Henry Henley, William Plomstead, John Bailey, John Hamond, Charles Millsom, and James Damaske, and upon each of them, being the twelve Jurors now here sworn and charged to try the several issues now here joined between the Lord the King and William Penn and William Meade for certain trespasses, contempts, unlawful assembly and tumult, done and per-

petrated by them, William Penn and William Meade, together with divers other persons unknown, to the number of three hundred persons, unlawfully and tumultuously assembled and congregated in Gracechurch Street in London, to the disturbance of the peace of said Lord the King, on account of which the same William Penn and William Meade were now indicted before the aforesaid Justices, and of which indictment the aforesaid William Penn and William Meade, now severally in the court here, pleaded that they were not guilty; inasmuch as they, the aforesaid Jurors, now here acquitted the same William Penn and William Meade of the aforesaid trespasses, contempts, unlawful assembly and tumult, against the law of this realm of England and against full and manifest evidence and against the direction of the court in a matter of law, concerning and on the premisses, openly given and declared in the court here to the same Jurors against the aforesaid William Penn and William Meade, concerning the premisses imputed to them in the indictment aforesaid; in contempt of the said Lord now King and of his laws, and to the great hinderance and obstruction of justice, also to the evil example of all other Jurors in a like case offending. And thereupon it is now further decreed by the court here that the aforesaid Thomas Veere be taken and committed to the gaol of the said Lord the King at Newgate, there to remain until he shall have paid to the Lord the King forty marks for his fine aforesaid or shall have been delivered by due course of law, and that the aforesaid Edward Bushell be taken [etc., the name of each juror here follows in the order given above, followed by the same sentence]. And thereupon the aforesaid Thomas Veere, Edward Bushell, [etc., the names of the twelve jurors are here repeated] now here being present in the court of the said Lord the King at the aforesaid Session of Oyer and Terminer before the aforesaid Justices, by an order of the same court, were immediately taken, and everyone of them was taken, and were committed, and everyone of them was severally and respectively committed to the said gaol of the said Lord the King at Newgate,

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there severally and respectively to be safely guarded and to remain under the custody of the Sheriffs of London, to wit, the aforesaid Thomas Veere, until he shall have paid to the Lord the King forty marks for his fine aforesaid or shall have been delivered by due course of law, and the aforesaid Edward Bushell, until [etc., the name of each juror here occurs in the above order, followed by the same sentence].

(10) [The following notes are endorsed on the Newgate Calendar].

- | | |
|---|---|
| <p>(a) Thomas Veere finitus XL^{marcas}
Edwardus Bushell finitus XL^{marcas}
[etc. names of the twelve jurors are here written in the order observed in Memorandum (8) each name being followed by " finitus XL^{marcas},"]</p> | <p>pro reddendo veredictum suum super Indictamentum pro quibusdam transgressionibus contemptibus illicita assemblacione et offensis versus Willelmum Penn et Willelmum Meade contra plenam et claram evidenciam et direccionem Curiae in materia Legis hic eis inde datam Committuntur quousque separales fines suos respective solverint Et tunc Deliberabuntur etc.</p> |
| <p>(b) Johannes Bolton finitus XL^{marcas}
Willelmus Bayley finitus XXXI: XIII: IIIId
Willelmus Penn finitus XL^{marcas}
Willelmus Meade finitus XL^{marcas}
Franciscus Moore finitus XX^{marcas}
Ricardus Mew finitus XX^{marcas}
Ricardus Mayfeild finitus XX^{marcas}
Ricardus Knowlman finitus XX^{marcas}
Gilbertus Hutton finitus XX^{marcas}
Ricardus Thornton finitus XX^{marcas}
Carolus Banister finitus XX^{marcas}
Job Bolton finitus XX^{marcas}
Ezechiel Archer finitus XL^{marcas}
Thomas Ruddiard finitus XX^{marcas}23</p> | <p>pro diversis malegesturis et contemptibus in verbis et factis per ipsos separatim palam voluntarie et obstinate perpetratis in et erga Curiam hic Committuntur quousque separales fines suos predictos respective solverint etc.²⁴</p> |

²³ The persons here grouped with Penn and Mead were all Quakers and were tried after them at the same Sessions of Oyer and Terminer, but by another Jury especially empanelled. Most of them were charged with "unlawful and tumultuous assembly" committed in June. All, except Archer who was acquitted, were found guilty and fined twenty marks each. Ruddyard, convicted of a more serious offence, was fined £100. The fines noted in this extract are additional to those already imposed on them for the above offences, and were incurred for not removing their hats in court. A full description of the proceedings against these persons will be found in Penn's Tract "The Second Part of the Peoples Ancient and Just Liberties Asserted."

²⁴ English translation of these extracts in Appendix (5). From the Tract "The Second Part," etc., above mentioned, we learn that all these convicted Quakers, after their trials, were imprisoned (with the jurors) not in Newgate itself but in "the Dogg, by Newgate," the gaol being already overcrowded.

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III. FILE FOR SESSIONS BEGINNING 12TH OCTOBER 1670.

[Newgate Calendar for this Sessions; *inter alia* in sub-section headed " London Prisoners upon Orders."]²⁵

<i>Repr- vantur ad separales prioris ordines etc.²⁶</i>	Francis Moore	Job Bolton	Quakers	All lyeing upon there severall and respective fynes etc.
	Richard Mew	Kath: Everitt ²⁷		
	Rich. Mayfeild	Thomas Ruddyard		
	Rich. Knolman	John Bolton		
	Gib ^t Hutton	Willm Bayley		
	Rich. Thornton	Willm Mead		
	Charles Banister	Ezechiell Archer		
	Edward Bushell	Jurors		
	John Bayly			
	John Hamond			
	Charles Millsom			

IV. FILE FOR SESSIONS BEGINNING 7TH DECEMBER 1670²⁸

[Newgate calendar for this Sessions; *inter alia* in sub-section headed " Orders."]²⁹

²⁵ This sub-section, which regularly occurs on Newgate calendars of the period, contains the names of persons who have been imprisoned following judgment or an order of the court at a previous sessions.

²⁶ English: " They are reprieved to their several former orders etc." This note was written in court by the clerk at the current (October) sessions. Its import is that the court took cognizance of the presence of these persons in the gaol and reprieved, i.e., reimprisoned, them till they should pay their fines, thus reiterating the judgment given at the sessions of the preceding August. This was probably done in their absence: there is no reason to think that they were again brought before the court. It should here be noted that the word "reprieved" is derived from the French "repris" = "taken back, re-prisoned," and in these documents is used strictly in this sense, without any signification of "pardon."

²⁷ Katherine Everitt was convicted with the others for unlawful assembly and fined 20 marks, but was not further amerced for contempt of court. The absence of the names of William Penn and eight of the Jurors implies, of course, that they were released some time in the period between this and the preceding sessions.

²⁸ This file contains an interesting indictment against Maria Boreman of Leadenhall Street, spinster, for uttering and publishing a "scandalous and seditious pamphlet" entitled "The Peoples Ancient and Just Liberty [? as] asserted in the trial of William Penn and William Meade att the Sessions held att the Old Bailey in London, the first, third, fourth and fifth of September 1670 against the most arbitrary procedure of that Courte." This "true bill" bears no record of judgment or of any proceedings in the case.

²⁹ The names of the Jurors (Bushell, Bayly, Hamond and Millsom) do not occur on this or subsequent calendars. All were therefore liberated some time between the October and December sessions.

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*Reprivantur
ad priores
ordines etc.*

London
Quakers upon Order
Francis Moore
Richard Mew
Rich. Mayfield
Ric. Knolman
Charles Banister
Job Bolton
Kath: Everitt
Thom. Ruddyard
John Bolton
Wm. Bailey
Wm. Mead
Ezechiel Archer

Upon their severall
former Ord^{rs}.

at large per ord^r of
Sheriffe Forth³⁰

The same names with similar notes are to be found on the Newgate Calendars for the successive Sessions beginning 13th January, 10th March 1670/71, and 3rd May 1671, Mead's name occurring among them, except on the March calendar when (? by a clerical error) it is omitted. Every name is missing from the calendar of the next Sessions, 7th June) and subsequent calendars—indicating that all regained their liberty sometime between 3rd May and 7th June 1671.

APPENDIX.

ENGLISH TRANSLATIONS.

Note: Punctuation marks have been added, but the translations are as literal as possible).

- (1) London to wit. Be it remembered that on the sixteenth day of August in the twenty-second year of the reign of our Lord Charles the second of England etc., Thomas Middleton, Esquire, one of the Commissioners of the Navy office, came before me, Sir Samuel Starling, Knight, Mayor of the City of London and one of the Justices of the said Lord the King for keeping the peace etc., and then and there acknowledged that he owed to the said Lord the King forty pounds of lawful etc., to be levied etc.

The condition etc., that if William Penn shall personally appear at the next Session of Gaol delivery to be held for the City of London etc., to answer etc. And thence not etc., that then etc., otherwise etc.

³⁰ This note occurs in MS. opposite the name "Wm. Mead" on the December calendar only.

- (2) London to wit. Be it remembered that on the fifteenth day of August [etc., as in preceding recognizance] Daniel Rawlinson of Fenchurch Street, vintner, and Ralph Ingram of the aforesaid place, merchant taylor, came before me, Sir Samuel Starling, Knight, [etc., as above] and then and there acknowledge that they, and each of them severally, owed to the said Lord the King fifty pounds of lawful etc., to be levied etc.

The condition etc., that if William Mead shall personally appear [etc., as above].

- (3) London to wit. Be it remembered that on the fifteenth day of August [etc., as in preceding recognizances] Richard Read, constable in Gracechurch Street, and James Cooke of Rosemary Lane, brewer, came before me, Sir Samuel Starling [etc., as above] and then and there acknowledged that they, and each of them severally, owed to the said Lord the King forty pounds of lawful etc., to be levied etc.

The condition etc., that if the aforesaid Richard and James, and each of them severally, shall appear in person at the next Session of Gaol delivery to be held for the City of London etc., to give evidence and to prosecute against William Meade and William Penne and thence not etc., that then etc., otherwise etc.

- (4) London to wit. The Jurors for the Lord the King upon their oath present that William Penn late of London, gentleman, and William Meade late of London, linen-draper, together with divers other persons unknown to the aforesaid Jurors to the number of three hundred persons, on the fourteenth day of August, in the twenty-second year of the reign of our Lord Charles the second, by the grace of God, King of England, Scotland, France and Ireland, Defender of the faith etc., about the eleventh hour before noon of the same day, by force and arms etc., at London, to wit in the parish of Saint Benet Gracechurch, in Bridge ward, London aforesaid, in a certain street there, in English commonly called Gracechurch Street, unlawfully and tumultuously assembled and con-

gregated to the disturbance of the peace of the said Lord now King. And that the aforesaid William Penn and William Meade, together with the aforesaid other persons unknown to the aforesaid Jurors, being then and there so assembled and congregated, the aforesaid William Penn, by a previous agreement between himself, William Penn, and William Meade, and by the abetment of the said William Meade, then in the aforesaid open street in the parish and ward aforesaid, unlawfully took upon himself to preach and speak, and then and there did preach and speak to the aforesaid William Meade and to the aforesaid other persons unknown to the Jurors aforesaid, then and there being assembled and congregated in the street aforesaid ; by reason of which a great concourse and tumult of people unknown to the Jurors aforesaid, in the street aforesaid, then and there for a long time remained and continued ; in contempt of the said Lord now King and of his Laws, to the great disturbance of the peace of the said Lord the King, to the great terror and disturbance of very many of the lieges and subjects of the said Lord now King, to the evil example of all others in a like case offending, and against the peace of the said Lord now King, his crown and dignity etc.

[Endorsed] True Bill.

- (5) Thomas Veere fined 40 marks } for returning their verdict
[etc. etc.] } on the indictment against
William Penn and William

Meade for certain trespasses, contempts, unlawful assembly and offences, against full and clear evidence and against the direction of the court in a matter of law here given to them, they are committed until they shall have respectively paid their several fines and then shall be delivered etc.

John Bolton fined 40 marks } for divers misdemeanours
William Bailey fined £31 13s. 4d. } and contempts, in word
[etc. etc.] } and act, severally, openly,
voluntarily and obstinately perpetrated by them in and against the court here, they are committed until they shall have paid their aforesaid several fines etc.