

0. JURY GOES TO PRISON - Story Preface

1. JURY GOES TO PRISON



There is a plaque at London's Old Bailey commemorating the courage of a jury who refused to bow to the pressure of the court during the trial of William Penn and William Mead. This image (by Paul Clarke) depicts that plaque. It says:

"Near this Site WILLIAM PENN and WILLIAM MEAD were tried in 1670 for preaching to an unlawful assembly in Grace Church Street.

"This tablet Commemorates The courage and endurance of the Jury Thos [those] Vere [were] , Edward Bushell and ten others who refused to give a verdict against them, although locked up without food for two nights, and were fined for their final verdict of Not Guilty. The case of these Jurymen was reviewed on a writ of Habeas Corpus and Chief Justice Vaughan delivered the opinion of the Court which established The Right of Juries to give their Verdict according to their Convictions."

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When the jury reached its unanimous verdict, the court was shocked. "Guilty of speaking in Grace Church." That was the end of the verdict. The Lord Mayor of London shouted at the jury:

Ye are Englishmen, mind your privilege, give not away your right.

No, the jury said.

No, we did not find that.

Thinking the jury would respectfully give the government an unrespectable verdict, the Lord Mayor was beyond himself. The jury would not budge. The court recorder said:

Gentlemen, you shall not be dismissed until you bring in a verdict with the court will accept. You shall be locked up, without meat, drink, fire and tobacco. You shall not think thus to abuse the court. We will have a verdict by the help of God or you shall starve for it.

Penn's jury was willing to starve for it.

As soldiers pushed the jurors to the jury room, Penn shouted:

Ye are Englishmen, mind your privilege, give not away your right.

The jurors replied,

Nor will we ever do it.

Two days passed. The jury had no food. No water. No heat. No tobacco. No rest room facilities. Nothing. They did not change their minds.

In today's world, after the jury renders its verdict, the trial is over. In Penn's world, the court ended the trial without accepting the verdict. The jurors were fined and sent to [Newgate Prison](#) where they were to remain until the fine was paid. The court made a misjudgment on four of those jurors. Led by the foreman, Edward Bushell (a man of property and substance), they held firm. The other eight gave in to the demands of the court and were freed.

Nine weeks passed. Conditions at Newgate Prison were more than deplorable. Jurors were often soaked in their own urine and smeared with their own feces. Finally, England's high court got involved. The Lord Chief Justice, and his associates, freed the jurors in response to Bushell's Writ for Habeas Corpus (bring up the body). It was the first time the High Court of Common Pleas had issued such a writ.

Penn's case, and his jury, changed the law. In the future, jurors would not be required to rubberstamp the agenda of government officials. For the first time, government had met jurors whose "Liberty was not for sale."

William Penn never forgot this outrage. When he came [to America](#), and founded his colony, [his laws](#) were a model of freedom. Immigrants flocked to Pennsylvania. As an example of his approach to government, compared to the Crown's approach, Penn reserved the death penalty for murder and treason. Britain used it for 200 different offenses.

Penn never forgot the effects of the Conventicle Act either. By calling religious dissent "sedition," the

government set up an enrichment program for itself. Sedition, a serious crime against the Crown, allowed the government to throw thousands of people into prison and take all their lands and property. Penn's wife and her family had lost their family estate through such "legal" shenanigans.

Thanks to William Penn, the founders of the United States had a great model to follow when they wrote the Constitution. Thanks to Edward Bushell and his colleagues, today's juries can reach a just result even when it's not the popular thing to do.

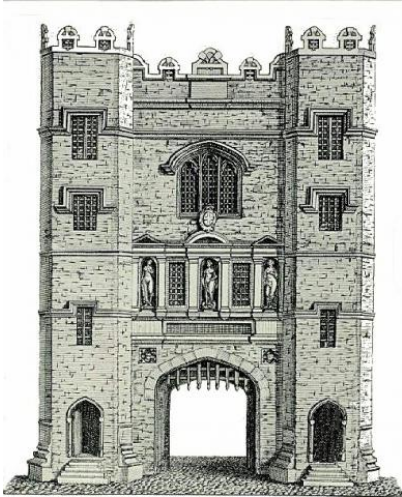
See Alignments to State and Common Core standards for this story online at:

<http://www.awesomestories.com/asset/AcademicAlignment/JURY-GOES-TO-PRISON-William-Penn-Tried-for-Sedition>

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Media Stream



Newgate Prison - Illustration

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