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

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In late May 1641, a parliamentary newsletter noted—alongside reports of recent events and speeches by MPs—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 for Debt* (1641), an anonymously published printed pamphlet that raised a series of grievances long brewing in London’s overcrowded prisons (fig. 1).<sup>1</sup> 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 auntyent fundamentall Common-Lawes of this kingdome. 3. Ag[ains]t the Lawe of conscience & [Christi]an charity. 4. Ag[ains]t the practice of other countries. 5. Ag[ains]t the Creditors owne profit. 6ly. To the p[re]judice of the K[ing] & comon wealth<sup>2</sup>

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<sup>1</sup> *Imprisonment of Mens Bodyes for Debt* ([London], 1641) [Wing I106].

<sup>2</sup> Parliamentary newsletter, late May 1641, Sloane MS 1467, fol. 40v, British Library (hereafter BL). This summary, like the printed title page, missed chapter three (‘Against the Rule of Justice’) and misnumbered the subsequent chapters (cf. fig. 2).

This 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 so 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 these 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, this was potentially inflammatory language that joined the clamor of lobbying and textual exchange in and around Westminster Hall, crossing between print and manuscript publicity in the process.<sup>3</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 indigenous to prison life whilst also appropriating new forms of political publicity. The 1641 pamphlet was a revised and

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<sup>3</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*, eds. 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, CA, 2012), 10.

republished version of a text first printed in 1622 as *Imprisonment of Mens Bodies* (fig. 2).<sup>4</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>5</sup> As a result, growing numbers were left languishing in prisons, their condition determined by their subordinate position within sociolegal structures. Social status undoubtedly governed how this 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

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<sup>4</sup> *A petition ... Wherein is declared the mischiefes and inconveniences, arising to the King and Common-wealth, by the Imprisoning of mens bodies for Debt* (London, 1622) [STC 14428].

<sup>5</sup> Keith Wrightson, *Earthly Necessities: Economic Lives in Early Modern Britain* (New Haven, CT, 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, 31–2, 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.

of social stigma and dislocation.<sup>6</sup> From this marginalized position, some prisoners came to see the entire system that led to their incarceration as unjust.

This new, more fundamental critique was announced in the original 1622 version of *Imprisonment of Mens Bodies*, which represented a significant shift away from former protests against corruption based on local custom. Instead, it moved towards 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>7</sup> While, as Janelle Greenberg argues, this language did not carry the same politically partisan connotations in 1622 as it would by 1641, here they certainly underpinned provocative arguments for fundamentally restructuring social relations.<sup>8</sup> Furthermore, this text did not lie fallow until its 1641 republication, but reappeared as a professionally-produced manuscript pamphlet in the 1630s (figs. 3 and 4).<sup>9</sup> This was yet again the product of conflict within

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<sup>6</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*, chapter 9.

<sup>7</sup> *Imprisoning of Mens Bodies* (1622), 6–7. On this shift, see: Bell, “Dens of Tyranny,” chapter 4.

<sup>8</sup> Janelle Greenberg, *The Radical Face of the Ancient Constitution* (Cambridge, 2001), 15–16.

<sup>9</sup> “Imprisonment of mens Bodies for Debt,” Lansdowne MS 806, fols. 1r–27r, BL;

“Imprisonment of mens Bodies For Debt,” Sion College MS ARC L.40.2/E50, fols. 57r–86v,

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, as well as 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 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 anti-establishment tenor. With only subtle alterations, the text 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>10</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

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Lambeth Palace Library (hereafter LPL)

[<https://mpese.ac.uk/t/HumblePetitionPrisonersDebt1622.html>].

<sup>10</sup> *Imprisonment of Mens Bodyes* (1641). On the significance of this text, see: Bell, "Dens of Tyranny," chapters 4 and 5.

conditions of incarceration. Prisons were inherently textual spaces. 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 recordkeeping 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>11</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>12</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

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<sup>11</sup> Molly Murray, "Measured Sentences: Forming Literature in the Early Modern Prison," *Huntington Library Quarterly* 72, no. 2 (2009): 147–67, at 150–56; Bell, "Dens of Tyranny," 105, 132, 165–6, 178–83; idem, "Charity, Debt and Social Control in England's Early Modern Prisons," *Social History* 47, no. 1 (2022): 1–34.

<sup>12</sup> Murray, "Measured Sentences", 156–67.

practices, print and manuscript also intersected: charity account books, for instance, recorded regular payments to both printers and for scribal work.<sup>13</sup> Collective parliamentary petitions similarly oscillated between forms.<sup>14</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 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.

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<sup>13</sup> Fleet Prison charity account books, February 1628–July 1632, The National Archive (hereafter TNA), E 215/1595, e.g. November 1631 (p.91) and December 1631 (p.95).

<sup>14</sup> See fn. 18.

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>15</sup> By focusing on the prisoners' tract, this article demonstrates 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, this text and its arguments became foundational to prison activism, even percolating into wider traditions of political radicalism and legal reform during the English revolution and beyond.<sup>16</sup> Thus, in a period of growing political conflict, these circumstances of transmission and the changing

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<sup>15</sup> J. P. Sommerville, *Royalists and Patriots: Politics and Ideology, 1603–1640* (London, 1999); Greenberg, *Radical Face*; Richard Cust, "Charles I, the Privy Council, and the Forced Loan," *Journal of British Studies* (hereafter *JBS*) 24, no. 2 (1985): 208–35; Richard Cust, "News and Politics in Early Seventeenth-Century England," *Past & Present* 112, no. 1 (1986): 60–90; Thomas Cogswell, "The Politics of Propaganda: Charles I and the People in the 1620s," *JBS* 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); Millstone, *Manuscript Circulation*, 316–23; David R. Como, *Radical Parliamentarians and the English Civil War* (Oxford, 2018).

<sup>16</sup> Bell, "Dens of Tyranny," 316–399.



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 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, this article builds 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, as well as the related phenomenon of political manuscript circulation in the early Stuart period explored by Noah Millstone.<sup>17</sup> It also moves 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>18</sup> By examining the stages of this publication history, each section of this

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<sup>17</sup> Jason Peacey, *Print and Public Politics in the English Revolution* (Cambridge, 2013); Como, *Radical Parliamentarians*; Noah Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England* (Cambridge, 2016).

<sup>18</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* (Cornell, 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*

article provides a window into a different node 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.

It 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 as producers of them too.

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*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*; Nicholas Popper, *Walter Raleigh's History of the World and the Historical Culture of the Late Renaissance* (Chicago, 2012). On more widespread uses of print, see: Peacey, *Print and Public Politics*, part 3.

## I

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 were not coordinated efforts between the respective prison populations, but 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 longstanding conflict between warden Alexander Harris and his prisoners over accusations of parlous conditions, extortion, and violence at the hands of prison staff.<sup>19</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>20</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

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<sup>19</sup> Alexander Harris, *The CEconomy 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, fo.91r; Petition of Lady Whitebrook to the Privy Council, July 1618; TNA, SP 15/41, fols. 184r–186v.

<sup>20</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.

corruption, innovation, and extortion by their gaolers not only harmed prisoners, but also undermined the entire purpose of imprisonment for debt. Reform of these abuses was thus necessary to restore incarceration to its proper role within social relations.<sup>21</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 as well as two proposed bills of parliament, some of which were now explicitly framed as collaborations between prisoners in the Fleet and King's Bench. These included proposals for significant reforms to imprisonment for debt, including new commissions of JPs 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>22</sup> Thus, prisoners

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<sup>21</sup> E.g. Grievances of prisoners in the King's Bench, TNA, SP 14/116, fols. 64r–v. See also: Bell, “Dens of Tyranny”, chapter 4.

<sup>22</sup> *The humble petition of your majesties most miserable (yet most loyall subiects) 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; Harley MS 7614, fo.125, BL]; Petition of prisoners in the King's Bench and Fleet, 1621, HL/PO/JO/10/1/21, fols. 27r–37v, Parliamentary Archives (hereafter PA); Draft of an act for the speedier payment of prisoners' debts, 18 March 1624, HL/PO/JO/10/1/22, fols. 155r–166v, PA; Kyle, *Theater of State*, 161–2.

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 the culmination of these ideological shifts among London's prison activists, as well as a marker of a significant development in their tactics. Prisoners now moved away from print as a tool of direct supplication and towards 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 MPs.<sup>23</sup> Whether the tract was intended for distribution to MPs 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 in pamphlet form, compared to broadsides more often meant for distribution within parliament, although this only became common practice by the late 1620s.<sup>24</sup> Either way, despite the dissolution of parliament the pamphlet circulated widely, surviving in 25 copies. Indeed, Kyle places this 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 these were of a type distinct from the political polemic that dominated print pamphleteering in the 1640s, as they were typically

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<sup>23</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; idem, *Theater of State*, 141–4, 159–60.

<sup>24</sup> Kyle, "Broadside to Pamphlet," 17, 23–5; idem, *Theater of State*, 142, 159–60, 163–5, 167.

confined to the interests of a specific group or individual and were thus ‘nonpartisan and generally uncontroversial’.<sup>25</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>26</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>27</sup> This receptiveness perhaps emboldened the prisoner’s petitioning campaign in the early 1620s, which now included pushes for legislative reform and the publication of *Imprisonment of Mens Bodies*.

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<sup>25</sup> Kyle, *Theater of State*, 162–3.

<sup>26</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, 1993); G. E. Aylmer, “Charles I’s Commission on Fees, 1627–40,” *Historical Research* 31, no. 83 (1958): 58–67.

<sup>27</sup> Russell, *Parliaments*, 117; Bell, “Dens of Tyranny,” 102–3, 284–9.

Nonetheless, the 1622 pamphlet did mark 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 towards a more systemic critique of imprisonment for debt on legal, political, religious, and economic grounds, calling for its almost entire abolition.<sup>28</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>29</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>30</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 was thus a shift in political mode that 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 this, and the mechanisms by

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<sup>28</sup> *Imprisoning of Mens Bodies* (1622).

<sup>29</sup> Glenn Burgess, *The Politics of the Ancient Constitution: An Introduction to English Political Thought, 1603–1642* (University Park, PA: 1993); Sommerville, *Royalists and Patriots*; Greenberg, *Radical Face*.

<sup>30</sup> Millstone, *Manuscript Circulation*, 11–12.

which they pursued these aims. As a result, whilst *Imprisonment of Mens Bodies* may not have been politically divisive, prisoners' claims were now expressed in terms that connected them more directly to political, legal, and constitutional debates, which—as we shall see—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 pre-existing 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>31</sup> For the most part, this covered ephemeral petitions for charity that were circulated by prison beggars.<sup>32</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 of which were written in the King's Bench and critiqued practices of incarceration.<sup>33</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', which does not survive but was most likely another ephemeral plea for

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<sup>31</sup> Edward Arber, ed., *A Transcript of the Registers of the Company of Stationers of London, 1554–1640*, 5 vols. (Gloucester, MA, 1967), vol. 3, 221, 623.

<sup>32</sup> Bell, "Charity, Debt and Social Control".

<sup>33</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].



charity. Significantly, however, Jones was also a prolific printer of anonymous early Jacobean petitions to parliament and 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> Pre-existing 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 Allde, a prolific early Stuart trade printer to whom the STC 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 Allde's stock, such as a distinctive decorative satyr's head banner (fig. 2).<sup>35</sup> Significantly, these also include an initial 'M'—identified in Allde's repertoire by Nancy Peters Maude—that features damage on both the top left and top right sides of the letter itself, as well as on the top side of the right diagonal.<sup>36</sup> By the 1622

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<sup>34</sup> Arber, *Transcript*, vol. 3, 607; *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 Allde as a Typical Trade Printer," *The Library* 10, no. 2 (1929): 121–62, at 152; *Imprisoning 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 [i.e. London], 1621) [STC 11353], sig. A2r.

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

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 (figs. 6 and 7).

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 dramatist and pamphleteer Thomas Dekker, whose financial instability infamously led to numerous periods of imprisonment for debt. This included a stint in the King's Bench between 1613 and 1619, during the build up 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 under license by

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<sup>37</sup> Thomas Dekker, *Villanies Discouered 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*. 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," *The 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 England, Scotland and Ireland, and of Foreign Printers of English Books 1557–1640* (London, 1910), 5–6, 188; *Oxford Dictionary of National Biography*, s.v. "Allde, Edward (1555x63–1627)" and s.v. "Dekker, Thomas (c. 1572–1632)".

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 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 year-long conflict with the Company. On 8 October, Alde 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' towards 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

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<sup>38</sup> G[effray] M[ynshul], *Certaine Characters and Essayes of Prison and Prisoners* (London, 1618) [STC 18318]; Arber, *Transcript*, vol. 3, 619; M[ynshul], *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, 137–8; *A Briefe Description of the Reasons*.

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 first-hand experience of incarceration, but that 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 Allde 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 that 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

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<sup>40</sup> Jackson, *Records*, 138, 159; Jayne E. E. Boys, *London's News Press and the Thirty Years War* (Woodbridge, 2011), 72–3.

<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–*

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 Alde 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, Alde admitted to printing both 'certaine Currant[o]s and other bookes, w[i]thout lycense or 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—certainly, none of these hypothetical early corantos are known to survive—but it does suggest that Alde's illicit printing between

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1642 (London, 1952), 43–45, 52–53, 98–100, 124, 135–6, 144. For examples of this collaboration, see: *True Copies of Two Especiall Letters Verbatim Sent From the Palatinate by Sir F.N* (London, 1622) [STC 18507.55]; *The Newes of Forraine Parties, February 28. Numb. 20* (London, 1623) [STC 18507.99].

<sup>42</sup> Jackson, *Transcript*, 137.

<sup>43</sup> Quoted in Joad Raymond, *Pamphlets and Pamphleteering in Early Modern Britain* (Cambridge, 2003), 131. See also: J. B. Williams, "The Earliest English Corantos," *The Library* s3–IV, no. 16 (1913): 437–440, at 439–40; Boys, *London's News Press*, 69–73.

<sup>44</sup> Jackson, *Transcript*, 159; Raymond, *Invention of the Newspaper*, 7–10; Boys, *London's News Press*, 70–73.

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 which 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 Alldee 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 design was also echoed in some corantos produced by Archer, Bourne and Butter.<sup>46</sup> Furthermore, like Allde's early editions of foreign

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<sup>45</sup> Raymond, *Pamphlets*, 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*, 72–3; 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 work, see: *The Lamentable Death of the Earle of Bucquoy*, *Generall of the Emperours Army* (Paris [i.e. London], 1621) [STC 16798]; *The Italian Prophecier* ([London], 1622) [STC 17182]. For corantos not attributed to Allde: *Good Newes for the King of Bohemia?* ([London], 1622) [STC 18507.40]; *A Letter Sent from Maynhem*

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 Alde's topical news pamphlets. Whilst 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 this goes to suggest 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 pre-existing practices of printed address, developing their connections with London's printers in the process. Alde 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 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 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 Alde pursued the market for foreign news, so he perhaps saw an audience for

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*Concerning the Late Defeate Given the Duke of Brunswicke by Monsieur Tilley* (London, 1622) [STC 18507.54].

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

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.

## II

Yet print was not the prisoners' only mechanism for disseminating this material. Although the initial publication of the 1622 pamphlet kicked off a longstanding 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

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



manner to print, circulating through social and professional networks.<sup>49</sup> Sometimes, previously printed material crossed into manuscript. In the most extreme cases, this was to circumvent press censorship. Seditious texts such as Thomas Scott's *Vox Populi* and George Eglisham'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 pre-existing currents of scribal dissemination and 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.

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<sup>49</sup> Millstone, *Manuscript Circulation*, chapter 2; Noah Millstone, "Introduction," *Manuscript Pamphleteering in Early Stuart England* (hereafter *MPese*) (2018) [<https://mpese.ac.uk/introduction.html>]; Beal, *In Praise of Scribes*, 3; Love, *Scribal Publication*, 17–18, 94–5, 117, 224–9.

<sup>50</sup> Millstone, *Manuscript Circulation*, 2–4, 39, 130; Millstone, "Introduction"; Love, *Scribal Publication*, 96–7, 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.

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 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 could be manipulated by activists to appeal to those milieus. Furthermore, this more flexible means of 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. In turn, this 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, not to mention how it was conditioned by their marginal position.

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<sup>51</sup> On the market for legal manuscripts, see: Love, *Scribal Publication*, 224–9; 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*, 133, 177, 183, 185. Cf. Millstone, *Manuscript Circulation*, 40–41.

Two complete copies of the prisoners' pamphlet survive in manuscript: one in the Lansdowne manuscripts at the British Library (fig. 3) and another in the Sion College collection at Lambeth Palace (fig. 4). Both were almost certainly part of the same scribal operation. Both derive in appearance from the original print run (fig. 2), but they also share a distinctive scribal style. This is most evident in the strikingly similar title pages, both 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 the same scribe. Indeed, this is quite possibly the work of Scribe A, identified by *Manuscript Pamphleteering in Early Stuart England (MPESE)* 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.

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* as well

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<sup>53</sup> "Scribe A," *MPESE* (2018) [<https://mpese.ac.uk/p/P0107.html>]. On the commercial production, see: Love, *Scribal Publication*, 73–9; Millstone, *Manuscript Circulation*, 37–40, 43–5; Beal, *In Praise of Scribes*, 18–19, 30, 69–77.

<sup>54</sup> Lansdowne MS 806, BL [[https://mpese.ac.uk/m/BL\\_Lansdowne\\_MS\\_806.html](https://mpese.ac.uk/m/BL_Lansdowne_MS_806.html)].

as 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> Although we cannot 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 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> This raises the possibility that the collection was roughly contemporaneous with the purchase of the manuscripts during the 1630s and certainly further reveals 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. It circulated alongside—and was collected with—a number of texts in manuscript relating to questions of political authority, governance, and legal practice. These were characteristic concerns of manuscript pamphleteering and ones to which prisoners’ emphasis on fundamental laws, liberties and rights since 1622

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<sup>55</sup> Sion College MS ARC L40.2/E50, LPL

[[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 MS ARC L40.2/E64, p.6, LPL.

spoke directly.<sup>57</sup> Arguably, the shift away from local custom and towards constitutionalism not only allowed prisoners to articulate new solutions to social crises, but also provided them with 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: Harrisons / Prisoners Petition". 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

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

<sup>58</sup> Examination of Edward Harrison, Commission on Fees (hereafter CF), 24 November 1632, TNA, E 215/58D, fols. 403r–404r; Table of Fees, Fleet Prison, CF, TNA, E 215/927, fol. [2r].

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 longstanding 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 'scandalous' letters and papers within and beyond the prison walls. According to James Ingram, the deputy warden, this opposition was stirred up by two rogue clerks for the Commission on Fees. 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

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<sup>59</sup> Examination of Edward Harrison, CF, 24 November 1632, TNA, E 215/58D, fol. 404r.

in an attempt to discover whether amounts being charged were extorted or inflated compared to those set by precedent. This 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, the Commission 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>60</sup>

Unsurprisingly, this generated conflict between the officers under scrutiny, their charges, and the agents of the Commission. In early 1633, Ingram accused two of the Commission’s clerks—Mr Bowles and John Strange—of trying to generate spurious complaints against the prison governors. According to deputy warden Ingram, Strange had brought money (bribes, by implication) to prisoners on the poor ward as well as conspiring with ‘those of the factious sort’ and ‘incit[ing] [them] to promote unjust Complaints’ against Ingram and the warden, Henry Hopkins.<sup>61</sup> This was 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

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<sup>60</sup> Aylmer, “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.

<sup>61</sup> Proceedings minutes, CF, 31 January 1633, TNA, E 215/58F, fo.21r–22r.

out of Prison' if he would 'joyne with them against the Warden'.<sup>62</sup> Certainly, 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>63</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. Following this introduction, Bowles apparently encouraged both Rainsford and Harrison to 'stirre upp the Prisoners of the Fleete against the warden', promising both 'reward and libertie'.<sup>64</sup> Whether the Commission on Fees officials was 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

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<sup>62</sup> James Ingram, Articles against John Strange, CF, 24 January 1633, TNA, E 215/1696; John Strange, Answers to James Ingram, CF, 26 January 1633, TNA, E 215/58F, fo.18r.

<sup>63</sup> E.g., Thomas Browne, Names of prisoners paying exacted fees and rent, CF, 21 April 1631, TNA, E 215/888; Thomas Browne, Articles and petition against the warden of the Fleet, CF, 5 May 1631, TNA, E 215/890/1–2; Petition of Fleet prisoners, CF, c.11 July 1631, TNA, E 215/891; Thomas Browne, Petition, CF, 18 July 1631; Thomas Browne, Articles, petitions, grievances and witness list against James Ingram, CF, c.1631, TNA E 215/898/1–8.

<sup>64</sup> Examination of Sir Garret Rainsford, CF, 13 December 1632, TNA, E 215/58D, fols. 437r–440r; James Ingram, Articles Against John Strange, CF, 24 January 1633, TNA, E 215/1696.



who were willing to testify as part of the Commission's usual affairs, or—in the case of some visits to the poorer wards—part of his private business with a prisoner with whom he was a joint defendant in a suit at Star Chamber.<sup>65</sup> As Strange told it, deputy warden 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, 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>66</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,

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<sup>65</sup> John Strange, Answers to James Ingram, CF, 26 January 1633, TNA, E 215/58F, fols. 16r–19r.

<sup>66</sup> Proceedings minutes, CF, 7 March 1633, TNA, E 215/58F, fol. 43r; Testimony of Job Weale, juror, CF, 8 December 1632, TNA, E 215/58D, fol. 424r.

prompting the deputy warden to seize whatever documents he could.<sup>67</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 Garrett Rainsford, the whole Collecc[i]ons, Articles & other private Evidences' gathered regarding abuses in the Fleet.<sup>68</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>69</sup> Harrison was similarly embroiled. On 4th 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>70</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

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<sup>67</sup> Examination of Sir Garret Rainsford, CF, 13 December 1632, TNA, E 215/58D, fols. 437r–440r; James Ingram, Articles against John Strange, CF, 24 January 1633, TNA, E 15/1696.

<sup>68</sup> Jurors' petition to the Earl of Arundel, CF, 10 November 1632, TNA, E 215/932.

<sup>69</sup> Proceedings minutes, CF, 28 and 31 January 1633, TNA, E 215/58F, fols. 20r–21r.

<sup>70</sup> Proceedings minutes, CF, 4 May 1633, TNA, E 215/58F, fo.83r.

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 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 separates 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>71</sup> Furthermore, one volume ('Liber 11') contained a copy of Alexander Harris' *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

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<sup>71</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, CF, TNA, E 215/58F, fos.81r–82r. Many separates post-date his commitment and he endorsed a catalogue of the collection on 18 February 1635 (Cust, *Papers*, 43–51).

on Fees.<sup>72</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 not only relating to prison governance and the Commission on Fees, but also 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>73</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 amidst these practices of local agitation. London's prisoners took

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<sup>72</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, *Æconomy of the Fleet* (here, pp.1–344). It probably post-dates Grosvenor's 1635 catalogue, which encompassed Libers 1–9 (Cust, *Papers*, 43–51).

<sup>73</sup> Millstone, *Manuscript Circulation*, 29–40.

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.

### III

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>74</sup> Significantly, this occurred on the eve of civil war. The return of parliament reopened a venue for grievances such as these and prisoners recognized this as a fertile moment for bold arguments about social and political injustice. The 1641 edition of *Imprisonment of Mens Bodyes* 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>75</sup>

Furthermore, with conflict brewing between crown and parliament, the pamphlet's emphasis on

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<sup>74</sup> Registers of the Privy Council, 12 March 1640, TNA, PC 2/51, fo.175v; Bell, "Dens of Tyranny," 321–5.

<sup>75</sup> Parliamentary newsletter, late May 1641, Sloane MS 1467, fo.40v, BL; *Imprisonment of Mens Bodyes* (1641). ESTC records 22 surviving print copies.

ancient constitutionalism—previously an appeal to a potent but relatively uncontroversial political language—now took on more incendiary connotations. Indeed, during the 1620s and 30s, 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>76</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>77</sup> Indeed, while the 1641 pamphlet remained mostly unaltered from 1622, a number of changes that were made suggest a deliberate attempt to exploit these 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>78</sup> This language was now advertised on the title page, where chapter two’s

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<sup>76</sup> J. A. Guy, “The Origins of the Petition of Right Reconsidered,” *The 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, “Forced Loan,” 228–31; Mark Kishlansky, “Martyrs’ Tales,” *JBS* 53, no. 2 (2014): 334–55; David Cressy, “Puritan Martyrs in Island Prisons,” *The JBS* 54, no. 4 (2018): 736–54.

<sup>77</sup> *Imprisoning of Mens Bodies* (1622), 6; *Imprisonment of Mens Bodyes* (1641), 4.

<sup>78</sup> *Imprisoning of Mens Bodies* (1622), 3–5, 43–4 [mispaginated as 39–40]; *Imprisonment of Mens Bodyes* (1641), 1–3, 27–8. Numerous references to usurers were also removed, perhaps

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’ (cf. figs. 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>79</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>80</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.

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due to shifting attitudes towards usury or an attempt to sharpen the attack against imprisonment as a system, rather than the actions of creditors: *Imprisoning of Mens Bodies* (1622), 12, 14 [mispaginated as 10], 16 [12], 21 [17], 23 [19], 26–8 [22–4], 39–40 [35–6]; *Imprisonment of Mens Bodyes* (1641), 8, 10–11, 15, 17–18, 27–8; Norman Jones, *God and the Moneylenders: Usury and Law in Early Modern England* (Oxford, 1989), 176, 197–8, 200–201; Joyce Appleby, *Economic Thought and Ideology in Seventeenth-Century England* (Princeton, 1978), 63–70.

<sup>79</sup> *Imprisonment of Mens Bodyes* (1641), 25. Cf. *Imprisoning of Mens Bodies* (1622), 38 [mispaginated as 40].

<sup>80</sup> [Walter Raleigh], *The Prerogative of Parliaments* (Hamburg, 1628) [STC 20649], 15 [<https://mpese.ac.uk/t/RaleighDialogueCouncillorJP1615.html>]; Millstone, *Manuscript Circulation*, 211–15.

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>81</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>82</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

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<sup>81</sup> *Imprisonment of Mens Bodyes* (1641), sig. [A1v]. By contrast, the 1622 prefatory petition requested a renewal of Elizabethan commissions for poor prisoners: *Imprisoning of Mens Bodies* (1622), sigs. A2r–v.

<sup>82</sup> *Imprisonment of Mens Bodyes* (1641), [A1v], 4; *Imprisoning 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 (1641, 4–5).



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 publication of *Imprisonment of Mens Bodyes* (1641) 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 contemporary consumers of print. Moreover, these traces not only point to new radical connections, but also to an ongoing affiliation with the legacy of the Alde press. The front page prominently featured a distinct, arabesque printer's ornament (fig. 1) that had once belonged to Alde. 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>83</sup> Likewise, an initial 'W' on the first page of *Imprisonment of Mens Bodyes* figured in the earlier output of the Alde press. Although less unique than the larger ornament, it is nonetheless distinguishable thanks to cracks in the top of letter's the right-hand serif and towards the base of the outer line of its leftmost diagonal, as well as by another nearby blemish inside the diagonal

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<sup>83</sup> Henry R. Plomer, *English Printers' Ornaments* (London, 1924), 136, 233; McKerrow, "Edward Alde," 155; *An ansvvere 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 [i.e. London], 1620) [STC 11352].

(figs. 8 and 9). Although Alde had passed away in 1627, the 1641 prison pamphlet was evidently the product of the same press as the 1622 version. This was particularly significant given the legacy of Alde's 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 surrounding Burton, Bastwick, and Prynne, as well as in developing 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* (fig. 5). During a parliamentary investigation into the publication of *The Protestation Protested*, Dexter was briefly imprisoned in the Gatehouse after refusing to reveal who gave him the text to print.<sup>84</sup> It is uncertain quite how Dexter and Oulton came to print the new version of the 1622 pamphlet. It is possible that 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 recent 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

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<sup>84</sup> Como, *Radical Parliamentarians*, 63–6, 94–7.

now emerged into print in a significantly more partisan context than Allde's newsletter output of the 1620s.

Thanks to this association, the prisoners' pamphlet became embroiled in the world of radical print. The link was perhaps even evident to some contemporaries. Like *Imprisonment of Mens Bodyes*, Burton's *The Protestation Protested*—likely printed only a few weeks later—prominently featured Allde's large arabesque ornament (figs. 1 and 5), as well as the initial 'W' from the press's type stock (figs. 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 it was not Dexter and Oulton's intention.<sup>85</sup> Thus, this pamphlet emerged at the cutting edge of radical publications on the eve of civil war.

It is frustratingly hard to trace the involvement of the Allde/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>86</sup> And, regardless of involvement from Dexter and Oulton, from 1641 onwards prison activists both became increasingly reliant on print and developed new

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<sup>85</sup> David R. Como, "Secret Printing, the Crisis of 1640, and the Origins of Civil War Radicalism," *Past & Present* 196, no. 1 (2007): 37–82, at 40–41; Peacey, *Print and Public Politics*, 51–5, 100–122. I am grateful to Ed Legon and Jack Sargeant for helpful conversations on this point.

<sup>86</sup> Como, *Radical Parliamentarians*, 113–15, 118, 123.

connections with London radicalism. Textual production remained fundamental to this campaign. Prisoners continued to present scribal petitions to parliament, whilst also producing printed remonstrances, petitions, and pamphlets for wider circulation, much of which was orchestrated by King's Bench prisoner and future Leveller sympathizer James Freize.<sup>87</sup> Furthermore, this 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 did make it out, and those that did persisted in arguing that imprisonment infringed upon the 'ancient & fundamentall Lawes of this kingdom' and was against their rights as 'freemen' as enshrined in Magna Carta, the Petition of Right and Christian charity.<sup>88</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

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<sup>87</sup> Bell, "Dens of Tyranny," 338–360.

<sup>88</sup> Petition, grievances and witness list of prisoners on the common side of the King's Bench, 1 June 1641, HL/PO/JO/10/1/59, fols. 126r–140v, PA; Petition of prisoners in the King's Bench, c.1642, HL/PO/JO/10/14/9/3605, PA; Petition of poor distressed prisoners [in the Fleet?], after November 1642, HL/PO/JO/10/14/9/3597, PA; *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.F., *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.

the abolition of imprisonment for debt. The practice, they maintained, was an infringement of England's fundamental laws and ancient constitution, as revealed by Magna Carta and the Petition of Right, and of their rights as 'free-borne Subjects'.<sup>89</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 Englishmen'.<sup>90</sup> Abolition of imprisonment for debt likewise featured in Army and Leveller proposals for civil war settlement including the *Heads of the Proposals* and the *Agreements of the People*.<sup>91</sup> By 1649, then, arguments against the prison first developed in the context of 1620s

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<sup>89</sup> J.M.F., *Appeale to Heaven*, 1–2, 4; [Freize], *A Declaration*. For these arguments in the 1622 and 1641 petitions, see: *Imprisoning Mens Bodies* (1622), 6–9; *Imprisonment of Mens Bodyes* (1641), 4–6.

<sup>90</sup> *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," *The Library* 11, no. 1 (2010): 3–88, at 4, 13, 45–8, 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, at 365–68, 370; Como, "Secret Printing", 74–75, 80–82.

<sup>91</sup> John Rushworth, *Historical Collections of Private Passages of State*, 8 vols., 2<sup>nd</sup> edition (London, 1721), vol. 7, 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].

rioting and petitioning and 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>92</sup>

As well as these contemporaneous connections, the tract also enjoyed remarkable longevity within prison activism and campaigns against imprisonment for debt. It appeared again in print in 1687, again in the context of fomenting political and constitutional crisis as well as a renewed debate about debtor's prisons in parliament, this time as *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>93</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

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<sup>92</sup> Barbara J. Shapiro, *Law Reform in Early Modern England: Crown, Parliament and the Press* (London, 2020), 125–7, 129–30, 133, 145; Bell, “Dens of Tyranny,” 399–401; Donald Veall, *The Popular Movement for Law Reform, 1640–1660* (Oxford, 1970); 145–9; Stuart E. Prall, *The Agitation for Law Reform during the Puritan Revolution, 1640–1660* (The Hague, 1966), 60–62.

<sup>93</sup> *An humble representation upon the perpetual imprisonment of insolvent debtors* (1687) [Wing H3645]. On prisoner self-government, see: Bell, “Dens of Tyranny,” chapter 3; idem, “Charity, Debt and Social Control,” 8–9, 14–15, 25–29.

century and this text remained a staple of campaigns for its abolition, appearing in print again in Dublin in 1727.<sup>94</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 onwards 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: of parliamentary petitioning, manuscript pamphleteering, printed news. In the junctures between,

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<sup>94</sup> *The Case of Prisoners for Debt Consider'd* (Dublin, 1727); Paul, *Poverty of Disaster*, 200.

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 for over two decades. Both in terms of its substantive argument and of its production and dissemination, the 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 the pre-existing 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.

## Figure List



Figure 1: *Imprisonment of Mens Bodyes for Debt* ([London], 1641) [Wing I106], sig. A2r (ornament: 62x58mm). © British Library Board, RB.23.a.7974.

Figure 2: *Imprisonment 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.

Figure 3: “Imprisonment of mens Bodies for Debt,” Lansdowne MS 806, fo. 2r, British Library. © British Library Board.

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

Figure 5: [Henry Burton], *The Protestation Protested* ([London], 1641) [Wing B6171] (ornament: 63x59mm). © British Library Board, 100.c.22.

Figure 6: *Imprisonment of Mens Bodies for Debt* ([London], 1622) [STC 14428], sig. A2r (32x33mm). Bodleian Library, University of Oxford, Antiq.e.E.1622.5. License: Digital Bodleian, CC-BY-NC 4.0.

Figure 7: Miles Smith, *Sermons of the Right Reverend Father in God* (London, 1632) [STC 22808], sig. li3r (32x33mm). © British Library Board, 4452.g.17.

Figure 8: Miles Smith, *Sermons of the Right Reverend Father in God* (London, 1632) [STC 22808], sig. F3r (36x36mm). © British Library Board, 4452.g.17.

Figure 9: *Imprisonment of Mens Bodyes for Debt* ([London], 1641) [Wing I106], sig. A3r (36x35mm). © British Library Board, RB.23.a.7974.

Figure 10: [Henry Burton], *The Protestation Protested* ([London], 1641) [Wing B6171], sig. A2v (36x36mm). © British Library Board, 100.c.22.