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MAJESTIES

Most Gracious and Royal
COMMISSION,
For the Relief of Poor Distressed
PRISONERS.

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CHARLES the Second, by the
Grace of God, King of England,
Scotland, France and Ireland,
Defender of the Faith, &c. To
Our Right Trusty and Right
Well-beloved, the most Rebe-
rend Father in God, the Arch-
bishop of Canterbury, now and

for the time being; The Right Reverend Fa-
ther in God, the Lord Bishop of London,
now and for the time being; The Reverend
Father in God, the Lord Bishop of Winche-
ster, now and for the time being; and the Lord
Bishop

Bishop of Rochester, now and for the time being;
 To Our Trusty and Well-beloved, the Lord Mayor
 of Our City of London, now and for the time be-
 ing; The Judges, and other Our Justices, as
 well for the Pleas, before Us to be holden, as of
 the Common-Pleas; assigned, or to be assigned
 for the time being; The Chief Baron, and other the
 Barons of Our Exchequer, now and for the time
 being; The Chancellour of Our Duchy of Lan-
 caster, for the time being; The Masters of Our
 Requests, for the time being; Our Serjeants at
 Law, Attorney General, and Solicitor General,
 for the time being; The Attorney of Our Duchy
 of Lancaster, for the time being; The Almoner of
 Our Household, for the time being; The Master of
 the Rolls of Our Court of Chancery, now and for
 the time being; The Dean, and Resident Can-
 nons of Our Cathedral Church of St. Paul, in Our
 City of London, for the time being; The Dean,
 and Resident Cannons of Our Collegiate Church
 of St. Peter, in Westminster, for the time being;
 The Master of Our Savoy for the time being; The
 Chancelloz and Chancellors, for the time being,
 of every the Arch-bishops and Bishops aforesaid;
 The Arch-deacons of London, Essex and Middlesex,
 for the time being; The Masters of Our Court of
 Chancery, now and for the time being; The Re-
 corder of Our said City of London, now and for the
 time being; The Lieutenant of Our Tower of
 London, now and for the time being; All and eve-
 ry of the Justices of the Peace, now and for the
 time

time being; All and every of the Justices of the Peace, now being, or which hereafter shall be Resident or dwelling within Our said City of London, and Suburbs thereof; And in the Counties of Middlesex, Surrey and Kent, within five miles of the City of London; And all and every the Advocates, towards the Court of Canterbury, of the Arches of London, now and for the time being; And all and every the Advocates of the said Court, for the time being, or which hereafter shall be; All and every the Masters and Governours, especially appointed by the Mayor and Commonalty of the said City, for the Receipt, Order, Disposition and Government of the Rents, Revenues and Profits of the Houses of the Poor of Christ, and St. Thomas the Apostle, now and for the time being; And the Masters and Governours thereunto appointed, now and for the time being; And all and every the Masters and Wardens, now and for the time being, of the Company of Mercers, Drapers, Goldsmiths, Grocers, Clothworkers, Merchant-tailors, Ironmongers, Haberdashers, Fishmongers, Salters, Skinners and Vintners of Our City of London, now and for the time being, and to every of them, Greeting: Whereas the late Queen ELIZABETH; upon the lamentable Petitions, Complaints and Supplications of divers her loving Subjects, being Prisoners in the Kings Bench, and in the Fleet, did by her Commission under the Great Seal of England, bearing Date the Twentieth day of April, in the
Eight

Eight and Twentieth Year of her Reign, Authorize certain Commissioners therein named, for the Ordering and Compounding of the Controversies and Causes, betwixt the said distressed Prisoners and their Creditors, and such others, by whom they were detained Prisoners, or in Execution; And to do others other things, in the said Commission expressed; which Commission continued in force from the Date thereof, until the Decease of the said Queen ELIZABETH. And Whereas Our late Dear, and most Royal Grand-father, King James, of happy Memory, being informed that certain Clauses contained in the said Commission, had seemed unto some to be derogatory to the Common Lawes of this Our Realm of England; And also, for that by colour of the said Commission, (which was intended for the Charitable Relief of Poor, Miserable and Distressed Persons) sundry refractory and obstinate Debtors, which rather wanted Will than Means to satisfy their just Debts, took occasion to molest and trouble their Creditors; Our said Grand-father, out of his Princely Care and Vigilancy, to prevent all occasions of Inconveniency to his Loving Subjects, especially such as tended to the breach of his Lawes, Did for many years forbear the Renewing of the said Commission: And finding that as his forbearance wrought a good effect, by discouraging of obstinate and wilful Debtors, that sought nothing more, than Exactions to avoid the Payment of their just Debts; so also, that for want

want of that, or some other like charitable Course, for the Relief of such as were truly and indeed Poor, Distressed and Miserable, and wanted Means to satisfy their Creditors, It had been occasion to pester and fill his Prisons with the Bodies of such Persons, whose Punishment could no way avail their Creditors, but rather was a hindrance to the satisfaction of their Debts: For that during the time of their Restraint, they were no wayes able to go about, or attend their lawful Business, but must of force consume themselves, and that little they had, miserably, and in Prison. And upon due consideration had of the Premises, Our said Royal Grand-father, by his Commission under the Great Seal of England, bearing Date the Eleventh day of November, in the Sixteenth Year of his Reign of England, by the Advice of the then Lord Chancellor of England, and also of Divers of his Principal Judges of his Courts at Westminster, Did Authorize the Commissioners therein named, to proceed according to the Tenour of the said Commission, for the Relief of the said poor Prisoners, in the aforesaid Prisons. And afterwards Our said Royal Grand-father, being informed that his said Commission had not taken that good effect which was expected, Renewed the said Commission, and thereby prescribed and directed such a moderate Course, as that neither the Insolence of wilful and obstinate Debtors, should be thereby encouraged to the

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derogation of his Lawes, nor yet his Grace and Clemency be wanting unto such, to whom it should be met to extend the same. And whereas Our said Grand-father, upon the humble Suit and Petition of his loving Subjects, his distressed Prisoners in the Prison of the Marshalsea, and other Prisons, in and about the Cities of London and Westminster, and other Places near adjoining to the same, whose Case was as much to be Commiserated and lamented, as the said Prisoners of the said Kings Bench and the Fleet, did by one other His Commission, sealed with the Great Seal of England, bearing Date the Tenth day of July, in the Two and Twentieth Year of his Reign, Authorize certain Commissioners therein named, for the Ordering and Compounding of the Causes of the distressed Prisoners and their Creditors, in the Prisons, and within the Places therein, and hereafter in these Presents mentioned and expressed, as thereby may more at large appear. And whereas Our Royal Father of Blessed Memory, by two several Commissions, under the Great Seal of England, the one bearing Date at Canterbury, the Sixth day of June, in the fourth Year of his Reign; And the other bearing Date at Westminster, the One and Thirtieth day of December, in the Sixth Year of his Reign, Authorized divers Commissioners therein expressed, to the same, of like purpose as aforesaid, as thereby also more at

at large may appear. Which Commissions, upon the Death of Our said Royal Father, of Blessed Memory, determined. And Whereas Our Loving Subjects, the Poor Distressed Prisoners, in Our Prisons within Our Cities of London and Westminster, and Suburbs of the same Cities, have by their humble Petition besought Us, That We would be Graciously pleased to Renew the said former Commissions, heretofore Granted by Our said Royal Predecessors. Know ye therefore, That We taking the same into Our Princely Consideration, and minding the Welfare and Relief of the said poor distressed Prisoners, have (by, and with the Advice of the Lords of Our Privy Council) of Our especial Grace, certain Knowledge and meer Motion) Made, Constituted and Appointed, And by these Presents do Make, Constitute and Appoint You to be Our Commissioners; And do hereby Give and Grant to You, or any Three, or more of You, full Power and Authority, at all and every time and times, from henceforth, so often as to You, or any Three, or more of You (as is aforesaid) shall seem convenient and needful, to assemble and meet together, in some convenient place, in, or near the City of London, as to You, or any Three, or more of You, shall seem fit for the Execution of this Our Commission: And before such Your Meeting, by Warrant under Your Hands, or the Hands of any Three, or more

more of You, as is aforesaid, upon reasonable warning (and at the Charges of the Prisoners) To call before You, as well such person or persons, sufficiently instructed for, and on the behalf of such distressed Prisoners, as now, or hereafter shall happen to be Imprisoned, in Our Prisons of Our Kings Bench, Fleet, Marshalseas, White Lyon, Clink, New Prison, the Compter in Wood-street, the Compter in the Poultry, Ludgate, Newgate, Gate-House, St. Katherine's, White-Chappel, Brighthurst and Finchbury, and all other Prisons, near or about London, or any of them, by reason of, or for any Action or Actions of Debt, Actions upon the Case, Trespass, Detinue Trover, or other personal Action, Judgments, Execution or Executions whatsoever. And also the Creditors, and such others as have, or ought to have the benefit of the Actions, Suits, Judgments or Executions, for which they are detained in Prison; and the Executors, Administrators and Attorneys of every of them, and all other persons whatsoever, to whom it shall appertain; or some persons indifferently Authorized and Instructed, for, and on their behalf, whom We do hereby Command to Appear before You, upon such Your Warrants, either in their own persons, or by some other, sufficiently Instructed and Authorized on their behalf; And at such Your Meetings, to receive the Supplications and Complaints of the said poor distressed Prisoners, and
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by all wayes and means, to inform your selves as well of the due Debt, Damages and Duty, for which such Actions, Suits, Plaints, Judgments or Executions, is, or shall be prosecuted, obtained or gotten; As of the certain Estate and Ability of the Prisoners, how to pay and discharge the same; And thereupon, by all good and lawful wayes and means, to treat with the Creditors, or other Persons, which have, or shall have the Benefit of such Actions, Suits, Judgments or Executions, and to make Compositions and Agreements with them; Wherein Our Pleasure is, That some of the Judges of the Court, by, or from which the said Prisoner or Prisoners shall be Committed, shall be privy or consenting to the conclusion of such Compositions and Agreements. And in Cases where no Conclusion or Composition can be made, after Examination thereof, to certifie the truth of the same, unto Us and Our Privy Council, To the end such speedy course may be taken therein, as shall effectually tend to the Relief and Release of the Prisoners Grieved, according to Justice and Equity. And that such of You Our said Commissioners, as shall go about such Compositions, shall do Your best endeavours, That the poor Prisoners by Your means and mediations, may be Relieved, and have such reasonable Years, Dayes and Times of Payment for such their Debts and Damages, as they shall not be presently able to satisfie; and with such security
for

for payment thereof, as in Equity and good Conscience, (having respect to the Ability of the Prisoner) and the Charge of Wife and Children, and other Incidents to pious Cases considered as by You shall be thought fit; Streightly charging and commanding You, and every of You, That for the better Expedition and further Accomplishment of Our Charitable Intent and Will, in remedying of the grievous Distresses of Our said poor Subjects, and distressed Prisoners, You, or some Thre or more of You, as is aforesaid, do from time to time, and as often as it shall be needful, assemble Your selves together, in some such convenient place as is aforesaid, as You tender Our Pleasure. Provided nevertheless, and Our Will and Pleasure is, That You Our said Commissioners, or any of You, shall not proceed to the Execution of this Our Commission, for, or touching any such Matter or Cause, as is before mentioned: Wherein You shall be occasioned to call, or cause any person resident, abiding or remaining in any place, being above Ten Miles from Our Cities of London and Westminster, to give Attendance upon You, only within, or during the time of the Termes, or within Seven Dayes before the beginning, or Ten Dayes after the end of every Term. And if any such Creditor or Creditors, or other person or persons, for whole Debts, Costs or Damages, such distressed Prisoner or Prisoners, shall remain in Prison as aforesaid, Shall Refuse

fufe upon the faid Precepts or Warrants to
 Appear before You; or appearing, to refufe to
 Attend the Commiffioners further pleasure, or
 to fend fome other person or persons, fufficient-
 ly Authorized and Instructed, to Treat and Con-
 clude with You as aforesaid, Upon due confide-
 ration of the nature and quality of fuch Refusal
 and Contempt, You shall and may, take fuch
 order for punishment of the same, and for pro-
 curing fuch persons Appearance, as to You shall
 be thought meet. And that You, or any fuch Three
 or more of You, shall and do use all lawful ways
 and means, to caufe fuch Creditors, or other per-
 son or persons, to yield to take, and to perform
 fuch moderate and reasonable Compositions and
 Agreements, as by You, or any Three or more
 of You, shall be thought meet and fet down.
 And for that Our meaning is to be ayding and
 affifting with Our Grace and Favour to the
 Mifery and Calamity of fuch as are truly poor
 and diftressed, and not to fuch as lye in Prison,
 rather of wilfulness and obftinacy, and out of a
 refolution to retain large and ample Estates to
 themfelves, by hindering their Just and honest
 Creditors of their due Debts and reasonable
 Damages; Therefore We do hereby ftreightly
 Charge and Command You, and every of You,
 That in all Your proceedings, by Vertue of this
 Commiffion, You be very circumfpect and careful,
 to try and find out fuch wilful and obftinate per-
 sons, and in no wife fuffer them, or any of
 them,

them, to partake of Our Grace and Mercy, which hereby We intend to them, that are, and shall be willing, with their own Estates, Bona Fide, and without fraud, so far forth as it will extend to satisfie their Just Debts and Damages, for which they shall be so detained in Prison; so as care be had of themselves, their Wives and Children; And unto such poor and miserable persons, as have not wherewithal to satisfie their Debts, but shall be constrained miserably to perish in Prison, except in pity they shall be relieved. And that You, or any Three or more of You, where just and necessary cause shall be found, do call before You any Prisoner or Prisoners, now detained in any of the said Prisons; And if the Waplor or Keeper of the said Prison (where such Prisoner shall be) shall not, or will not, upon the Warrant of You, or any Three or more of You, give the said Prisoner Liberty, with his Keeper, to Attend accordingly, That then, and in every such case, You, or any Three or more of You, shall from time to time, (and as often as occasion shall be) make Certificate of the Refusal of such Waplor or Waplores, to the Lord Chancellour, or Lord Keeper of Our Great Seal, for the time being; Who thereupon, and upon security given, by such Prisoner or Prisoners, either to pay his Debts, or to render his Body within a certain time, may, as he shall see cause, Issue Habeas Corpus, at the Charge of such

such Prisoner or Prisoners as shall procure such Certificate, To the end the said Prisoner or Prisoners may the better attend the prosecution of his Cause, and effectually pay his Debts, or make Composition for the same; And to the end You Our Commissioners may the more readily and easily execute this Our Commission amongst other Our weighty affairs, Our Will and Pleasure is, That this Our Commission shall continue in force. And We do hereby Authorize You Our said Commissioners, or any Three or more of You to proceed in the Execution thereof, and of all and every matter and thing therein contained, from time to time, as often as You, or any Three or more of You shall think convenient; Albeit the same Commission be not from time to time continued by adjournment. And lastly, To the end this Our Commission, may be the better put in Execution, We have Made, Constituted and Appointed Our Trusty and Well-beloved John Knight Gent. his sufficient Deputy or Deputies to be Register to Our said Commissioners, and to be from time to time attending, ayding and assisting unto them and every of them in and about the Premises, and to Ha and do all such matters and things, and have and receive such fees and allowances as by Our said Commissioners, or any Three or more of them shall be thought fit and necessary in that behalf. In Witnesse, &c.

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Charles II, King of England, and England and Wales. Sovereign. His Majesties most gracious and royal comission, for the relief of poor distressed prisoners. Printed for M. D, 1664. The Making of the Modern World, link.gale.com/apps/doc/U0110152730/MOME?u=iuclassb&sid=bookmark-MOME&pg=2. Accessed 18 Nov. 2024.