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## Print Networks, Manuscript Pamphleteering, and the Development of Prison Politics in Seventeenth-Century London

*Richard Thomas Bell* 

**Abstract** The 1622 publication of *Imprisonment of Mens Bodies for Debt* marked the beginning of a decades-long tradition of anti-carceral activism in London’s prisons. By recovering prison activists’ practices of publication and republication, the article reveals a vibrant world of textual production in prisons that enabled political interventions grounded in the material and structural conditions of incarceration. Anti-carceral activism relied on the varied uses of print and manuscript that formed part of the day-to-day experience of incarceration. These local practices were combined with new processes of national political communication, from parliamentary petitioning and news printing in the 1620s, to manuscript pamphleteering and the demand for legal texts in the 1630s, and the explosion of radical printing and political agitation in the 1640s. Operating at the intersection of quotidian textual practice and developing forms of political communication, prison activism became engaged in wider currents of national debate. Thus, the article demonstrates how a relatively marginal social constituency could utilize these modes and networks of political communication across multiple media and how, in turn, such groups could both develop connections to radical political networks and come to imagine their cause as part of a wider political moment.

**I**n late May 1641, a parliamentary newsletter noted—alongside reports of recent events and speeches by members of Parliament—the circulation around Westminster of a petition and printed remonstrance from the “distressed prison[e]rs for debt with[in] the prisons of the K[ing]s bench & of all other prisoners for debt w[i]thin the severall prisons in the Kingdome.” This was *Imprisonment of Mens Bodyes [Bodies] for Debt* (1641), an anonymously published printed pamphlet that raised a series of grievances long brewing in London’s overcrowded prisons (figure 1). Although declining to copy the full text, the newsletter noted its key arguments and chapter headings: that “imprisonment of mens bodies for debt, as the practice of Engl[and] now standes, is. 1. Ag[ains]t the Lawe of God. 2. Ag[ains]t the Law of man & the most auneyent fundamentall Common-Lawes of this kingdome. 3. Ag[ains]t the Lawe of conscience & [Christi]an

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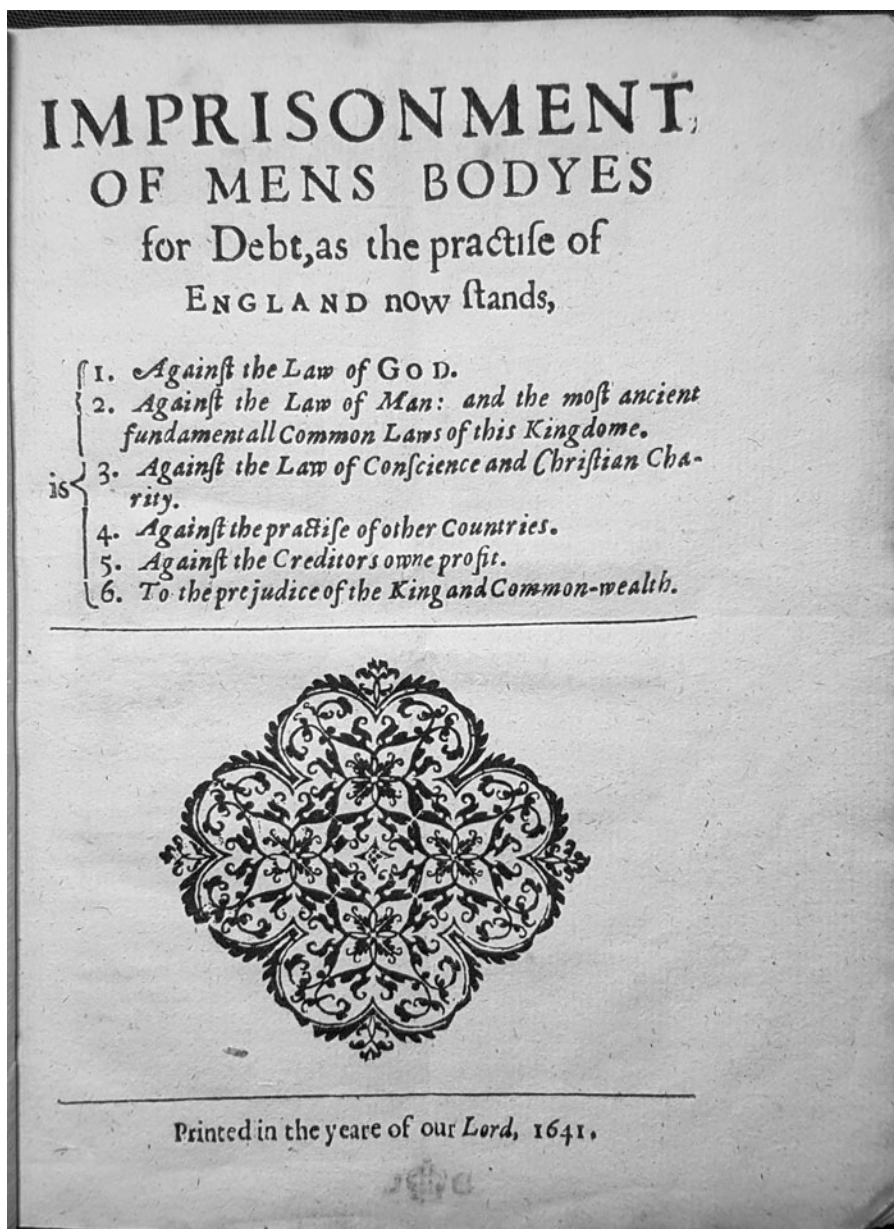


Figure 1—*Imprisonment of Mens Bodyes for Debt* ([London], 1641) [Wing I106], sig. A2r (ornament: 62×58mm). © British Library Board, RB.23.a.7974.

charity. 4. Ag[ains]t the practice of other countries. 5. Ag[ains]t the Creditors owne profitfully. 6. To the p[re]judice of the K[ing] & comon wealth.”<sup>1</sup>

<sup>1</sup> Parliamentary newsletter, late May 1641, British Library, Sloane MS 1467, fol. 40v (this repository is hereafter abbreviated as BL); *Imprisonment of Mens Bodyes for Debt* ([London], 1641) [Wing I106], for

The newsletter summarized a forceful argument for the illegal, illogical, and universally detrimental nature of imprisonment for debt. It was a dramatic proposal for restructuring social relations in which credit and debt were integral and one that came in response to a growing crisis of imprisonment. Furthermore, despite an appeal to the shared interests of king and commonwealth, the pamphlet couched its arguments in the increasingly politically divisive terms of the contractual rights of subjects, the ancient constitution, Magna Carta, and the tyranny of creditors. With hostilities brewing between king and Parliament in just these terms, its potentially inflammatory language joined the clamor of lobbying and textual exchange in and around Westminster Hall, crossing between print and manuscript publicity in the process.<sup>2</sup>

However, these were not new arguments within London's prisons but part of an established campaign by prison activists that took on a new political valence on the eve of civil war. Prisoner campaigning had been sustained over two decades by strategic practices of textual production that simultaneously drew upon scribal and print techniques native to prison life while also appropriating new forms of political publicity. The 1641 pamphlet was a revised and republished version of a text first printed in 1622 (figure 2).<sup>3</sup> A foundational text in the campaign for abolition of imprisonment for debt, it was the product of a prolonged period of unrest, mutiny, and agitation in the King's Bench and Fleet prisons from 1618 to 1621 that had led to increasing experimentation with forms of petitioning and printed polemic. Such conflict was conditioned by an explosion in prison populations in the late sixteenth and early seventeenth centuries, the product of rapid economic change, intensifying social inequality, the threat of rapid downward mobility, and unprecedented levels of civil litigation.<sup>4</sup> As a result, growing numbers were left languishing in prisons, their condition determined by their subordinate position within socio-legal structures. Social

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purposes of simplification hereafter referred to as *Imprisonment of Mens Bodies* (1641). For important bibliographical detail, I have provided Wing and Short Title Catalogue (STC) numbers for seventeenth-century printed texts that can be referenced via the English Short Title Catalogue, <http://estc.bl.uk/>. The quoted summary, like the printed title page, left out chapter 3 ("Against the Rule of Justice") and misnumbered the subsequent chapters (see, by comparison, figure 2, the contents page from the 1622 version, which does include chapter 3).

<sup>2</sup> On the textual world of Westminster, see Chris R. Kyle and Jason Peacey, "Under Cover of So Much Coming and Going: Public Access to Parliament and the Political Process in Early Modern England," in *Parliament at Work: Parliamentary Committees, Political Power and Public Access in Early Modern England*, ed. Chris R. Kyle and Jason Peacey (Woodbridge, 2002), 1–24, at 4–5; Chris R. Kyle, *Theater of State: Parliament and Political Culture in Early Stuart England* (Stanford, 2012), 10.

<sup>3</sup> A petition [. . .] *Wherein is declared the mischiefes and inconveniences, arising to the King and Commonwealth, by the Imprisoning of mens bodies for Debt* ([London], 1622) [STC 14428]. This original version of the text took its title from a prefatory petition addressed to the king and Parliament but provided an alternative title (*Imprisonment of Mens Bodies*) on its contents page (see figure 2) that was favored in subsequent editions. On this basis, I refer to it hereafter as *Imprisonment of Mens Bodies* (1622).

<sup>4</sup> Keith Wrightson, *Earthly Necessities: Economic Lives in Early Modern Britain* (New Haven, 2000), 22–25, 115–41, 145–49, 153–94, 198–201; C. W. Brooks, *Pettyfoggers and Vipers of the Commonwealth: The "Lower Branch" of the Legal Profession in Early Modern England* (Cambridge, 1986), 11, 50–54, 69, 101; Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke, 1998), 2–5, 15–22, 31–32, 37–51, 272–303; Richard Thomas Bell, "Dens of Tyranny and Oppression: The Politics of Imprisonment for Debt in Seventeenth-Century London" (PhD diss., Stanford University, 2017), 14–15, 39–40.



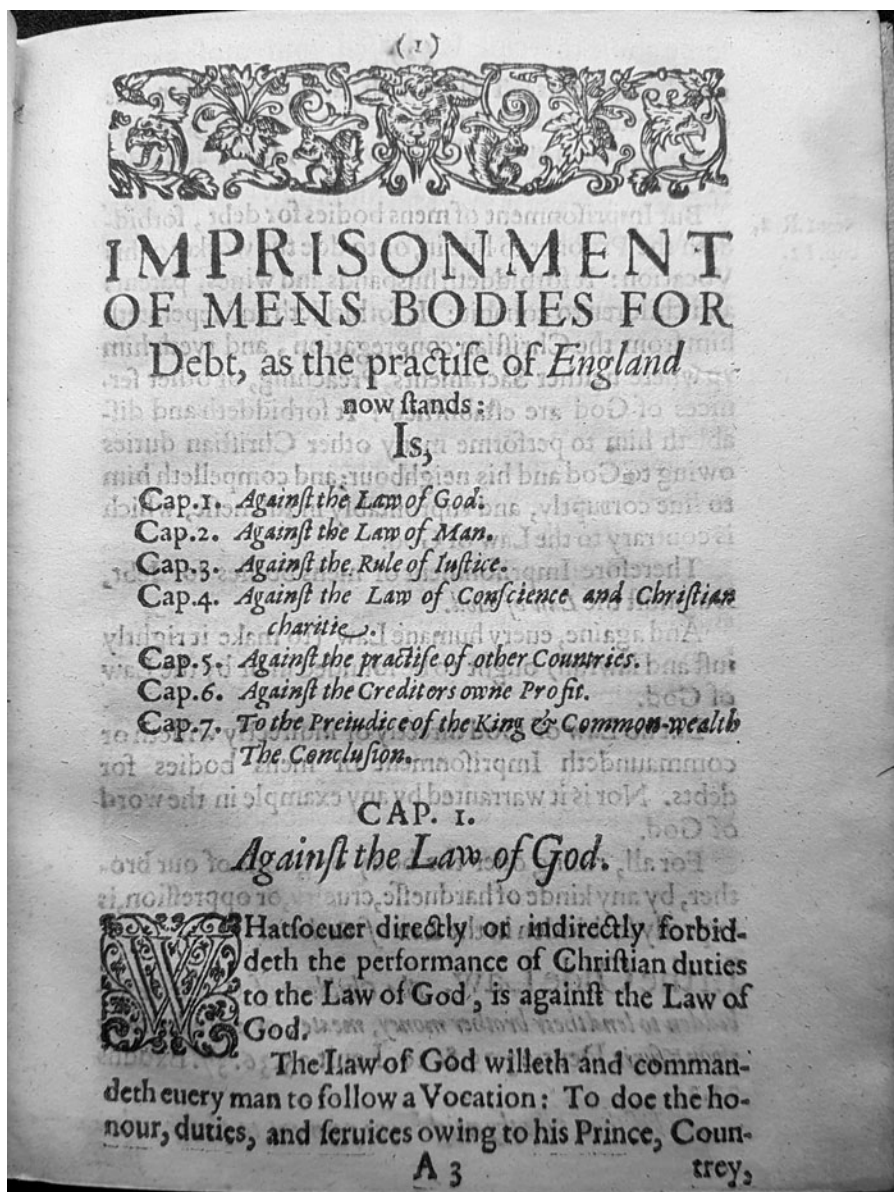


Figure 2—A petition [...] *Wherein is declared the mischiefs and inconveniences, arising to the King and Common-wealth, by the Imprisoning of mens bodies for Debt* ([London], 1622) [STC 14428], sig. A3r. Bodleian Library, University of Oxford, Antiq.e.E.1622.5. License: Digital Bodleian, CC-BY-NC 4.0.

status undoubtedly governed how this position was experienced—indeed, prisons were typically divided between master’s and common sides based on rank and affluence—but in almost all cases imprisonment for debt (especially for more than brief periods) signaled both personal financial crisis and some degree of social

stigma and dislocation.<sup>5</sup> From this marginalized position, some prisoners came to see as unjust the entire system that led to their incarceration.

This new, more fundamental critique was announced in the original 1622 version of the pamphlet, which represented a significant shift away from former protests against corruption based on local custom. Instead, it moved toward arguments for the complete abolition of imprisonment for debt based on temporal and divine law, justice and charity, and political and economic pragmatism, expressed in a new form of extended printed polemic addressed to Parliament. In particular, it drew upon the politically capacious language of the ancient constitution and the “fundamentall Lawes of this Kingdome,” arguing that imprisonment for debt contravened chapter 29 of Magna Carta and thus prisoners’ rights as “free borne men.”<sup>6</sup> While, as Janelle Greenberg argues, this language did not carry the same politically partisan connotations in 1622 as it would by 1641, here it certainly underpinned provocative arguments for fundamentally restructuring social relations.<sup>7</sup> Furthermore, this text did not lie fallow until its 1641 republication, but reappeared as a professionally produced manuscript pamphlet in the 1630s (figures 3 and 4).<sup>8</sup> This version was yet again the product of conflict within London’s prisons, this time also tapping into an early Stuart demand for legal texts circulating in manuscript.

The trajectory of this pamphlet and its publication history reveal a vibrant world of textual production in prisons that enabled political activism to flourish and demonstrate the developing ways in which this activism intervened in changing contexts and practices of national political discourse. In 1641, prisoners drew directly upon the legacy of rioting and petitioning of two decades earlier by reissuing the 1622 pamphlet. Yet, republished in a newly febrile political climate and within a milieu of radical printing, this pamphlet and its ancient constitutionalist rhetoric took on a distinctive antiestablishment tenor. With only subtle alterations, the text was transformed from a socially polemical but politically nonpartisan call for the reform of debt law into one that also intervened in some of the period’s most volatile political debates, drawing prison activism into a world of radical politics.<sup>9</sup> Thus, in deploying language that was increasingly associated with nascent parliamentarianism, prisoners not only voiced the grievances borne of their particular social position but also forged connections to London’s wider political movements.

Yet even before the 1640s, prison activism was a nexus of social critique and textual practice. Focus on the tract and its publication history opens up this world of textual production, revealing how it enabled political interventions grounded in the material and structural conditions of incarceration. Prisons were inherently textual spaces.

<sup>5</sup> Bell, “Dens of Tyranny,” 14–15, 39–40; Tawny Paul, *The Poverty of Disaster: Debt and Insecurity in Eighteenth-Century Britain* (Cambridge, 2019), 199–212; Muldrew, *Economy of Obligation*, chap. 9.

<sup>6</sup> *Imprisonment of Mens Bodies* (1622), 6–7. On this shift in emphasis and language, see Bell, “Dens of Tyranny,” chap. 4.

<sup>7</sup> Janelle Greenberg, *The Radical Face of the Ancient Constitution* (Cambridge, 2001), 15–16.

<sup>8</sup> *Imprisonment of mens Bodies for Debt*, BL, Lansdowne MS 806, fols. 1r–27r; *Imprisonment of mens Bodies For Debt*, Sion College, Lambeth Palace Library, MS ARC L.40.2/E50, fols. 57r–86v. For bibliographic detail, see “The Humble Petition of the Distressed Prisoners for Debt in the Several Prisons of England (1622),” in Noah Millstone, Sebastiaan Verweij, and Richard Thomas Bell, *Manuscript Pamphleteering in Early Stuart England*, 2018, <https://mpese.ac.uk/t/HumblePetitionPrisonersDebt1622.html>.

<sup>9</sup> *Imprisonment of Mens Bodies* (1641). On the significance of this text, see Bell, “Dens of Tyranny,” chaps. 4 and 5.

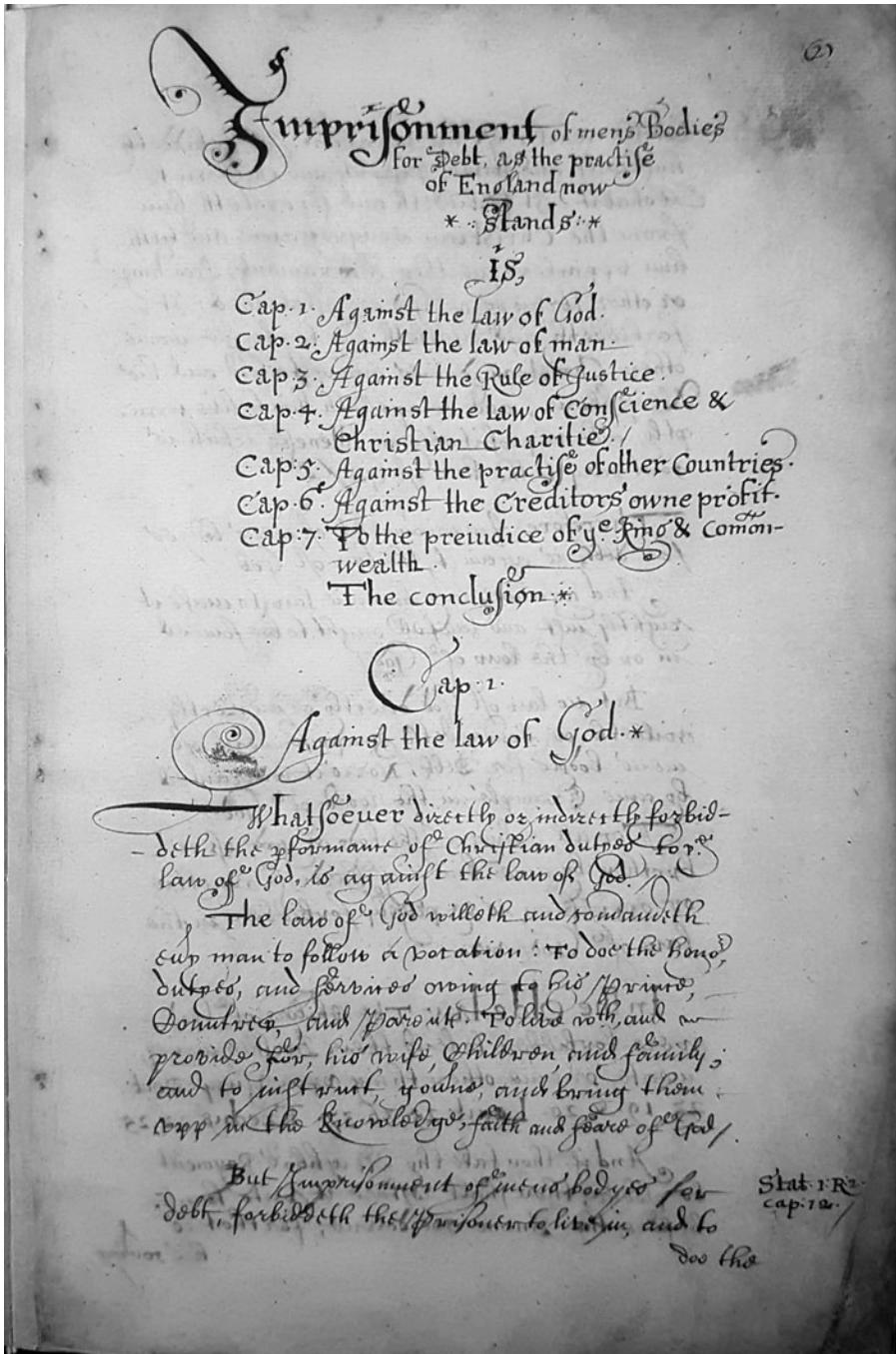


Figure 3—*Imprisonment of mens Bodies for Debt*, British Library, Lansdowne MS 806, fol. 2r.  
 © British Library Board.



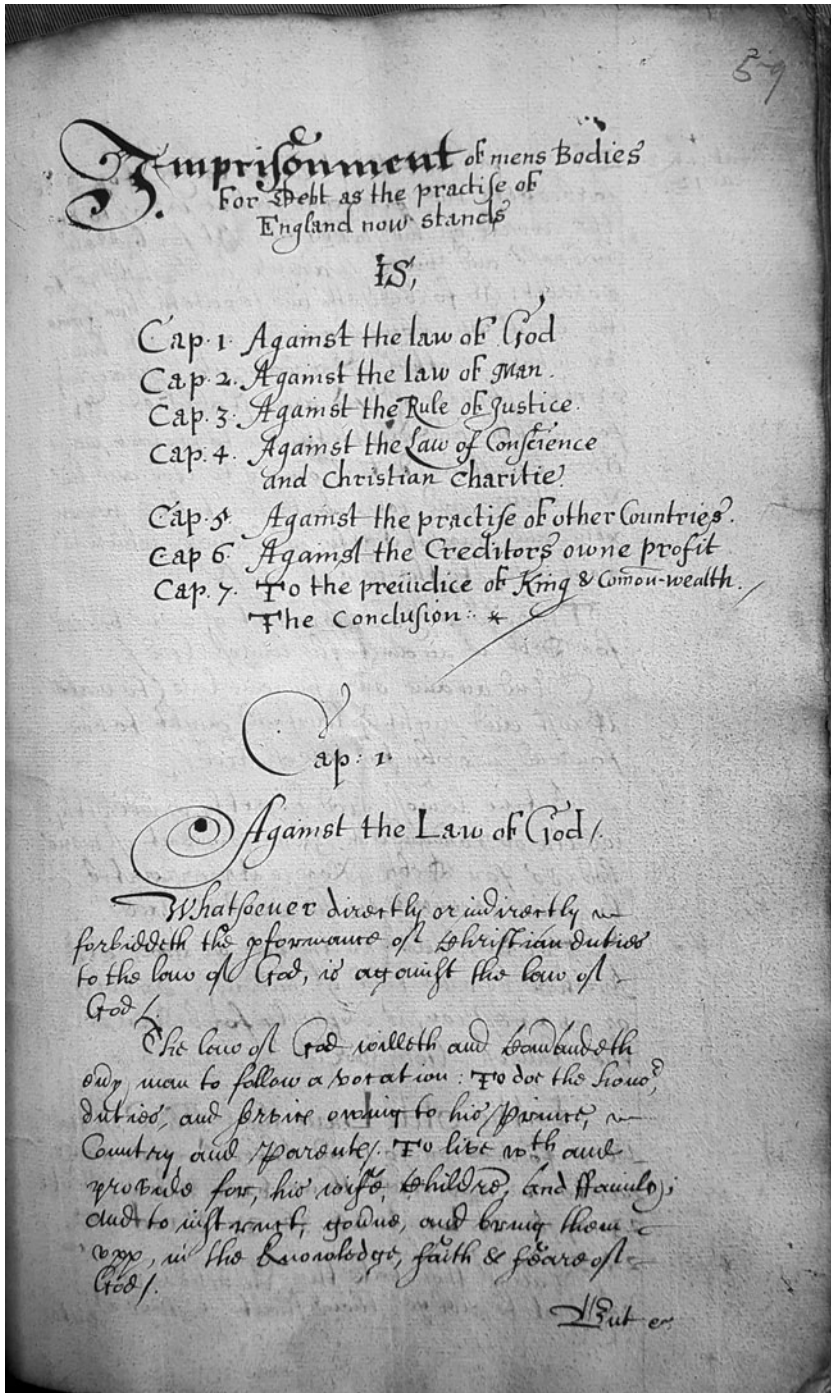


Figure 4—*Imprisonment of mens Bodies For Debt*, Sion College, Lambeth Palace Library, MS ARC L.40.2/E50, fol. 59r. Image reproduced with permission from Lambeth Palace Library.



Prisoners relied on the production and circulation of written documents to pursue their legal causes, communicate with friends and relatives, obtain writs to attend court, petition for support or aid, manage the circulation of charity, and generally to communicate with the outside world. Texts and record keeping were also integral to prison governance, something that prisoners could use to their own ends, including by proving precedents for lower fees and better treatment with evidence from prison archives.<sup>10</sup> By Molly Murray's account, this diversity of prison writing—from petitions to poetry—shared a common ambition to impose order, legibility, and coherence on a disordered institution, whether psychologically or materially.<sup>11</sup> In contrast, this article reveals how textual production enabled material interventions that were not necessarily confined to the assertion of order and regulation within carceral institutions but could also radically critique their social purpose and challenge their very existence. To do so, it locates these practices in relation to wider spheres of textual production and the material processes by which texts circulated in and out of prisons. Local techniques of internal record keeping, petitioning, correspondence, the composition of evidences, and the production of legal documentation overlapped with wider textual worlds of legal commentary, news publication, trade printing, parliamentary petitioning, notarial composition, and manuscript pamphleteering. In these local practices, print and manuscript also intersected; charity account books, for instance, recorded regular payments both to printers and for scribal work.<sup>12</sup> Collective parliamentary petitions similarly oscillated between forms.<sup>13</sup> It was in this context that *Imprisonment of Mens Bodies* moved through different media, as prisoners for debt made strategic and sustained use of this confluence of textual practices to disseminate and perpetuate their campaign over the course of two decades and beyond. Its publication history thus offers a remarkably vivid account of the material conditions of pamphleteering and political activism among a relatively marginal social constituency.

This activism relied on the combination of local forms of textual production with new interventions into processes of national political communication. The growing circulation of news, petitions, parliamentary speeches, libels, sermons, and treatises defined early Stuart political discourse, underpinned by new forms of manuscript and print production. By drawing on and adapting this matrix of practices, prisoners sustained their activism over a period of decades. The growth of printed petitioning and news circulation in the 1620s presented a new means to lobby Parliament while addressing a wider political milieu. Likewise, in the 1630s the wide circulation of manuscript pamphlets provided an audience for their grievances even when print was impractical, while connections made in the 1620s provided a link to the effusion of radical printing efforts in London in the earliest years of the 1640s.

<sup>10</sup> Molly Murray, "Measured Sentences: Forming Literature in the Early Modern Prison," *Huntington Library Quarterly* 72, no. 2 (2009): 147–67, esp. 150–56; Bell, "Dens of Tyranny," 105, 132, 165–6, 178–83; Richard Thomas Bell, "Charity, Debt and Social Control in England's Early Modern Prisons," *Social History* 47, no. 1 (2022): 1–34.

<sup>11</sup> Murray, "Measured Sentences," 156–67.

<sup>12</sup> Fleet Prison charity account books, February 1628 to July 1632, The National Archives, London, E 215/1595 (see, for example, pages 91 and 95). (This repository is hereafter abbreviated as TNA).

<sup>13</sup> See note 21 below.

By this process, prisoners' arguments became part of a growing body of radical ideas and political agitation. As historians continue to demonstrate, the conflicts of the 1640s did not erupt out of nowhere. Debates regarding constitutional matters, court politics, the role of Parliament, the extent of the royal prerogative, and subjects' rights were actively incubated and disseminated—not least in manuscript pamphlets—before emerging in an effusion of print in the 1640s.<sup>14</sup> By focusing on the prisoners' tract, I demonstrate how the new technologies and networks of communication that underpinned these debates could be utilized by single-issue activists to sustain political campaigning. Perpetuated in such a manner, these tracts and their arguments became foundational to prison activism, even percolating into wider traditions of political radicalism and legal reform during the English revolution and beyond.<sup>15</sup> Thus, in a period of growing political conflict, these circumstances of transmission and the changing contexts of political discourse could impart a radical trajectory to a socially provocative but nonpartisan text.

At the heart of this article, then, are a series of questions about what happened to this text between 1622 and 1641. How did a prison flashpoint in 1622 become a developing tradition of carceral politics that increasingly intersected with radical political movements? By what mechanisms of publication and circulation was this tradition sustained? How did prisoners make use of these mechanisms over the course of two decades? And what impact did this experience of campaigning have on prison politics? In addressing these questions, I build on recent work by historians such as Jason Peacey and David Como on the potential of print to enable political participation and mobilize radical networks and on Noah Millstone's exploration of the related phenomenon of political manuscript circulation in the early Stuart period.<sup>16</sup> I also move beyond textual practices among intellectuals, literary figures, politicians, and government officials to emphasize production among more marginal actors that was grounded in their material circumstances.<sup>17</sup>

<sup>14</sup> J. P. Sommerville, *Royalists and Patriots: Politics and Ideology, 1603–1640* (London, 1999); Greenberg, *Radical Face of the Ancient Constitution*; Richard Cust, "Charles I, the Privy Council, and the Forced Loan," *Journal of British Studies* 24, no. 2 (1985): 208–35; Richard Cust, "News and Politics in Early Seventeenth-Century England," *Past and Present*, no. 112 (1986): 60–90; Thomas Cogswell, "The Politics of Propaganda: Charles I and the People in the 1620s," *Journal of British Studies* 29, no. 3 (1990): 187–215; Alastair Bellany, *The Politics of Court Scandal in Early Modern England: News Culture and the Overbury Affair, 1603–1666* (Cambridge, 2002); Noah Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England* (Cambridge, 2016), 316–23; David R. Como, *Radical Parliamentarians and the English Civil War* (Oxford, 2018).

<sup>15</sup> Bell, "Dens of Tyranny," 316–99.

<sup>16</sup> Jason Peacey, *Print and Public Politics in the English Revolution* (Cambridge, 2013); Como, *Radical Parliamentarians and the English Civil War*; Noah Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*.

<sup>17</sup> Peter Beal, *In Praise of Scribes: Manuscripts and their Makers in Seventeenth-Century England* (Oxford, 1998); Harold Love, *Scribal Publication in Seventeenth-Century England* (Oxford, 1993); Arthur F. Marotti, *Manuscript, Print, and the English Renaissance Lyric* (Ithaca, 1995); H. R. Woudhuysen, *Sir Philip Sidney and the Circulation of Manuscripts 1558–1640* (Oxford, 1996); Anthony Grafton, *Inky Fingers: The Making of Books in Early Modern Europe* (Cambridge, MA, 2020); Elizabeth L. Eisenstein, *The Printing Press as an Agent of Change: Communications and Cultural Transformations in Early Modern Europe* (Cambridge, 1980); Adrian Johns, *The Nature of the Book: Print and Knowledge in the Making* (Chicago, 1998); Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*; Nicholas Popper, *Walter Raleigh's History of the World and the Historical Culture of the Late*

By examining each stage of this publication history in turn, I provide a series of windows into different nodes of textual practices: from parliamentary petitioning and news printing in the 1620s, to manuscript pamphleteering and the demand for legal texts in the 1630s, and finally to the explosion of radical printing and political agitation in the 1640s.

My examination demonstrates how a specific social constituency could utilize the full range of these modes and networks of political communication across multiple media and how, in turn, such groups could both develop connections to radical political networks and come to imagine their cause as part of a wider political movement. Significantly, these mechanisms of publicity relied on the diffusion of textual practices through early modern society. In particular, anti-carceral activism was grounded in the world of textual production within prisons, where varied uses of print and manuscript were conditioned by material circumstances and formed part of the day-to-day experience of incarceration. Operating at the intersection of quotidian textual practice and developing forms of political communication, a new prisoner constituency became engaged in wider currents of national debate, not only as audiences for such texts but also as producers of them.

### LOBBYING, NEWS, AND PRINT

The original version of *Imprisonment of Mens Bodies* was the product of an already sustained period of activism, agitation, and rioting within the King's Bench and Fleet prisons. In the first instance, these efforts were not coordinated between the respective prison populations but were isolated instances of rebellion that by 1622 had found a common cause. Rioting and insubordination had periodically flared up in the Fleet since 1618, part of long-standing conflict between warden Alexander Harris and his prisoners over accusations of parlous conditions, extortion, and violence at the hands of prison staff.<sup>18</sup> Meanwhile, in July 1620, a major riot broke out in the King's Bench prison that left it under the control of its prisoners for a number of days until order was restored by force. The grievances that emerged in the aftermath were similar to those in the Fleet: excessive and illegal fees, poor conditions, abuse, and violence.<sup>19</sup> Basing their arguments on local custom—specifically, that more favorable fees, conditions, and treatment had been set by precedent in “tyme past”—prisoners in both institutions claimed that recent corruption, innovation, and extortion by their gaolers not only harmed prisoners but also undermined the entire purpose of imprisonment for

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*Renaissance* (Chicago, 2012). On more widespread uses of print, see Peacey, *Print and Public Politics in the English Revolution*, part 3.

<sup>18</sup> Alexander Harris, *The Economy of the Fleete*, ed. Augustus Jessopp (London, 1879); *A Briefe collection of some part of the exactions, extortions, oppressions, tyrannies, and excesses towards the lives, bodies and goods of prisoners, done by Alexander Harris* ([London, 1621]) [STC 12802]; Petition of Edmund Chamberlain (prisoner) to the Privy Council, July 1618, TNA, SP 14/98, fol. 91r; Petition of Lady Whitebrook to the Privy Council, July 1618, TNA, SP 15/41, fols. 184r–186v.

<sup>19</sup> Registers of the Privy Council, 24 July 1620, TNA, PC 2/30, fols. 579r–v; Grievances of prisoners in the King's Bench, [24 July 1620?], TNA, SP 14/116, fols. 64r–v; Justices of Middlesex and Surrey to the Privy Council, 14 August 1620, TNA, SP 14/116, fols. 96r–v.

debt. Reform of these abuses was thus necessary to restore incarceration to its proper role within social relations.<sup>20</sup>

Significantly, after 1620 these campaigns began to converge, escalating from a focus on local grievances and conflicts to increasingly controversial demands for thoroughgoing legal reform and eventually for the abolition of imprisonment for debt. Prisoners also began to broadcast their cause to a wider audience. From 1621, they produced a number of new parliamentary petitions in print and manuscript and two proposed bills of Parliament, some of which were now explicitly framed as collaborations between prisoners in the Fleet and King's Bench. They included proposals for significant reforms to imprisonment for debt, including new commissions of justices of the peace tasked with mediating credit disputes. Furthermore, they now argued that imprisonment for debt contravened the principles of the ancient constitution, implying that the system itself was illegitimate rather than corrupted by self-serving officers.<sup>21</sup> Thus, prisoners increasingly intervened in the complex legal and social structures of credit and debt, now seeing their initial grievances as symptoms of wider problems.

*Imprisonment of Mens Bodies* (1622) was both the culmination of these ideological shifts among London's prison activists and a marker of a significant development in their tactics. Prisoners now moved away from print as a tool of direct supplication and toward one of public political lobbying. As Chris Kyle argues, the period between 1621 and 1624 was the "highpoint of parliamentary print culture pre-1640," dominated by broadside petitions alongside breviate bills, sermons, prayers, and lengthy pamphlets aiming to publicize causes and gain the attention of members of Parliament.<sup>22</sup> Whether the tract was intended for distribution to members of Parliament or for wider dissemination is unclear. Although framed as a petition to king and Parliament, it almost certainly made it to press after the dissolution of James I's Third Parliament in January 1622, missing its explicitly stated audience. Furthermore, most printed petitions intended for sale and wider circulation were pamphlets rather than the broadsides more often meant for distribution within Parliament, although this practice only became common by the late 1620s.<sup>23</sup> Either way, despite the dissolution of Parliament, the pamphlet circulated widely, surviving in twenty-five copies. Indeed, Kyle places it among a number of pamphlets that aimed to influence opinion both within and without Parliament and which are best judged in terms of "discursive power" as much as "legislative outcome." However, he cautions that the pamphlets were of a type distinct from the political polemic that dominated print pamphleteering in the 1640s, as they

<sup>20</sup> Grievances of prisoners in the King's Bench, TNA, SP 14/116, fols. 64r–v. See also Bell, "Dens of Tyranny," chap. 4.

<sup>21</sup> *The humble petition of your majesties most miserable (yet most loyall subjects) the prisoners for debt in the Kings Bench* ([London, 1621?]) [STC 14961.5]; *The humble petition of the distressed prisoners in the Kings Bench, and Fleete, and all others his Majesties distressed subjects, now prisoners* ([London, 1624?]) [STC 14961.7]; Petition of prisoners in the King's Bench and Fleet, 1621, Parliamentary Archives, HL/PO/JO/10/1/21, fols. 27r–37v; Draft of an act for the speedier payment of prisoners' debts, 18 March 1624, Parliamentary Archives, HL/PO/JO/10/1/22, fols. 155r–66v; Kyle, *Theater of State*, 161–62.

<sup>22</sup> Chris R. Kyle, "From Broadside to Pamphlet: Print and Parliament in the Late 1620s," *Parliamentary History* 26, no. 1 (2007): 17–29, at 17–18. See also Kyle, *Theater of State*, 141–44, 159–60.

<sup>23</sup> Kyle, "From Broadside to Pamphlet," 17, 23–25; Kyle, *Theater of State*, 142, 159–60, 163–65, 167.



were typically confined to the interests of a specific group or individual and were thus “nonpartisan and generally uncontroversial.”<sup>24</sup>

Indeed, the 1622 publication *Imprisonment of Mens Bodies* did not mark a new politically oppositionist stance within London’s prisons. Insofar as Parliament was concerned, prisoners had reason to hope for a favorable hearing. Late Jacobean politics was colored by a reformist mood. Parliaments had grown increasingly concerned with questions of corruption, extortion, and embezzlement both at the center of the early modern state and throughout its decentralized limbs. The 1621 Parliament had sought to curtail abuses of patronage and monopolies, prosecuting particularly rapacious or corrupt patentees such as Sir Giles Mompesson, Sir Francis Michell, and Sir Francis Bacon.<sup>25</sup> Likewise, although no legislative reform had been forthcoming following the prisoners’ petitioning campaigns, the Commons had intervened in the dispute between Alexander Harris and his prisoners in the Fleet, roundly chastising his treatment of prisoners and calling for regulation of the fees and rents he charged.<sup>26</sup> This receptiveness perhaps emboldened the prisoners’ petitioning campaign in the early 1620s, which now included pushes for legislative reform and the publication of *Imprisonment of Mens Bodies*.

Nonetheless, the 1622 pamphlet marked a significant shift in rhetoric and tone as well as tactics. Although not politically partisan, it moved beyond the prevailing discourse centered on the redress of abuses toward a more systemic critique of imprisonment for debt on legal, political, religious, and economic grounds, calling for its almost entire abolition.<sup>27</sup> Such arguments did not aim to challenge the political order, but they did constitute a significant polemic against the role of the state and legal system in everyday social relations and the credit economy. Furthermore, the concomitant shift in emphasis from local custom and corruption to fundamental laws, the ancient constitution, and subjects’ rights was a decisive one. To be sure, the language of the ancient constitution held popular appeal and could be put to varied political uses.<sup>28</sup> Yet, as Millstone argues, “different versions of the political coexisted” in early modern England, each offering different interpretative frameworks and modes of political action.<sup>29</sup> Local custom was one of these, and in the context of imprisonment emphasized defense of the status quo and of institutional integrity. An emphasis on law, rights, and liberties, on the other hand, had greater potential to reimagine institutions, testing their legitimacy against criteria set by divine writ and a constitution immemorial. This shift between political frameworks had significant implications for the ways in which prisoners diagnosed their material problems, the redress they imagined for them, the terms in which they expressed these critiques, and the mechanisms by which they pursued their aims. As a result, while *Imprisonment of Mens Bodies* may not have been politically divisive, prisoners’

<sup>24</sup> Kyle, *Theater of State*, 162–63.

<sup>25</sup> Conrad Russell, *Parliaments and English Politics, 1621–1629* (Oxford, 1979), 93–114; Linda Levy Peck, *Court Patronage and Corruption in Early Stuart England* (London, 1990); G. E. Aylmer, “Charles I’s Commission on Fees, 1627–40,” *Historical Research* 31, no. 83 (1958): 58–67.

<sup>26</sup> Russell, *Parliaments and English Politics*, 117; Bell, “Dens of Tyranny,” 102–3, 284–89.

<sup>27</sup> *Imprisonment of Mens Bodies* (1622).

<sup>28</sup> Glenn Burgess, *The Politics of the Ancient Constitution: An Introduction to English Political Thought, 1603–1642* (University Park, 1993); Sommerville, *Royalists and Patriots*; Greenberg, *Radical Face of the Ancient Constitution*.

<sup>29</sup> Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*, 11–12.

claims were now expressed in terms that connected them more directly to political, legal, and constitutional debates, which, as I discuss below, would attract new audiences and, in time, provide the basis for new political alliances.

The dissemination of these arguments through novel mechanisms of printed parliamentary lobbying relied on developing relationships with printers and practices of print publicity. London's prisoners were no strangers to print. Most prison populations had preexisting connections to trade printers, particularly Miles Flesher and George Eld. This pair received a monopoly to print bills and petitions on behalf of poor prisoners in ten of London's prisons (including the King's Bench) in March 1618, a grant previously held by Raffe Blore since 1602.<sup>30</sup> For the most part, this grant covered ephemeral petitions for charity that were circulated by prison beggars.<sup>31</sup> Possibly via this connection, in the 1610s Eld also printed a prison satire by Geffray Mynshul and a prison sermon by William King, both written in the King's Bench and critiquing practices of incarceration.<sup>32</sup> In the same decade, William Jones seems to have undertaken a similar role for the Fleet, which was not covered by Flesher and Eld's grant. In 1617, he received a license to print a petition from "the poore prisoners in the Gaile of the fleete"; although it does not survive, it was most likely another ephemeral plea for charity.<sup>33</sup> Significantly, however, Jones was also a prolific printer of anonymous early Jacobean petitions to Parliament, and he took on new, more provocative work for Fleet prisoners. In 1621, he anonymously printed a potentially scandalous broadside of their grievances against Harris, which included accusations of extortion, assault, and even murder.<sup>34</sup> Such preexisting practices of collective textual production and even specific trade connections with printers thus provided prisoners with the means to pursue more antagonistic strategies in print.

Prisoners also made new connections with trade printers operating at the forefront of novel forms of political textual production. In 1622, this role was filled by Edward Alde, a prolific early Stuart trade printer to whom the English Short Title Catalogue credits the original version of *Imprisonment of Mens Bodies*. This attribution is most likely based on the printer's ornaments used throughout the pamphlet, which are identifiable elsewhere in Alde's stock, such as a distinctive decorative satyr's head banner (figure 2).<sup>35</sup> Significantly, these elements also include an initial "M"—identified in Alde's repertoire by Nancy Peters Maude—that features damage on both the top left and top right sides of the letter and on the top side of the right diagonal.<sup>36</sup> By the 1622

<sup>30</sup> Edward Arber, ed., *A Transcript of the Registers of the Company of Stationers of London, 1554–1640*, 5 vols. (Gloucester, MA, 1967), 3:221, 623.

<sup>31</sup> Bell, "Charity, Debt and Social Control," 14–15, 20.

<sup>32</sup> G[effray] M[y]nshul, *Essayes and Characters of a Prison and Prisoners* (London, 1618) [STC 18319]; William King, *The Straight Gate to Heaven* (London, 1616) [STC 14997.3].

<sup>33</sup> Arber, *Transcript of the Registers of the Company of Stationers of London*, 3:607.

<sup>34</sup> *A Briefe Collection of Some Part of the Exactions, Extortions, Oppressions, Tyrannies, and Excesses*; Kyle, *Theater of State*, 159, 172.

<sup>35</sup> R. B. McKerrow, "Edward Alde as a Typical Trade Printer," *Library* 10, no. 2 (1929): 121–62, at 152; *Imprisonment of Mens Bodies* (1622), sig. A3r; *A Briefe Description of the Reasons That Make the Declaration of the Ban Made Against the King of Bohemia* (The Hague [in fact, London], 1621) [STC 11353], sig. A2r.

<sup>36</sup> N. P. Maude, "The Extended Collaboration of John Danter and Edward Alde," *Library* 16, no. 3 (2015): 329–43, at 337.



Figure 5—[Henry Burton], *The Protestation Protested* (London, 1641) [Wing B6171] (ornament: 63×59mm). © British Library Board, 100.c.22.

publication of *Imprisonment of Mens Bodies*, it had acquired a further blemish on the right-hand vertical also evident in later uses of Allde's stock, including the work of his wife, Elizabeth Allde, following his death in 1627 (figures 5 and 6).

Exactly how Allde became involved as the prisoners' printer is unclear. On one level, this was surely a commercial relationship. Allde's trade output was sufficiently extensive and varied that it would be unwise to read too much into one minor aspect of his body of work. By the late 1610s, he certainly had business connections within London's prison system. He had printed a number of works by the dramatist and pamphleteer Thomas Dekker, whose financial instability infamously led to numerous periods of imprisonment for debt. These included a stint in the King's Bench between 1613 and 1619, during the buildup to the prisoners' open conflict with the marshal. While there, Dekker had collaborated with Mynshul (also imprisoned in King's Bench until 1618) and William Fennor. Each published a distinct, but clearly related, satire of prison life between 1616 and 1618.<sup>37</sup> Suggestively, Mynshul's satire was printed

<sup>37</sup> Thomas Dekker, *Villanies Discovered by Lanthorne and Candle-Light* (London, 1616) [STC 6488], sigs. I1v–L3v; William Fennor, *The Compters Common-Wealth* (London, 1617) [STC 10781]; M[y]nshul, *Essayes and Characters of a Prison and Prisoners*. On this collaboration, see Phillip Shaw, "The Position of Thomas Dekker in Jacobean Prison Literature," *PMLA* 62, no. 2 (1947): 366–91; Mary Leland Hunt, "Geffray Mynshul and Thomas Dekker," *Journal of English and Germanic Philology* 11, no. 2 (1912): 231–43. On Dekker and Allde, see R. B. McKerrow, ed., *A Dictionary of Printers and Booksellers in*



Figure 6—A petition [. . .] *Wherein is declared the mischiefs and inconveniences, arising to the King and Common-wealth, by the Imprisoning of mens bodies for Debt* ([London], 1622) [STC 14428], sig. A2r (32×33mm). Bodleian Library, University of Oxford, Antiq.e.E.1622.5. License: Digital Bodleian, CC-BY-NC 4.0.

under license by William Jones in 1618, while another edition from the same year has been attributed to George Eld.<sup>38</sup> Evidently, as they turned to print as a political tool, prisoners already had numerous connections with London’s printing trade.

More significantly still, Alde, too, had personal experience of London’s prisons. He was himself incarcerated at the command of the Stationers’ Company for illicit printing on two occasions: once in 1603 for an illegal edition of James I’s *Basilikon Doron* and again on 13 August 1621 for an unlicensed book, *A briefe description of the reasons that make the declaration of the ban made against the King of Bohemia*.<sup>39</sup> This second instance—only shortly before the publication of the prisoners’ pamphlet—was accompanied by an order to deface his press and began a nearly yearlong conflict

*England, Scotland and Ireland, and of Foreign Printers of English Books, 1557–1640* (London, 1910), 5–6, 188; I. Gadd, s.v. “Alde, Edward (1555x63–1627),” *Oxford Dictionary of National Biography Online*, 23 September 2004, <https://doi.org/10.1093/ref:odnb/363>; John Twynning, s.v. “Dekker, Thomas (c. 1572–1632),” *Oxford Dictionary of National Biography Online*, 3 January 2008, <https://doi.org/10.1093/ref:odnb/7428>.

<sup>38</sup> G[effray] M[y]nshul, *Certaine Characters and Essayes of Prison and Prisoners* (London, 1618) [STC 18318]; Arber, *Transcript*, 3:619; M[y]nshul, *Essayes and Characters*.

<sup>39</sup> William A. Jackson, ed., *Records of the Court of the Stationers’ Company, 1602 to 1640* (London, 1957), 2–5, 137–38. See also *Briefe Description of the Reasons* [. . .].



with the Stationers' Company. On 8 October, Allde was censured once more by the Stationers' court. When brought in (possibly from prison) to answer for having "latelie Imprinted diuerse bookes without lycense or entrance," he responded with "vnfitting wordes and scandalous speeches" toward the master, wardens, and table of assistants and claimed that "there was not an honest man that satt at the Table." As a result, he was debarred from attending the company as a liveryman until he submitted to the court. At this stage Allde was presumably freed from prison, but this stalemate persisted until 5 July 1623, when he finally submitted.<sup>40</sup>

This episode is significant on two fronts. Firstly, it demonstrates that Allde not only had firsthand experience of incarceration but had also spent almost two months in London's prison system shortly before the 1622 publication of *Imprisonment of Mens Bodies*. Although there is no record of where he was imprisoned, it seems significant that he entered prison in the midst of agitation within the Fleet and King's Bench and printed this pamphlet soon thereafter. It is possible—although difficult to prove—that his involvement was the result of connections made within prison communities. Either way, Allde's conflicts with authorities and willingness to endure punishment—to the point of stubborn defiance of the Stationers' Company and protracted unwillingness to submit—demonstrate a professional appetite for risk that spanned his career and may have put him in direct contact with a wider prison population currently embroiled in its own struggle with authority.

Secondly, this episode places the prison pamphlet within a context of Allde's involvement in news production. By 1622, he was printing some of the earliest licensed corantos for Thomas Archer, Nathaniel Butter, and Nicholas Bourne, all booksellers prominent in England's nascent print news culture. This work involved occasional collaboration with Jones, another printer of unlicensed prison tracts.<sup>41</sup> Yet it was his previous, more illicit foray into early printed news that drew the ire of Stationers' Company. Significantly, he suffered his August 1621 punishment alongside Archer.<sup>42</sup> While their initial reprimand specifically cited *A briefe description*, this was just part of a wider news printing operation, implicating Allde in the early stages of coranto production in England. On 22 September, Joseph Mead—who relied on printed corantos to help furnish his manuscript newsletters—wrote to Sir Martin Stuteville that "My Corrantoer Archer was layd by the heeles for making or adding to Corrantoes &c as they say: But now there is another who hath got license to print them & sell them honestly translated out of Dutch."<sup>43</sup> Likewise, in his 1623 submission to the Stationers' Court, Allde admitted to printing both "certaine Currant[o]s and other bookes, w[i]thout lycense or

<sup>40</sup> Jackson, *Records of the Court of the Stationers' Company*, 138, 159. See also Jayne E. E. Boys, *London's News Press and the Thirty Years War* (Woodbridge, 2011), 72–73.

<sup>41</sup> Joad Raymond, *The Invention of the Newspaper: English Newsbooks 1641–1649* (Oxford, 2005), 7–10; Folke Dahl, *A Bibliography of English Corantos and Periodical Newsbooks, 1620–1642* (London, 1952), 43–45, 52–53, 98–100, 124, 135–36, 144. For examples of this collaboration, see *True Copies of Two Especiall Letters Verbatim Sent From the Palatinate by Sir FN* (London, 1622) [STC 18507.55]; *The Newes of Forraine Partes, February 28. Numb. 20* (London, 1623) [STC 18507.99].

<sup>42</sup> Jackson, *Records of the Court of the Stationers' Company*, 137.

<sup>43</sup> As quoted in Joad Raymond, *Pamphlets and Pamphleteering in Early Modern Britain* (Cambridge, 2003), 131. See also J. B. Williams, "The Earliest English Corantos," *Library*, 3rd ser., 4, no. 16 (1913): 437–40, at 439–40; Boys, *London's News Press and the Thirty Years War*, 69–73.

Entrance.”<sup>44</sup> Whether authorities were making a technical distinction between coranto production and more polemical news pamphlets such as *A briefe description* is unclear—none of these hypothetical early corantos is known to survive—but it does suggest that Allde’s illicit printing between 1621 and 1623 extended beyond a single tract. To be sure, in the early 1620s Allde anonymously printed a number of unlicensed (not to mention politically provocative) pamphlets in the vein of *A briefe description* concerning European news, many of which he attempted to disguise as French or Dutch productions and could be read as an implicit critique of English foreign policy. This was certainly true of *A briefe description*, which took an explicitly anti-Spanish line.<sup>45</sup>

It was in this context of proscribed European news production that Allde printed *Imprisonment of Mens Bodies*. The pamphlet even followed a similar design to his series of illicit publications. This included a central quartet of fleurons on the title page that characterized a number of Allde’s supposedly European pamphlets, including *A briefe description*, suggesting that it was typeset alongside them. By 1622, this same design was echoed in some corantos produced by Archer, Bourne, and Butter.<sup>46</sup> Furthermore, like Allde’s early editions of foreign news and commentary, the prison pamphlet was printed anonymously, seemingly without license. Taken alongside the aesthetic similarities, the anonymous and perhaps unlicensed production of *Imprisonment of Mens Bodies* in 1622 suggests that it was printed as part of the rapid turnover of Allde’s topical news pamphlets. While not necessarily illicit in its own right, it was nonetheless caught up in the flurry of experimentation in printed news occasioned by the confessional conflict of the Thirty Years’ War.

All of this suggests that the contentious and fast-paced nature of printed news and parliamentary petitioning in the early 1620s provided opportunities for prison activists to build upon preexisting practices of printed address, developing their connections with London’s printers in the process. Allde printed the tract during a passage of his career defined by rapid turnover, experimentation with the boundaries of licit printing, and consequent conflict with the Stationers’ Company. The appetite for news developing in early modern England incentivized some printers to take greater risks and operate at the fringes of license and legality at the same time that shifts in political lobbying techniques drove a rise in licensed and unlicensed print petitioning to Parliament. This convergence perhaps created a fortuitous window of opportunity for prisoners to push the boundaries of the print petition form, putting forward a forceful argument against an institution of

<sup>44</sup> Jackson, *Records of the Court of the Stationers’ Company*, 159. See also Raymond, *Invention of the Newspaper*, 7–10; Boys, *London’s News Press and the Thirty Years War*, 70–73.

<sup>45</sup> Raymond, *Pamphlets and Pamphleteering in Early Modern Britain*, 131; Jason Peacey, “An ‘Amsterdammified’ Public Sphere: English Newsbooks, Pamphleteering, and Polemic in European Context,” in *Political Turmoil: Early Modern British Literature in Transition, 1623–1660*, ed. Stephen B. Dobranski (Cambridge, 2019), 189–204, at 195; Boys, *London’s News Press and the Thirty Years War*, 72–73; Joad Raymond, “News Writing,” in *The Oxford Handbook of English Prose, 1500–1640*, ed. Andrew Hadfield (Oxford, 2013), 396–414, at 407–8.

<sup>46</sup> For other examples of Allde’s news publications following this design, see *The Lamentable Death of the Earle of Bucquoy, Generall of the Emperours Army* (Paris [in fact, London], 1621) [STC 16798]; *The Italian Prophecier* ([London], 1622) [STC 17182]. For similar corantos not attributed to Allde, see *Good Newes for the King of Bohemia?* ([London], 1622) [STC 18507.40]; *A Letter Sent from Maynhem Concerning the Late Defeate Given the Duke of Brunwicke by Monsieur Tilley* (London, 1622) [STC 18507.54].

socioeconomic order and in the process producing an early exemplar of the parliamentary petitionary pamphlet that operated as polemic as much as a means to a legislative end.<sup>47</sup> Just as Allde pursued the market for foreign news, so he perhaps saw an audience for critiques of the domestic legal system produced by widespread concern over corruption and extortion.<sup>48</sup> Furthermore, both the punishments he incurred as a result of these news experimentations and his professional association with some of London's more infamous debtor prisoners may have helped to forge connections with this carceral community at precisely the moment that it was seeking to publicize its collective grievances. Connections between printers and prisoners as well as a flurry of illicit printing activity in the early 1620s had provided just the conditions for prisoners to disseminate their newly strident critiques of imprisonment for debt.

### ACTIVIST USES OF MANUSCRIPT CIRCULATION

Yet print was not prisoners' only mechanism for disseminating protest materials. Although the initial publication of the 1622 pamphlet kicked off a long-standing campaign for the abolition of imprisonment for debt, it remained out of print until 1641. Nonetheless, in the intervening years, these arguments did not simply fall into abeyance, nor did they retreat within the prison walls. Instead, they were sustained in the 1630s through scribal circulation. As Noah Millstone has demonstrated, scribal pamphleteering was a core element of early Stuart political communication and perception, covering a wide range of legal, political, constitutional, and historical material in a variety of genres. Enabled by the scribal practices associated with expansions in commerce and the legal system, this material was disseminated in a more diffuse manner than print, circulating through social and professional networks.<sup>49</sup> Sometimes, previously printed material crossed into manuscript—in the most extreme cases, to circumvent press censorship. Seditious texts such as Thomas Scott's *Vox Populi* and George Eglisam's *Forerunner of Revenge* circulated in manuscript because clandestine printing simply could not keep up with demand.<sup>50</sup> In other cases, scribal copying was a convenient means of reproducing otherwise rare texts or of incorporating material from genres customarily circulated in manuscript—such as legal writings—into the scribal corpus.

The case of *Imprisonment of Mens Bodies* further expands our understanding of these dynamics of transition between print and manuscript, in particular the opportunities that commercial demand and conventions of circulation provided for activists to insert their arguments into preexisting currents of scribal dissemination and

<sup>47</sup> Kyle, *Theater of State*, 159–63.

<sup>48</sup> Russell, *Parliaments and English Politics*, 93–114; Peck, *Court Patronage and Corruption*, 185–207.

<sup>49</sup> Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*, chap. 2; Millstone, "Introductory Essay," in Millstone, Verweij, and Bell, *Manuscript Pamphleteering in Early Stuart England*, <https://mpese.ac.uk/introduction.html>; Beal, *In Praise of Scribes*, 3; Love, *in Seventeenth-Century England*, 17–18, 94–95, 117, 224–29.

<sup>50</sup> Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*, 2–4, 39, 130; Millstone, "Introductory Essay"; Love, *Scribal Publication in Seventeenth-Century England*, 96–97, 184–91. For a similar example, see Richard Serjeantson and Thomas Woolford, "The Scribal Publication of a Printed Book: Francis Bacon's *Certaine Considerations Touching* [. . .] *the Church of England* (1604)," *Library* 10, no. 2 (2009): 119–56.

consumption. Indeed, while this tract marked a newly polemic turn in prison activism, there is nothing to suggest that it provoked a crackdown that would have forced it underground in a manner comparable to *Vox Populi* or *Forerunner of Revenge*. Instead, a more prosaic explanation seems convincing. Generically, *Imprisonment of Mens Bodies* fit comfortably into a vibrant culture of legal copying, providing prisoners with a scribal corpus (albeit one that was itself increasingly crossing over to print) into which the text could be strategically introduced.<sup>51</sup> Thus, the authors of previously printed material could actively turn to scribal networks as a tool of political campaigning, taking advantage of an early Stuart appetite for political and legal texts circulated in this manner. Scribal publication, then, was not necessarily limited—as Peter Beal and Harold Love respectively suggest—to discourse between “cultivated gentlemen” or within the “governing class.”<sup>52</sup> Even insofar as it catered to exclusive—or at least limited—audiences, this social and professional cachet could be manipulated by activists to appeal to those milieus. Furthermore, the more flexible mechanism of scribal reproduction and dissemination dovetailed with practices of textual production as a means of resistance well established in London’s prisons. Thus, an intersection of polemical campaigning, local scribal practices, and a growing commercial interest in legal texts drew the prison tract into the world of manuscript pamphleteering. This in turn not only sustained and publicized the prisoners’ cause but also drew it further into a realm of political controversy and contestation. *Imprisonment of Mens Bodies* thus reveals how these networks of communication could be used as a political campaigning tool by relatively marginalized social groups and how it was conditioned by their marginal position.

Two complete copies of the prisoners’ pamphlet survive in manuscript: one in the Lansdowne manuscripts at the British Library (figure 3) and another in the Sion College collection at Lambeth Palace (figure 4). Both were almost certainly part of the same scribal operation; they derive in appearance from the original print run (figure 2) and share a distinctive scribal style. This is most evident in the title pages, strikingly similar in terms of ornamentation (such as on the titular “Imprisonment”) and layout, which followed the print version in prominently displaying the content headings. Given these similarities, the two were almost certainly professionally copied by the same manuscript production house, if not by the same scribe. Indeed, this is quite possibly the work of Scribe A, identified by Manuscript Pamphleteering in Early Stuart England as one of the most prolific commercial producers of manuscript pamphlets in this period.<sup>53</sup> By the 1630s, then, *Imprisonment of Mens Bodies* had entered the world of early Stuart manuscript circulation and was being produced commercially.

<sup>51</sup> On the market for legal manuscripts, see Love, *Scribal Publication in Seventeenth-Century England*, 224–29; Ian Williams, “Law, Language and the Printing Press in the Reign of Charles I: Explaining the Printing of the Common Law in English,” *Law and History Review* 38, no. 2 (2020): 339–71.

<sup>52</sup> Beal, *In Praise of Scribes*, 19, 30; Love, *Scribal Publication in Seventeenth-Century England*, 133, 177, 183, 185. On the more socially capacious nature of manuscript circulation, see Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*, 40–45.

<sup>53</sup> “Scribe A,” in Millstone, Verweij, and Bell, *Manuscript Pamphleteering in Early Stuart England*, 2018, <https://mpesc.ac.uk/p/P0107.html>. On commercial production, see Love, *Scribal Publication in Seventeenth-Century England*, 73–79; Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*, 37–40, 43–45; Beal, *In Praise of Scribes*, 18–19, 30, 69–77.



Although only two copies survive, the circumstances of their collation suggest that the pamphlet was targeted at consumers of legal and political texts. The Lansdowne copy was collected in a wide-ranging volume of such manuscripts, including John Borough's *Sovereignty of the Seas*, Raleigh's *Dialogue Between a Councillor of State and a Justice of Peace*, and tracts attributed to William Noy and Sir Robert Cotton on royal revenue.<sup>54</sup> The Sion College copy ended up in a similar collection, which also contained Borough's *Sovereignty of the Seas*, the anonymous *Way of Duels Before the King*, and parliamentary speeches, including some concerning the liberty of Parliament and the Petition of Right.<sup>55</sup> Though it is impossible to tell for certain when either volume was collated, there are some clues regarding the Sion College collection. A number of the texts in this volume (including the prison pamphlet) were acquired sometime after 1629 with a five-pound bequest—from Thomas Adison, a former ostiary of the Sion College library—that purchased a mix of manuscript and printed texts. Also bought with this bequest were numerous titles concerning political history, statecraft, officeholding, and the legal system, as well as treatises on usury and another on debtors' prisons that do not seem to have survived.<sup>56</sup> These facts raise the possibility that the collection was roughly contemporaneous with the purchase of the manuscripts during the 1630s and certainly further reveal how the manuscript copy of *Imprisonment of Mens Bodies* was part of the active commercial circulation of scribal and print texts that met a demand for legal, political, and economic works.

Networks of manuscript production and distribution thus sustained this pamphlet into the 1630s in a mixed marketplace of scribal and print production. The pamphlet circulated alongside—and was collected with—a number of texts in manuscript relating to questions of political authority, governance, and legal practice. These concerns were characteristic of manuscript pamphleteering and were ones to which prisoners' emphasis on fundamental laws, liberties, and rights since 1622 spoke directly.<sup>57</sup> Arguably, the shift away from local custom and toward constitutionalism not only allowed prisoners to articulate new solutions to social crises but also provided them with a broader political audience inclined to consume such material in manuscript.

Yet this is not to say that the recirculation of *Imprisonment of Mens Bodies* was simply the product of commercial demand for such texts without any involvement from prisoners. If that were the case, the tract might simply have been copied from print by an entrepreneurial scribe. Yet while the forces driving this post-print circulation are ambiguous, it is nonetheless clear that London's prisoners were active in disseminating the pamphlet through networks of manuscript circulation. Suggestively, the Sion College copy is annotated "Ed: Harrison's / Prisoners Petition."

<sup>54</sup> "A miscellaneous volume," BL, Lansdowne MS 806. See also "British Library, Lansdowne MS 806," in Millstone, Verweij, and Bell, *Manuscript Pamphleteering in Early Stuart England*, [https://mpese.ac.uk/m/BL\\_Lansdowne\\_MS\\_806.html](https://mpese.ac.uk/m/BL_Lansdowne_MS_806.html).

<sup>55</sup> "Miscellany," Sion College, Lambeth Palace Library, MS ARC L40.2/E50. See also "Lambeth Palace Library, Sion College MS ARC L.40.2/E50," in Millstone, Verweij, and Bell, *Manuscript Pamphleteering in Early Stuart England*, [https://mpese.ac.uk/m/LPL\\_Sion\\_College\\_MS\\_ARC\\_L\\_40\\_2\\_E50.html](https://mpese.ac.uk/m/LPL_Sion_College_MS_ARC_L_40_2_E50.html).

<sup>56</sup> Bequest of Thomas Adison, 1629, Sion College, Lambeth Palace Library, MS ARC L40.2/E64, 6.

<sup>57</sup> Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*; Millstone, "Evil Counsel: *The Propositions to Bridle the Impertinency of Parliament* and the Critique of Caroline Government in the Late 1620s," *Journal of British Studies* 50, no. 4 (2011): 813–39.

This was likely Edward Harrison, a self-described London gentleman imprisoned in the Fleet for debt. Incarcerated there since the Trinity Term of 1630, he incurred the standard entrance fee for an esquire (£3 6s. 8d.) and could evidently afford a more comfortable life in the prison: he paid £10 yearly rent and had tipped 10s. to the prison porter for sole occupancy of a room, where he provided his own food, furniture, and bedding.<sup>58</sup> From this position of relative comfort—even compared to other gentlemen prisoners on the more affluent master's side of the Fleet—it seems that Harrison helped to distribute new manuscript copies of the pamphlet. Given that he was first incarcerated there in 1630, it is unlikely that he was involved with the original 1622 publication.<sup>59</sup> Instead, the association of the text with a more recent arrival to the Fleet suggests that campaigning persisted within London's prisons independently of individual prisoners and in spite of the high turnover in prison populations.

Harrison's involvement expands our understanding of the material conditions of textual production in London's prisons and how they enabled such a persistent campaign. *Imprisonment of Mens Bodies* was deeply embedded in the textual world of London's prisons, which in turn overlapped with other such worlds. Just as the 1622 print pamphlet was produced at the juncture of long-standing prison practices of ephemeral print petitioning and new modes of printed engagement with Parliament, so the production of this new version was preconditioned by scribal practices within both prisons and pamphleteering networks. Harrison was implicated not only in the reproduction of the pamphlet but also in oppositional modes of textual production common to the prison: petitioning, the production of evidences against gaolers, legal documentation, and correspondence with external agents.

Indeed, the republication in manuscript of *Imprisonment of Mens Bodies* took place in a wider context of internal prison conflict. From the summer of 1632, Harrison was engaged in part of a prison-wide campaign against the governors of the Fleet that included alleged involvement in the production and circulation of supposedly “scandalous” letters and papers within and beyond the prison walls investigated by the Commission on Fees.<sup>60</sup> This commission, which was first set up under James I in 1622, investigated fee-taking officers of the early modern state. In the process, it took a wide range of testimony from both officers and those who had paid them fees in an attempt to discover whether the amounts being charged were extorted or inflated compared to those set by precedent. The process—led by antiquarians such as Sir Henry Spelman—was itself inherently textual: as well as recording oral and written testimony, the commission copied and collated huge numbers of internal institutional records pertaining to fees. During the 1620s and early 1630s, it paid particular attention to London's prisons—especially the Fleet—following complaints of corruption, reproducing huge swaths of otherwise lost prison archives in the process.<sup>61</sup>

<sup>58</sup> Examination of Edward Harrison, Commission on Fees, 24 November 1632, TNA, E 215/58D, 403–4; Table of Fees, Fleet Prison, Commission on Fees, TNA, E 215/927, fol. [2r].

<sup>59</sup> Examination of Edward Harrison, Commission on Fees, 24 November 1632, TNA, E 215/58D, 404.

<sup>60</sup> Proceedings minutes, Commission on Fees, 31 January 1633, TNA, E 215/58E, 83.

<sup>61</sup> Aylmer, “Charles I's Commission on Fees,” 58–67; Jean S. Wilson, “Sir Henry Spelman and the Royal Commission on Fees, 1622–40,” in *Studies Presented to Sir Hilary Jenkinson*, ed. J. Conway Davies (Oxford, 1957), 456–70; Murray, “Measured Sentences,” 158; Bell, “Dens of Tyranny,” 31–2, 109–11.

Unsurprisingly, this activity generated conflict between the officers under scrutiny, their charges, and the agents of the commission. In early 1633, James Ingram, the deputy warden of the Fleet, accused two of the commission's clerks—Mr. Bowles and John Strange—of trying to generate spurious complaints against the prison governors. According to Ingram, Strange had brought money (bribes, by implication) to prisoners on the poor ward, conspired with “those of the factious sort,” and “incited [them] to promote unjust Complaints” against Ingram and the warden, Henry Hopkins.<sup>62</sup> Strange's activities were discovered when prison staff intercepted a letter from Thomas Browne to a fellow prisoner that reputedly described Strange as “his speciall Freinde” who “would help them out of Prison” if he would “joyne with them against the Warden.”<sup>63</sup> Whatever Strange's involvement, Browne had orchestrated agitation on the common side of the prison that generated large amounts of paperwork, including petitions, letters, articles, evidences, and lists of witnesses against Ingram, much of which was delivered to the Commission.<sup>64</sup>

Yet such opposition was not limited to prisoners on the poorer side. According to Ingram, the commission clerks Bowles and Strange were agitating in both the common and master's wards of the prison. Sir Garret Rainsford, a prisoner in the Fleet since around 1627, testified that he had been introduced to Bowles by Harrison, the prisoner and producer of the manuscript version of *Imprisonment of Mens Bodies*, with whom Rainsford habitually dined. Suggestively, in the mid-1630s, Rainsford was embroiled in a prison industry of forged habeas corpus writs alongside John Jones, an antiquary, scribe, and copyist of Welsh manuscript poetry.<sup>65</sup> After their introduction, Bowles apparently encouraged Rainsford and Harrison to “stirre upp the Prisoners of the Fleete against the warden,” promising both “reward and libertie.”<sup>66</sup> Whether the commission officials were really at the heart of this organization is unclear. According to Strange, his interactions with prisoners were either routine attempts to find witnesses in the Fleet willing to testify as part of the commission's usual affairs, or—in the case of some visits to the poorer wards—were part of his private business with a prisoner with whom he was a joint defendant in a suit at Star Chamber.<sup>67</sup> As Strange told it, Ingram's accusations were merely part of an attempt to delegitimize the work of the commission in the Fleet. Indeed, Rainsford—who admitted to at one stage taking bribes from Ingram to testify on his behalf—claimed that the deputy warden had “by all meanes laboured to suppress the truth,

<sup>62</sup> Proceedings minutes, Commission on Fees, 31 January 1633, TNA, E 215/58F, 21–22.

<sup>63</sup> James Ingram, Articles against John Strange, Commission on Fees, 24 January 1633, TNA, E 215/1696; John Strange, Answers to James Ingram, Commission on Fees, 26 January 1633, TNA, E 215/58F, 18.

<sup>64</sup> For example, see Thomas Browne, Names of prisoners paying exacted fees and rent, Commission on Fees, 21 April 1631, TNA, E 215/888; Thomas Browne, Articles and petition against the warden of the Fleet, Commission on Fees, 5 May 1631, TNA, E 215/890/1–2; Petition of Fleet prisoners, Commission on Fees, c.11 July 1631, TNA, E 215/891; Thomas Browne, Petition, Commission on Fees, 18 July 1631; Thomas Browne, Articles, petitions, grievances and witness list against James Ingram, Commission on Fees, c.1631, TNA E 215/898/1–8.

<sup>65</sup> TNA, SP 16/288, fols. 250r–251r; Nesta Lloyd, “John Jones, Gellilyfdy,” *Flintshire Historical Society Publications*, 24 (1969): 5–18. I plan to explore prison forgery in a future article.

<sup>66</sup> Examination of Sir Garret Rainsford, Commission on Fees, 13 December 1632, TNA, E 215/58D, 437–40; James Ingram, Articles Against John Strange, Commission on Fees, 24 January 1633, TNA, E 215/1696.

<sup>67</sup> John Strange, Answers to James Ingram, Commission on Fees, 26 January 1633, TNA, E 215/58F, 16–19.

and to keepe back Evidence from the Jury [empaneled by the Commission], and often vilified them with opprobrious names of Rascalls, Rogues and Scabbs; And that the said M:r Ingram had used divers practices against the Jury.”<sup>68</sup>

While the collusion of commission officers against Ingram remained an unsubstantiated accusation, prisoners certainly were providing the investigators with substantial documentary evidence against him. Indeed, the intensity of Ingram’s opposition to the commission was informed by the very real attempts of prisoners to leverage this new state focus on prisons and fees. Like Browne on the common side, Rainsford and Harrison were engaged in accumulating paperwork against the Fleet governors, which Ingram tried to suppress in turn. According to Rainsford’s testimony, both he and Harrison held letters and papers received from Bowles and had helped other jurors from the commission to draw up “Articles and . . . instruccions against the Warden” as early as the summer of 1632. Exactly what was in these papers is unclear, but this supposed plot ended abruptly when Rainsford informed on his co-conspirators to Ingram, prompting the deputy warden to seize whatever documents he could.<sup>69</sup> In November 1632, twelve of the nineteen jurors impaneled by the commission for the investigation into London’s prisons complained that Ingram had “unlawfully practized to suppress the evidences w[hi]ch wee were to receive, by. . . viol[e]nt takeing away from S[i]r Garret Rainsford, the whole Collec[i]ons, Articles & other private Evidences” gathered regarding abuses in the Fleet.<sup>70</sup> Ingram retained these documents, and in January referred to “diverse papers surprized in the hands of S[i]r Garret Rainesford” still in his possession, which the commission demanded to see alongside any other papers Ingram held concerning the Commission’s business, including letters written by the clerk Bowles.<sup>71</sup> Harrison was similarly embroiled. On 4 May 1633, the commission requested delivery of a supposedly “scandalous L[ett]re written by Mr Bowles and remayninge with Mr Harrison in the Fleet.”<sup>72</sup> While the content of this letter went unrecorded, Harrison was evidently engaged alongside Rainsford in this local conflict over the production and dissemination of documentation, articles, and evidence, part of a wider culture of textual opposition within the prison that had included the efforts of Thomas Browne.

Furthermore, Harrison handled and circulated such papers at around the same time that he was involved in the manuscript circulation of *Imprisonment of Mens Bodies*. The Sion College copy, which attributed the tract to him, was purchased sometime after 1629, suggesting it was roughly contemporaneous with his agitation in the early 1630s. We can only speculate as to quite how Harrison’s direct agitation against Ingram related to his involvement in republishing the tract. It seems telling, however, that the campaign against Ingram involved the production and accumulation of texts and evidence, and that Harrison was central to their collation. Yet unlike

<sup>68</sup> Proceedings minutes, Commission on Fees, 7 March 1633, TNA, E 215/58F, 43; Testimony of Job Weale, juror, Commission on Fees, 8 December 1632, TNA, E 215/58D, 424.

<sup>69</sup> Examination of Sir Garret Rainsford, Commission on Fees, 13 December 1632, TNA, E 215/58D, 437–40; James Ingram, Articles against John Strange, Commission on Fees, 24 January 1633, TNA, E 215/1696.

<sup>70</sup> Jurors’ petition to the Earl of Arundel, Commission on Fees, 10 November 1632, TNA, E 215/932.

<sup>71</sup> Proceedings minutes, Commission on Fees, 28 and 31 January 1633, TNA, E 215/58F, 20–21.

<sup>72</sup> Proceedings minutes, Commission on Fees, 4 May 1633, TNA, E 215/58F, 83.



those documents, many of which were presumably intended specifically for the Commission on Fees, the pamphlet was disseminated to a wider audience. At some point, judging by the endorsement on the Sion College copy (for which we also have a record of purchase), Harrison managed to get the text into the hands of a professional producer of manuscript pamphlets, who circulated it on a commercial basis.

While the connection between Harrison and “Scribe A” is unclear, engagement with manuscript pamphleteering was nothing new to the prison. Notably, Sir Richard Grosvenor continued to collect and compile manuscript pamphlets while committed to the Fleet between May 1629 and late 1638. Although he could afford excursions out of the prison, including at least one return to his home in Cheshire, it seems plausible that at least some of this activity took place within the jurisdiction of the Fleet prison.<sup>73</sup> Furthermore, one volume (“Liber 11”) contained a copy of Alexander Harris’s *The Economy of the Fleet*, the former warden’s self-defence against accusations of corruption, extortion, and murder during the 1610s and early 1620s, alongside additional material concerning both imprisonment for debt and the Commission on Fees.<sup>74</sup> While there is no evidence that Grosvenor was involved in the oppositional activities of Rainsford and Harrison, it is telling that other prisoners were engaged in the circulation of manuscript pamphlets relating not only to prison governance and the Commission on Fees but also to one of the conflicts that had precipitated the original publication of *Imprisonment of Mens Bodies* in 1622.

This intersection of manuscript circulation and early modern prison populations should come as no great surprise. The same dynamics of expanding credit networks and growing litigiousness that led to increased prison populations also, as Millstone argues, created the necessary conditions for widespread manuscript circulation. Economic and legal activity both required a large population of professional scribes, many of whom moonlighted as pamphlet copyists and many of whom prisoners would have encountered through legal proceedings.<sup>75</sup> Indeed, prisoners were well versed in scribal production, whether as part of their personal legal maneuvers, day-to-day uses of writing in prison, or collective attempts to gather evidence and accusations. Prisoners’ varied practices of textual production and circulation were then weaponized in the midst of renewed internal prison conflict, as caches of documents were compiled, concealed, submitted, and seized. The manuscript version of *Imprisonment of Mens Bodies* emerged from these practices of local agitation. London’s prisoners took advantage of their own organization around the production and management of texts, their connection to networks of scribal production, and an active market for manuscripts copies of legal and political works to disseminate their arguments against imprisonment for debt once more.

<sup>73</sup> Richard Cust, ed., *The Papers of Sir Richard Grosvenor, 1st Bart. (1585–1645)* (Stroud, 1996), xvi, xix–xx, 43–51; Examination of Sir Richard Grosvenor, 4 May 1633, Commission on Fees, TNA, E 215/58F, 81–82. Many of Grosvenor’s manuscript pamphlets postdate his commitment, and he endorsed a catalogue of the collection on 18 February 1635; see Cust, *Papers of Sir Richard Grosvenor*, 43–51.

<sup>74</sup> Liber 11, University of Kansas, Kenneth Spencer Research Library, MS D114. This is almost certainly the missing volume from which Augustus Jessop transcribed his edition of Harris, *Economy of the Fleet*. It probably postdates Grosvenor’s 1635 catalogue, which encompassed Libers 1–9, see Cust, *Papers of Sir Richard Grosvenor*, 43–51.

<sup>75</sup> Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*, 29–40.

## RADICAL PRINT ON THE EVE OF CIVIL WAR

Like a number of texts sustained through manuscript circulation, the tract returned to print in 1641, this time in a manner that implicated it in the radical unrest of pre-civil war London. Again, this took place in a context of conflict within the King's Bench prison. The republication was preceded by an outbreak of rioting and violence in March, during which prisoners took control of the prison and were only subdued once the Privy Council ordered that the Southwark-trained band should intervene.<sup>76</sup> Significantly, this renewal of protest occurred on the eve of civil war. The return of Parliament reopened a venue for grievances, and prisoners recognized the occasion as a fertile moment for bold arguments about social and political injustice. The 1641 edition of *Imprisonment of Mens Bodies* was widely circulated and, as we saw at the opening of this article, even crossed back over into manuscript newswriting, which circulated details of prisoners' arguments further than even an extensive print run would allow.<sup>77</sup> Furthermore, with conflict brewing between crown and Parliament, the pamphlet's emphasis on ancient constitutionalism—previously an appeal to a potent but relatively uncontroversial political language—now took on incendiary connotations. Indeed, during the 1620s and 1630s, concerns over Charles I's increasing resort to the incarceration of political opponents (most notably the “Five Knights” and the puritan triumvirate of William Prynne, Henry Burton, and John Bastwick) forged new links between imprisonment and fears of monarchical tyranny.<sup>78</sup>

In this context, the insistence of prisoners for debt on their rights as “Free borne” men, the protections of the ancient constitution, and the contractual relationship of sovereign and subject as enshrined in Magna Carta took on new significance.<sup>79</sup> Indeed, while the 1641 pamphlet remained mostly unaltered from 1622, a number of the changes that were made suggest a deliberate attempt to exploit the newfound political resonances. It played down a previous focus on Old Testament practices of debt sabbaticals and forgiveness as a potential legal model, not least by replacing a concluding argument that stressed divine law, jubilee, and Christian charity with a call for the restoration of prisoners' “antient legall liberties” according to the “fundamental Laws of this Kingdome.”<sup>80</sup> This language was now advertised

<sup>76</sup> Registers of the Privy Council, 12 March 1640, TNA, PC 2/51, fol. 175v; Bell, “Dens of Tyranny,” 321–25.

<sup>77</sup> Parliamentary newsletter, late May 1641, BL, Sloane MS 1467, fol. 40v; *Imprisonment of Mens Bodies* (1641). The English Short Title Catalogue records twenty-two surviving print copies.

<sup>78</sup> J. A. Guy, “The Origins of the Petition of Right Reconsidered,” *Historical Journal* 25, no. 2 (1982): 289–312; J. P. Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603–1640* (London, 2014), 153–63; Cust, “Charles I, the Privy Council, and the Forced Loan,” 228–31; Mark Kishlansky, “Martyrs' Tales,” *Journal of British Studies* 53, no. 2 (2014): 334–55; David Cressy, “Puritan Martyrs in Island Prisons,” *Journal British Studies* 54, no. 4 (2018): 736–54.

<sup>79</sup> *Imprisonment of Mens Bodies* (1622), 6; *Imprisonment of Mens Bodies* (1641), 4.

<sup>80</sup> *Imprisonment of Mens Bodies* (1622), 3–5, 43–44 [mispaginated as 39–40]; *Imprisonment of Mens Bodies* (1641), 1–3, 27–28. Numerous references to usurers were also removed, perhaps due to shifting attitudes toward usury or an attempt to sharpen the attack against imprisonment as a system rather than the actions of creditors. See *Imprisonment of Mens Bodies* (1622), 12, 14 [mispaginated as 10], 16 [12], 21 [17], 23 [19], 26–28 [22–24], 39–40 [35–36]; *Imprisonment of Mens Bodies* (1641), 8, 10–11, 15, 17–18, 27–28; Norman Jones, *God and the Moneylenders: Usury and Law in Early Modern England* (Oxford, 1989), 176, 197–98, 200–1; Joyce Appleby, *Economic Thought and Ideology in Seventeenth-Century England* (Princeton, 1978), 63–70.

on the title page, where chapter two's title was expanded to argue that imprisonment for debt was "Against the Law of Man: and the most ancient fundamentall Common Laws of this Kingdome" (compare figures 1 and 2). In addition, the 1641 version prefaced an argument that "the body of every subject belongeth to the King" with the caveat that "the Kings of England are Kings of Fremen, not of slaves."<sup>81</sup> This addition quoted Sir Walter Raleigh's *Dialogue between a Councilor of State and Justice of the Peace*, which had itself circulated in manuscript since 1615 as part of a literature aimed against evil counselors and which was printed as *The Prerogative of Parliaments* in 1628.<sup>82</sup> Thus, this change attenuated the deferential tone of the claim that imprisonment for debt was contrary to the interests of king and commonwealth (depriving them of a member of their body) by asserting the legal status of the indebted subject and alluding to the dangers of arbitrary governance.

In a similar vein, these changes emphasized an argument for the contractual relationship between crown and subject and the duty of monarchs to uphold Englishmen's liberties. The updated preface argued that the Petition of Right—itsself the contentious outcome of conflicts surrounding Charles I's forced loan and the Five Knights case—was intended to protect the "liberty of the Subject" and alleviate "many sufferings" caused by breach of Magna Carta. Among these protections was the prohibition of "illegall" imprisonment that the prisoners argued extended to incarcerated debtors.<sup>83</sup> Significantly, they argued that it was the monarch's duty to uphold these rights. Magna Carta was a "contract intended for a perpetuall Law between the King and Subject," the confirmation of which Charles "Gratiously assented" to in the Petition of Right. This passage was paraphrased from the body of the 1622 text, which argued that Magna Carta was "not only a perpetuall Law, but . . . a perpetuall contract between the King and the Subject, written in the bloud of thousands."<sup>84</sup> Now, however, it was bolstered by more recent political precedents and given new prominence at a moment in which the revolutionary potential of such language was ever more apparent. Thus, prisoners argued for the abolition of imprisonment for debt on contractual terms and insisted on the obligations of English monarchs based on the precepts of the ancient constitution. Little of this was original to the 1641 edition, but it was now given emphasis that resonated with developing partisan rhetoric.

Furthermore, this was not simply rhetorical harmony. The circumstances of the 1641 publication of *Imprisonment of Mens Bodies* reveal persistent connections between prison activists and London's printers and—by extension—their growing affiliations with London's radical milieu. Although once again produced anonymously, the 1641 pamphlet bore the typographical fingerprints of London's burgeoning radical printing networks, clues that were potentially evident to

<sup>81</sup> *Imprisonment of Mens Bodies* (1641), 25. To compare these textual variations, see *Imprisonment of Mens Bodies* (1622), 38 [mispaginated as 40].

<sup>82</sup> [Walter Raleigh], *The Prerogative of Parliaments* (Hamburg, 1628) [STC 20649], 15; Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*, 211–15.

<sup>83</sup> *Imprisonment of Mens Bodies* (1641), sig. [A1v]. By contrast, the 1622 prefatory petition requested a renewal of Elizabethan commissions for poor prisoners; see *Imprisonment of Mens Bodies* (1622), sigs. A2r–v.

<sup>84</sup> *Imprisonment of Mens Bodies* (1641), [A1v], 4; *Imprisonment of Mens Bodies* (1622), 6. The main text was also updated to argue that Magna Carta was "an explanation and an affirmation" of the unalterable, immemorial, and fundamental common law and with references to the Petition of Right and recent precedents concerning habeas corpus (*Imprisonment of Mens Bodies* [1641]), 4–5).



Figure 7—Miles Smith, *Sermons of the Right Reverend Father in God* (London, 1632) [STC 22808], sig. Ii3r (32×33mm). © British Library Board, 4452.g.17.

contemporary consumers of print. Moreover, these traces point not only to new radical connections but also to an ongoing affiliation with the legacy of the Allde press. The front page prominently featured a distinct, arabesque printer's ornament (figure 1) that had once belonged to Allde. This device had appeared throughout his early seventeenth-century work, including in the illicit 1603 edition of James I's *Basilikon Doron*, for which he was first imprisoned by the Stationers' Company, and at least one illicit news pamphlet in 1620.<sup>85</sup> Likewise, an initial "W" on the first page of *Imprisonment of Mens Bodies* figured in the earlier output of the Allde press. Although less distinctive than the larger ornament, it is nonetheless distinguishable thanks to cracks in the top of letter's the right-hand serif and toward the base of the outer line of its leftmost diagonal and by another nearby blemish inside the diagonal (figures 7 and 9). Although Allde had passed away in 1627, the 1641 prison pamphlet was evidently the product of the same press as the 1622 version. The continued affiliation with Allde's press was particularly significant given the legacy of his business: after Edward's death, the press had passed to his wife, Elizabeth, and eventually to her son-in-law Richard Oulton and her apprentice Gregory Dexter.

As David Como has revealed, by 1641 Dexter was at the vanguard of domestic radical printing. He had already been embroiled for some years in the controversies

<sup>85</sup> Henry R. Plomer, *English Printers' Ornaments* (London, 1924), 136, 233; McKerrow, "Edward Allde," 155; *An ansvere or admonition to those of the Church of Rome, touching the iubile* (London, 1600) [STC 24578.5]; James I, *Basilikon dōron* (London, 1603) [STC 14354]; *A proclamation made by the high and mighty Fredericke by the grace of God King of Bohemia* (Prague [in fact, London], 1620) [STC 11352].



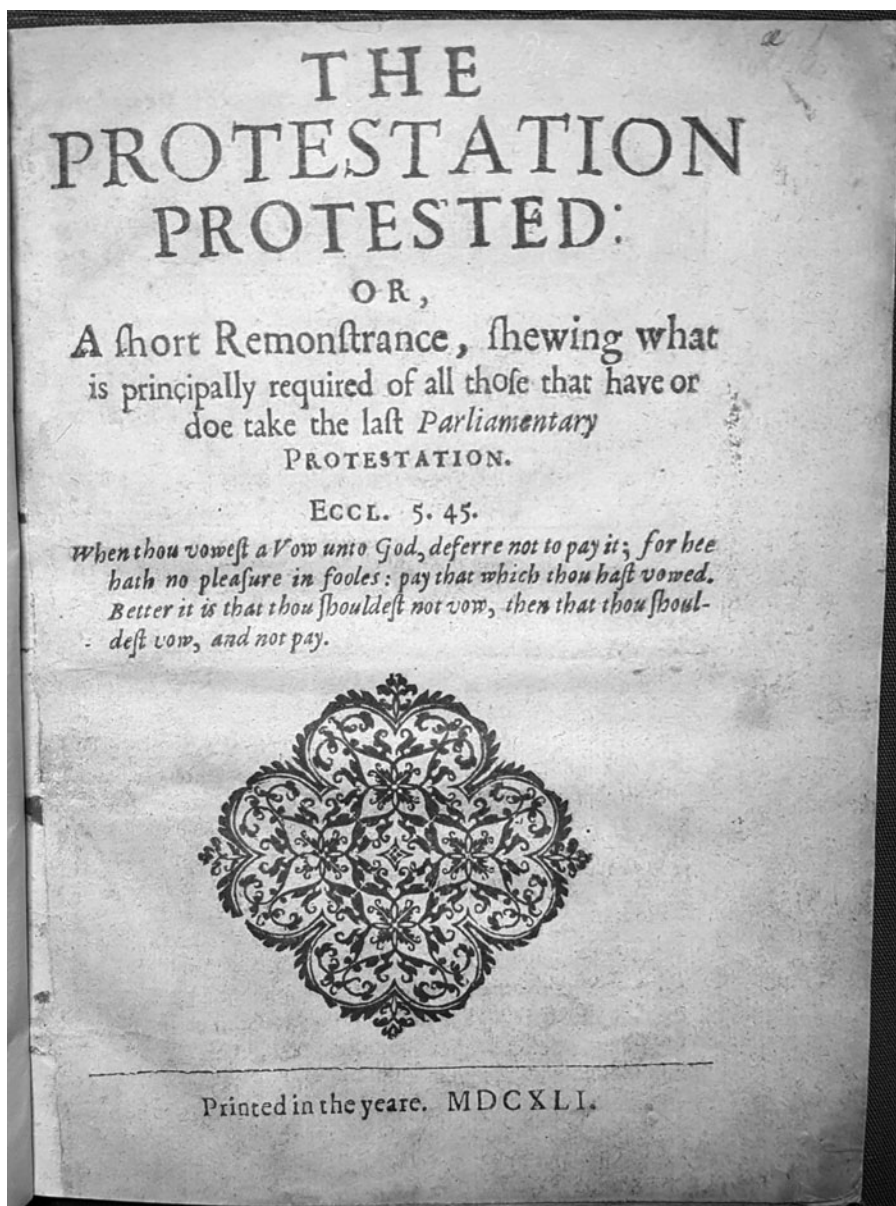


Figure 8—Miles Smith, *Sermons of the Right Reverend Father in God* (London, 1632) [STC 22808], sig. F3r (36×36mm). © British Library Board, 4452.g.17.

surrounding Burton, Bastwick, and Prynne and had developed techniques of clandestine print that would become foundational to radical parliamentary tactics. In early 1637, he and another apprentice, William Taylor, had confessed under interrogation to printing unlicensed works by Prynne. Likewise, in June 1641, he printed Burton's controversial independent pamphlet *The Protestation Protested* (figure 8).



Figure 9—*Imprisonment of Mens Bodyes for Debt* ([London], 1641) [Wing I106], sig. A3r (36×35mm). © British Library Board, RB.23.a.7974.

During a parliamentary investigation into its publication, Dexter was briefly imprisoned in the Gatehouse after refusing to reveal who gave him the text to print.<sup>86</sup> It is uncertain how Dexter and Oulton came to print the new version of the 1622 pamphlet. Possibly they simply found the text in Alde's old stock and decided to reprint it, although it is unclear to what end they would independently revise and reproduce this text. Furthermore, it seems unlikely the republication was unconnected to London's prisoners, especially given the spate of agitation in the King's Bench since 1639 and the updates made to the text. Perhaps prisoners in the Fleet and King's Bench had maintained connections with the Alde press, or Dexter's own incarceration had introduced him to a broader network of prison agitators. Whatever the process, the argument against imprisonment for debt that continued to circulate among prisoners and through scribal networks now emerged into print in a significantly more partisan context than Alde's newsletter output of the 1620s.

Thanks to this association, the prisoners' pamphlet emerged at the cutting edge of radical publication on the eve of civil war. The link was perhaps even evident to some contemporaries. Like *Imprisonment of Mens Bodies*, Burton's *The Protestation Protested*, likely printed only a few weeks later, prominently featured Alde's large arabesque ornament (figures 1 and 8) and the initial "W" from the press's type

<sup>86</sup> Como, *Radical Parliamentarians and the English Civil War*, 63–66, 94–97.



Figure 10—[Henry Burton], *The Protestation Protested* ([London], 1641) [Wing B6171], sig. A2v (36×36mm). © British Library Board, 100.c.22.

stock (figures 9 and 10). Published within roughly a month of one another, the two pamphlets share obvious similarities in design, layout, and typeface that may well have been obvious to consumers of print, especially if they were available at the same bookstall. Indeed, given recent observations by Como and Peacey about the attentiveness of early modern readers, some may have noted this connection even if that was not Dexter and Oulton's intention, visibly embroiling this pamphlet in the world of radical print.<sup>87</sup>

It is frustratingly hard to trace the involvement of the Alde/Dexter press after this point. As Como has uncovered, Dexter and Oulton were increasingly involved in agitating for crowd action through print and continued to publish petitions from socially marginal groups engaging with the political crisis of early 1642.<sup>88</sup> And regardless of involvement from Dexter and Oulton, from 1641 onward, prison activists both became increasingly reliant on print and developed new connections with London radicalism. Textual production remained fundamental to this campaign. Prisoners continued to present scribal petitions to Parliament while also producing printed remonstrances, petitions, and pamphlets for wider circulation, much of which was orchestrated by James Freize, a King's Bench prisoner and future Leveller

<sup>87</sup> David R. Como, "Secret Printing, the Crisis of 1640, and the Origins of Civil War Radicalism," *Past and Present*, no. 196 (2007): 37–82, at 40–41; Peacey, *Print and Public Politics in the English Revolution*, 51–55, 100–22.

<sup>88</sup> Como, *Radical Parliamentarians and the English Civil War*, 113–15, 118, 123.

sympathizer.<sup>89</sup> Furthermore, this activity perpetuated a war over texts within the prison, as officials seized papers and raided rooms to curtail well-subscribed petitions, echoing Deputy Warden Ingram's actions in the Fleet during the 1630s. Despite these efforts, growing numbers of texts made it out, and those that did persisted in arguing that imprisonment infringed upon the "ancient & fundamentall Lawes of this kingdom" and was against Christian charity and their rights as "freemen" as enshrined in Magna Carta, the Petition of Right.<sup>90</sup>

Indeed, *Imprisonment of Mens Bodies* had an extensive radical afterlife. Petitions published under Freize's direction in 1644 and 1645 from the King's Bench continued to call for the abolition of imprisonment for debt. The practice, they once again maintained, violated both England's fundamental laws and ancient constitution as revealed by Magna Carta and the Petition of Right and their rights as "free-borne Subjects."<sup>91</sup> These arguments also bled beyond the prison walls, featuring in proto-Leveller manifestos such as *England's Birth-Right Justified* and *Liberty Vindicated Against Slavery*, both of which offered detailed critiques of imprisonment for debt in terms of Magna Carta, common law, and the liberties of "Free-borne English men."<sup>92</sup> Abolition of imprisonment for debt likewise featured in army and Leveller proposals for a civil war settlement, including the *Heads of the Proposals* and the *Agreements of the People*.<sup>93</sup> By 1649, then, arguments against the prison that had first developed in the context of 1620s rioting and petitioning and were sustained through print and manuscript networks had entered into radical demands for social and legal reforms. This drive for abolition was ultimately frustrated in Parliament but nonetheless functioned to promote imprisonment for debt as a political concern that, by the 1650s, would become a staple of mainstream legal reform debates.<sup>94</sup>

<sup>89</sup> Bell, "Dens of Tyranny," 338–60.

<sup>90</sup> Petition, grievances, and witness list of prisoners on the common side of the King's Bench, 1 June 1641, Parliamentary Archives, HL/PO/JO/10/1/59, fols. 126r–140v. See also Petition of prisoners in the King's Bench, ca. 1642, Parliamentary Archives, HL/PO/JO/10/14/9/3605; Petition of poor distressed prisoners [in the Fleet?], after November 1642, Parliamentary Archives, HL/PO/JO/10/14/9/3597; *The Humble Remonstrance and Complaint of Many Thousands of Poore Distressed Prisoners in the Prisons in and about the Citie of London* (London, 1643) [Wing H3603]; J.M.E., *An appeale to heaven* (1644) [Wing F45]. On the seizure of papers, see [James Freize], *A Declaration and Appeale to All the Freeborne People of This Kingdome* ([London, 1645]) [Wing F2197bA]; James Freize, *Times Present Mercy, and Englands Western Justice* ([London], 1647) [Wing F2197F], 5–6.

<sup>91</sup> J. M. E., *Appeale to Heaven*, 1–2, 4; [Freize], *A Declaration*. For these arguments in the 1622 and 1641 petitions, see *Imprisonment Mens Bodies* (1622), 6–9; *Imprisonment of Mens Bodies* (1641), 4–6.

<sup>92</sup> *Liberty Vindicated Against Slavery* (1646) [Wing L2137], 10–13. See also *England's Birth-Right Justified* ([London, 1645]) [Wing L2102], 25–29; David R. Adams, "The Secret Printing and Publishing Career of Richard Overton the Leveller, 1644–46," *Library* 11, no. 1 (2010): 3–88, at 4, 13, 45–48, 57n124, 65–67, 81; David R. Como, "An Unattributed Pamphlet by William Walwyn: New Light on the Prehistory of the Leveller Movement," *Huntington Library Quarterly* 69, no. 3 (2006): 353–82, esp. 365–68, 370; Como, "Secret Printing, the Crisis of 1640, and the Origins of Civil War Radicalism," 74–75, 80–82.

<sup>93</sup> John Rushworth, *Historical Collections of Private Passages of State* [. . .], vol. 7, 2nd ed. (London, 1721), 736 (mispaginated as 336); *A New Engagement, or, Manifesto* ([London], 1648) [Wing N634]; *An Agreement of the Free People of England* ([London], 1649), [Wing L2079].

<sup>94</sup> Barbara J. Shapiro, *Law Reform in Early Modern England: Crown, Parliament and the Press* (London, 2020), 125–27, 129–30, 133, 145; Bell, "Dens of Tyranny," 399–401; Donald Veall, *The Popular*



As well as these contemporaneous connections, *Imprisonment of Mens Bodies* also enjoyed remarkable longevity within prison activism and campaigns. The tract appeared again in print in 1687, again in the context of fomenting political and constitutional crisis and renewed debate in Parliament about debtor's prisons, this time under the title *An humble representation upon the perpetual imprisonment of insolvent debtors*. Although no printer was named, it was openly printed for John Platt, the steward of the common side of the King's Bench, an officer selected from among the poor prisoners to manage charity and oversee the corporate activities of the prison population.<sup>95</sup> By this stage, perhaps emboldened by gradual shifts in opinion about the practice of imprisonment for debt, formal self-governing prison corporations effectively presented these ideas as their official policy. Yet despite changing attitudes and ongoing prison activism, imprisonment for debt became an even greater part of everyday life in the eighteenth century, and this text remained a staple of campaigns for its abolition, appearing in print again in Dublin in 1727.<sup>96</sup>

Persisting for over a century, *Imprisonment of Mens Bodies* had its origins in the social turmoil of prison protest in the 1620s, revealing how legal and social arguments that developed over the course of the early seventeenth century took on new weight from the 1640s onward as prisoners made connections between their own social conflicts and economic misfortune and the nation's political calamities. If there was a fundamental material context for these ideas, there was also one for the practices of textual production and dissemination by which prisoners publicized them. Prisons had long-established cultures of writing and written circulation that were fundamental to carceral life, including pursuing personal legal causes, soliciting and administering charity, and collective and individual petitioning. These practices had also adapted quickly to the rise of print as a complementary technology to scribal techniques. Furthermore, they had long been put to use in challenging prison authority. Drawing on prison records and gathering testimony against gaolers, prisoners challenged the conditions in which they were kept, the fees they were charged, and the treatment they received. When accusations were disseminated beyond the prison, it was typically as petitions or lists of grievances to Parliament, king, or Privy Council in manuscript, though increasingly prisoners turned to print as well. A stash of oppositional papers was as threatening to the gaoler's position as a cache of weapons.

The world of textual production in prisons, then, was expansive and contained tools for both self-preservation and confrontation. Furthermore, it overlapped with other such worlds: those of parliamentary petitioning, manuscript pamphleteering, and printed news. In the junctures between them, prisoners found the tools for new forms of political action, employing techniques of scribal and printed publicity in a strategic manner to sustain a campaign over more than two decades. Both in terms of its substantive argument and of its production and dissemination, the

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*Movement for Law Reform, 1640–1660* (Oxford, 1970); 145–49; Stuart E. Prall, *The Agitation for Law Reform during the Puritan Revolution, 1640–1660* (The Hague, 1966), 60–62.

<sup>95</sup> *An humble representation upon the perpetual imprisonment of insolvent debtors* (London, 1687) [Wing H3645]. On prisoner self-government, see Bell, "Dens of Tyranny," chap. 3; Bell, "Charity, Debt and Social Control," 8–9, 14–15, 25–29.

<sup>96</sup> *The Case of Prisoners for Debt Consider'd* (Dublin, 1727); Paul, *Poverty of Disaster*, 200.

many versions of *Imprisonment of Mens Bodies* were grounded in the material and structural conditions of incarceration, enabled by existing textual practices that were necessitated by prisoners' relatively marginal social position. Furthermore, a focus on prisoners' practices of textual production and circulation also reveals how a text that—although socially provocative—initially posed little threat to the Stuart regime nonetheless had a radical trajectory. Through the printing practices of prisoners and their uses of manuscript circulation, we can discern not only the emergence of a self-contained prison activism but also developing connections between London's prison populations, its printing and scribal networks, and its radical milieu. By tracing these networks, we can start to understand not just how radical communities were formed but also the preexisting constituencies they drew upon, the socioeconomic conditions that enabled their development, and the ideas they inherited as a result. Foundational to all of this was the ways in which prisoners adapted practices of textual production native to prison life to new forms of political publicity. They made use of the openings created by experimentations in news and parliamentary petitioning in the 1620s, by the demand for and conventions of manuscript pamphleteering in early Stuart England, and by the sudden effusion of radical and seditious print in the 1640s to insert their own demands into national political discourse in ways that were determined by the very material conditions against which they campaigned.