
READING COMPANION — HLS MS 149, FF. 81R–83V (*FLOYD V. BARKER*, THE SECOND ACCOUNT)

Reading companion (diplomatic + modernized; modernized never quotable)

Corpus	01_HLS_MS149_Floyd_ff81r-83v
Source	READING_COMPANION_ff81r-83v.md
Integrity	sha256 ccf448a6356e · rendered 2026-07-09
Status	<i>Derived render for review. The markdown source file governs; the modernized layer is never quotable; all readings are provisional pending the commissioned professional transcription (names above all). Canonical apparatus: _PRECISION_PASS_LEDGER.md; method: TRANSCRIPTION_AND_ANALYSIS_METHODODOLOGY.md.</i>

HOW TO READ THIS RENDER (CONVENTIONS LEGEND)

strikethrough	struck in the manuscript (source: ~text~)
superscript	scribal interlineation or raised letters (source: ^text^, m^r)
serif (Cambria) span	diplomatic text quoted inline (source: `text`); the type shift marks the source-text voice; conventions inside are rendered too
boxed serif panel	diplomatic transcription block
gray italic [...]	pass-annotation — editorial apparatus, NOT manuscript text
CONFIRM UPGRADE LEAN CONFLICT	delta-log verdict class: green = confirmed/convergent · blue = upgraded/new · amber = lean/open/variant · red = retraction/conflict
[?] / [...] / [...] · « » · · △ ✓ eB X ★	sigla printed verbatim per methodology §6/§9

CONTENTS

F. 81R — `MS149_F81R.JPG` (SEQ. 166)	2
As written	3
Modernized	3
F. 81V — `MS149_F81V.JPG` (SEQ. 167)	3
As written	4
Modernized	4
F. 82R — `MS149_F82R.JPG` (SEQ. 168)	4
As written	5
Modernized	5

F. 82V — `MS149_F82V.JPG` (SEQ. 169).....	5
As written	5
Modernized	6
F. 83R — `MS149_F83R.JPG` (SEQ. 170).....	6
As written	7
Modernized	7
F. 83V — `MS149_F83V.JPG` (SEQ. 171).....	7
As written	8
Modernized	8
WHY THESE PAGES MATTER (ONE PARAGRAPH)	8

Purpose: page-by-page easy-reading rendering of the manuscript images in this directory. Each folio is given two layers: **(1) As written** — the diplomatic first-pass transcription, preserving the scribe's spelling and the virgule (/) paragraph marks, with [?] flagging uncertain readings; **(2) Modernized** — an editorial rendering in modern English for fast comprehension.

Rules of use:

- The modernized layer is an **editorial aid, not source text**. Never quote it in a filing.
- For filing use, quote only after re-verifying the passage **against the image itself**; the source-of-record transcription with full verification ledger is `../..../2_Academic Articles/11_Immunity and Standing Doctrine Genealogy/Immunity Notes/HLS_MS149_FLOYD_SECOND_ACCOUNT_TRANSCRIPTION.md` (pointer re-resolved 2026-07-09 after the 3_→2_ re-nest; earlier paths defunct).
- **PASS-4 CONFORMED (2026-07-09, author-approved fold-in):** the "As written" layers below are conformed to the pass-4 first-hand campaign (six sides line-censused FIRM; per-side working files + `_WORKING_MS149_P4D_DELTA_AND_QUOTED_AUDIT.md` in this directory). *[[4D: ...]]* flags mark every change or contest; **ARBITRATIONS #1–#5 are recorded, not asserted** (conform-on-professional-return). The pass-4 censuses are the canonical diplomatic layer.
- Provenance, folio↔image map, and IIF links: README.md (this directory).
- The *Floyd* report runs **f. 81r (mid-page) – f. 83r**. The top of 81r is the tail of the preceding case; f. 83v opens the next term — both included so the report's boundaries are visible.

F. 81R — `MS149\_F81R.JPG` (SEQ. 166)

On this page: tail of the preceding case (a plaintiff fined for "false clamore" — the same device later turned on Floyd); then the *Floyd* caption and the opening of the destroyed bill's contents, recited as read in open court.

As written

(tail of the preceding case — a deed dispute:)

...husband vppon sealeing ¶4D: [?] resolved the assignment said hee thanked God hee had cleered his conscience in that matter / Mr. ffarmer did penne that assignment and was a witness to it / The plt Darnell[?] was much blamed for inserting Mrs. ffarmors name into the bill / (margin: "sentence") The defts were dismissed with good costs and the plt fyned 20li & false clamore and to bee bound to aske the Lady Edmonds forgiveness in the open Assizes /

(the Floyd report begins:)

Rice ap Evan Lloyd plt ¶4D: line FIRM — double-L ×4 sightings incl. native

Rich: Barker Just[ice] et al defts (margin: "Anglesey") ¶4D: ARBITRATION #1 — the office token's letterforms read Chʳ (knight-style, Ch[ivale]r?) at all 4 sightings; "Just[ice]" is not stroke-supported; the judicial office is independently fixed by the body's "Justice Barker" ×3; conform-on-professional-return

The bill was read in open Court w[hi]ch was to this effect / That Hugh ap Williams was drowned ¶4D: double-d form and his horse alsoe in An^o 1600 / That the deft Barker in An^o 605 ¶4D: FIRM — elliptical century, the editorial [1] excluded; [5?] resolved procured John Lewes esq to bee made Sheriffe of that County / That they and the other defts conspired against William ap Rice / That two whose names were Lewes ¶4D: [?] resolved FIRM (bottom-margin word, catchword position: "~~William~~" — STRUCK in the MS, FIRM ×4: a cancelled catchword; continues 81v)

Modernized

(Preceding case ends: the defendants are dismissed with costs; the plaintiff is fined £20 for false clamor and ordered to ask Lady Edmonds's forgiveness at the open Assizes — note the device: punishing the complainant for complaining.)

Rice ap Evan Lloyd, plaintiff, against Richard Barker, Justice, and others, defendants. Anglesey.

The bill was read in open court, to this effect: That Hugh ap Williams drowned, with his horse, in the year 1600. That the defendant Barker, in 605 [i.e., 1605], procured John Lewes, esquire, to be made Sheriff of that county — **roughly five years after the drowning**. That Barker, Lewes, and the other defendants conspired against William ap Rice. That two men, whose names were [Lewes?] → continuing overleaf]...

F. 81v — `MS149\_F81V.JPG` (SEQ. 167)

On this page: the evidentiary core of the destroyed bill — partial examinations, the Welsh-to-English misrecording, a first accused who refused to be bought, the witnesses' disavowal at the bar, the packed grand jury, and a grand juror actually fined for a false verdict.

As written

~~were~~ (dittography from the page turn, struck through by the scribe) well knowne to ~~Lewes~~ Hugh ap William [4D: ARBITRATION #2 — "Lewes" is STRUCK in the MS (five sightings) with caret + interlined "hugh ap": an eye-skip repair yielding "well knowne to hugh ap William(—)" (the victim); this file previously printed Lewes unstruck; "William" terminal leans -m, closing the [?]; conform-on-professional-return] examined the witnesses partially and procured a Comission from the Marshes [= the Council in the Marches] to examine the Murder / The witnesses not capable of the English Tongue uttered their deposicons in welsh but written in English contrary to their sayings in welsh / Uppon these examinacons one Edward ap John then in Ireland was indicted for the Murder and there apprehended and brought into Anglesey / hee denyed the words whereof hee was accused by the witnesses and the Murder alsoe / The witnesses at the barre denyed their examinacons sett downe in Engl[ish] and affirmed they made noe such deposicons / A large summe of money was offered to Edward ap John to accuse William ap Rice of the Murder / The greatest part of the grand Jury were of kynne to Howell Lewis whoe was the prosecuter / One of the grand Jury was fyned by the Councell of the Marches for a false verdict

Modernized

...[two men] well known to Hugh ap William [the victim — the MS strikes "Lewes" and interlines the repair; see the [4D] note above] examined the witnesses **with partiality**, and procured a Commission from the Council in the Marches to examine the murder.

The witnesses, **who could not speak English**, gave their depositions in Welsh — but the depositions were **written down in English, contrary to what they had said in Welsh**.

On those examinations, one **Edward ap John**, then in Ireland, was indicted for the murder, apprehended there, and brought into Anglesey. **He denied the words attributed to him by the witnesses, and denied the murder too.**

At the bar, the witnesses denied the examinations set down in English and affirmed they had made no such depositions — the disavowal targeted the English-written instruments specifically.

A large sum of money was offered to Edward ap John to accuse William ap Rice of the murder.

The greatest part of the grand jury were **kin to Howell Lewis, the prosecutor**. One of the grand jurors was **fined by the Council of the Marches for a false verdict**.

F. 82R — `MS149\_F82R.JPG` (SEQ. 168)

On this page: the trial itself — the alibi, jurors carrying bribes to the judge's knowledge, the judge refusing the jury the drowning evidence, the jury's apology, the execution; then the defense's counter-narrative begins.

As written

A witnes deposed William Aprice was 12 myles distant from the place when the Murder was committed / It was knowne to Justice Barker that some of the petty Jury had groates ¶4D: *adjudicated lean ✓eB — g-initial FIRM ×4, "g[ui]fts" disfavoured; conform-on-professional-return* in their pocketts & yet hee did take noe order in it / The Jury desired to heare the examinacons of those whoe did first fynde the Murdred man and his horse but Justice Barker would not permit it / The Jury asked forgiveness of William Aprice for the verdict / Aprice notwithstanding was condemned and executed / An Indictment was preferred against William Bulkley as accessary and the grand Jury found Ignoramus / Words spoken by one Griffith in excuse of the Murder were found at the tryall ¶4D: *NO terminating virgule in the MS — the "/" previously printed here is not a leaf graph* The Councell for the defts alleaged that the Coroner for the Admiralty presently after the fynding of the dead body impannelled a Jury whoe found that hee was slayne but by whome they could not tell & that after the Murder hee was throwne into the Sea / (catchword: "That"; continues 82v)

Modernized

A witness deposed that **William ap Rice was twelve miles away** from the place when the murder was supposedly committed.

Justice Barker knew that some of the trial jurors had [groats — the bribe coins] in their pockets — and yet he took no action about it.

The jury asked to hear the examinations of those who first found the dead man and his horse [the drowning evidence] — but Justice Barker would not permit it.

The jury asked William ap Rice's forgiveness for their verdict. Ap Rice was condemned and executed notwithstanding.

An indictment was brought against William Bulkley as accessory, and the grand jury threw it out (*ignoramus* — no true bill). Words spoken by one Griffith in excuse of the killing came out at the trial.

(*The defense's answer begins:*) Counsel for the defendants alleged that **the Admiralty coroner** [the body lay in tidal jurisdiction], immediately after the body was found, empanelled a jury, which found that the man **was slain, but by whom they could not tell**, and that after the murder he was thrown into the sea...

F. 82v — `MS149\_F82V.JPG` (SEQ. 169)

On this page: the defense's smears; the bill quantified (sixty sheets, nine witnesses, seven hours); Coke's in-court reasoning as the reporter heard it — floodgates, no questioning a judge "after Judgment & execucon," and the dismissal of the complainants as "ignorant of the Lawe."

As written

That William Aprice received 30li [£30] to Murder one Griffith / ¶4D: *ARBITRATION #5 — the token before "Griffith" is a retained dual (and|one), and-leaning at strokes ×6 vs the sense-pull for "one"; unresolved*

The plts Brother was lately executed for Murder and Ignoramus found for the plt by special favour / Nyne witnesses examined to prove the Murder / Seven howers spent in examinacon of the Murder / The bill conteyned 60 sheets, Noe Corruption layd to Justice Barkers charge / The Ch: *[[4D: ARBITRATION #4 — the cluster's letterforms read ff: (same-line "affirmed" comparator); "Ch:" not stroke-supported; the speaker (Coke) not in doubt; conform-on-professional-return]]* Lo: Cooke affirmed this bill to bee ignorantly drawne And if the Court should admitt a proceeding vpon *[[4D: FIRM — was "uppon"]]* this bill Granetts *[[4D: [?]] resolved FIRM at four layers; "Gar-" not on the leaf; the Garnet transmission hypothesis is exemplar-level, untouched]]* friends might alsoe call the Judge and Jury in question for his condemnacon & execucon *[[4D: NO terminating virgule in the MS (bare paragraph-close FIRM); the "/" previously printed is not a leafgraph]]* By the Comon Lawe in a case of this nature noe Judge can be questioned after Judgment & execucon nor any Juror for conspiracy / There is noe averement against a Judge after Judg[men]t / Noe averement against the Lo: Chauncellor *[[4D: MS abbreviates Chauncell" (suspension bar + superscript r)]]* for fixing the greate Seale to any thing / They are ignorant of the Lawe (*catchword: "that"; continues 83r*)

Modernized

(*Defense, continuing:*) That William ap Rice had been paid £30 to murder one Griffith. That **the plaintiff's brother had lately been executed for murder** [the surviving STAC file corrects the old editorial equation "Brother = ap Rice": two men of Floyd's family were executed — the brother John ap Evan Lloyd, and the kinsman William ap Rees, the print's "Price"; see THE_TWO_LOCKS n. vr9], and that a bill against the plaintiff himself was thrown out (*ignoramus*) **by special favour**.

Nine witnesses were examined to prove the murder. **Seven hours** were spent in examination of the matter, and **the bill contained sixty sheets**. No corruption was charged against Justice Barker.

Chief Justice Coke declared the bill "ignorantly drawn" — and warned that if the Court admitted a proceeding on this bill, Granetts' friends might likewise call **that** judge and jury in question for **his** condemnation and execution (*the floodgates argument, by analogy to another executed man — most plausibly Henry Garnet, the Gunpowder Plot Jesuit executed May 1606, prosecuted by Coke himself and tried before Popham, both sitting in this case; see the transcription note § 4.18 — hypothesis, not asserted fact*).

By the common law, in cases of this nature, **no judge can be questioned after judgment and execution**, nor any juror charged with conspiracy. **There is no averment against a judge after judgment**. No averment lies against the Lord Chancellor for fixing the Great Seal to anything.

"They are ignorant of the law..."

F. 83R — `MS149\_F83R.JPG` (SEQ. 170)

On this page: the sentence's completion; the order destroying the bill; Floyd's punishment — including imprisonment until he names his "abettors"; the court's stated reason; and the coda: a fifteen-sheet page cap and a barrister's-signature requirement for all future bills.

As written

that will charge a Judge in his Manner after the party is executed / *[[4D: SUBSTANCE correction — "his" FIRM (#25 rotation audit: no t-stem; rot180 head-count 1); this file previously printed "this"] Severitas non opponitur misericordiæ sed crudelitas. /*

(margin: "(order", with a C-curve tie-mark to the order block) The Court ordered noe further proceeding to bee had vpon this bill and the same to bee taken off the file and Cancelled. The plt to bee fyned 100li [£100] *[[4D: figure FIRM at the #25 comparator gate — 10{0}^u]]* & false clamore, and to bee examined by Mr. Attorney whoe sett him in *[[4D: [?on] resolved]]* this suite And to remayne close prisoner vntill hee shall have confessed his abettors and they to pay his fyne. *[[4D: single point in the MS — the ";" was editorial]]* if hee bee not able, the plt to stand on the pillory and confesse his fault And Mr Attorney to preferre an Informacon vpon his examinacon against him and his abettors if there bee cause / The reason of this Judgment was for if this might bee suffered ye ground *[[4D: thorn-form y^e FIRM ×5 — was "the"]]* of all Justice would bee overthrowne / It was alsoe ordred *[[4D: syncopated in the MS]]* noe bill in this Court to exceede 15 sheets and not to bee received but a Readers hand *[[4D: "Readers" carries a real-ink one-word UNDERLINE (emphasis apparatus)]]* must bee to it /

(foot, catchword position: "Trinitatis" — completes into 83v's header; the previously printed "Finis[?]" is DISSOLVED — no Finis on the leaf) [[4D]]

Modernized

...that will charge a judge in his manner after the party is executed." *(completing Coke's sentence from 82v; "his" per the pass-4 FIRM reading)*

Severity is not opposed to mercy; cruelty is. (the Latin maxim — "misericordiæ," dative — deployed to justify what follows: the court telling itself that being severe is not the same as being unmerciful)

THE ORDER: The Court ordered that no further proceeding be had upon this bill, and that the bill **be taken off the file and cancelled**. The plaintiff to be **fined £100** for false clamor, and **to be examined by the Attorney General as to who set him on this suit, and to remain a close prisoner until he shall have confessed his abettors** — they to pay his fine; if he cannot, **the plaintiff to stand on the pillory and confess his fault** — and the Attorney General to prefer an information against him **and his abettors** if there be cause.

THE STATED REASON: if this might be suffered, **"the ground of all Justice would be overthrown."**

THE CODA: It was also ordered that **no bill in this Court exceed fifteen sheets**, and that none be received **without a Reader's [barrister's] hand** to it.

End of the report.

F. 83v — `MS149\_F83V.JPG` (SEQ. 171)

On this page: the next term begins — included only to confirm the *Floyd* report ends at 83r.

As written

Trinitatis 5^o Jac. ¶4D: no virgule on the leaf — the "/" was an editorial separator ¶ Brooke vers Oldfield
 ¶4D: likewise no virgule; the leaf carries a horizontal filler-rule after "Oldfield" and a paren-class C-arc marking
 the entry opening (#25 find) ¶ It was ordered the plt ¶4D: bare plt FIRM, audit-sealed — p-initial, no
 terminal-s bowl; this file previously printed "[defts?][?]" the SECOND party token below is defts — the leaf
 distinguishes them; sense-tension (a plt pleading not guilty) logged as apparatus, evidence layer as written ¶
 having pleaded not guilty cannot ¶4D: [?]s resolved — o-bowl + t with the launching crossbar ¶
 afterwards plead the pardon notwithstanding the Answers ¶4D: [?]s resolved FIRM ¶ was
 insufficient And the defts ordered ¶4D: this instance syncopated ordred in the MS; L3's "ordered" is full —
 instance variation ¶ to make a newe Answers It being the generall opinion of the Court that not
 guilty being once pleaded a p[ar]don may not bee pleaded /

Modernized

Trinity Term, 5 James I [1607]. *Brooke v. Oldfield* — a new case on pleading (once "not guilty" has been pleaded, a pardon may not afterwards be pleaded). Nothing further on *Floyd*.

WHY THESE PAGES MATTER (ONE PARAGRAPH)

This is the side of *Floyd v. Barker* the court ordered destroyed, preserved because a contemporaneous reporter recorded the bill's effect "as read in open Court" before the defacement. It shows the authentication failure (depositions written in English **contrary to** the witnesses' Welsh), the impeachment (disavowal of the **English-written** instruments **at the bar**), the alibi, jurors carrying the bribes **in their pockets** to the judge's knowledge, the judge's refusal of the jury's request for the drowning evidence, the jury's apology to the man it convicted, the execution — of **a man of the plaintiff's own family** (the defense's recital says "the plts Brother"; the surviving file resolves the pair into two executed kinsmen) — the compelled naming of "abettors," the stated reason ("the ground of all Justice would be overthrown"), and the procedural gate (fifteen sheets; a barrister's hand) erected against the next lay complainant. Corroboration across the four sources (this manuscript ↔ TNA catalogue ↔ Coke's print ↔ Kesselring 2025) is tabled in the transcription note.