Among the books of cases and contract law in the University of Melbourne’s Law Rare Book Collection is a series of British pamphlets and other publications dating from the English Civil War (1625–1649). These include acts of parliament, speeches, sermons and at least one ‘newsbook’ or early newspaper. This article gives an overview of this component of the Law collection and points to some of its more significant items.

Pamphlets

Pamphlets are small works of fewer than 50 pages. They typically deal with contentious subjects and so were often published anonymously. Pamphlets in the Law collection, for example, are attributed simply to ‘a Friend and servant’ or ‘a true lover of God and King Charles’ (see figure 1). Pamphlet culture exploded in England in the 1640s when political unrest excited the public appetite for news, and an easing of censorship laws gave writers and printers the freedom to spread it.

Yet, while their subject matter was topical, it was as a consequence often transient; pamphlets were meant to be read now and thrown away. As a result, most 17th century pamphlets were written in a rush and printed in haste on cheap paper hoarded by printers especially for this purpose.

Newsbooks

Pamphlets evolved into newsbooks, the forerunners of newspapers. The first English newsbook was published in November 1641 and was simply a record of parliamentary proceedings. Later newsbooks, however, were more gossipy and even scurrilous. Indeed charges of libel were regularly brought against the editors and printers of early newsbooks. The more sensational of these publications were put to an end by the Act Against Unlicensed and Scandalous Books of 1649, which required all newsbooks to be examined by government censors.1 The act temporarily saw the suppression of the ‘gutter press’ in favour of official, pro-government newsbooks. One positive consequence of this censorship was the raising of standards in news collecting and printing, as evidenced in the newsbook Mercurius Politicus (discussed further on page 13).

Although newsbooks are essentially quarto pamphlets, they differ from other pamphlets in a number of ways. Firstly, and perhaps most importantly, they were serials. Although few of the earliest

1 Act Against Unlicensed and Scandalous Books (1649).

Figure 1: Title page of the pamphlet, Truth and Peace Honestly Plead..., by ‘a true lover of God and King Charles’, 1642.
newsbooks were numbered, printers and editors soon realised the marketing benefits of adding numbers to the front pages of their publications.

Numbers gave the promise of a further issue and encouraged 17th century ‘news junkies’ to watch out for the latest issue of their favourite read. Newsbooks also differ from pamphlets in their layout. In pamphlets, the verso of the title page was left blank; but in 1642, the printers of newsbooks began printing on this page too, so gaining much-needed printing space.

Pamphlets also generally had a full title page (see figure 2), whereas on newsbooks the title was reduced to a small section at the top of the first page (see figure 3).

**Pamphlets and newsbooks in the Law Rare Book Collection**

The Law Rare Book Collection includes approximately 30 pamphlets and newsbooks of the 17th century, the earliest dating from 1642. Most are remarkably well preserved, with few traces of readers, such as notes or underlining. One of the rarest items in the collection is a 1649 pamphlet titled *A Serious and Faithfull Representation of the Judgements of Ministers of Gospell within the Province of London.* This is one of a series of 17th century pamphlets written by English Presbyterians in opposition to the government. There is only one other known copy of this pamphlet, in the Bodleian Library at the University of Oxford.

The collection also includes two pamphlets published by King Charles I to gain support for his attempt to raise troops against parliament by taking control of local militia. The pamphlets are, *The Case of the Commission of Array Stated* (printed in London in 1642) and *His Majesties Answer to the Declaration of Both Houses of Parliament, Concerning the Commission of Array of the 1 of July, 1642* (printed by Robert Barker in York, again in 1642).

Oliver Cromwell is also represented in the collection in his speech of 22 January 1654, *His Highnes Speech to the Parliament in the Painted Chamber, at their Dissolution* (Edinburgh, London, 1655) (shown in figure 2). Cromwell gave this speech on the dissolution of the parliament before he created the first protectorate parliament. Another Cromwell-related item is a 1727 reprint of a pamphlet originally printed in 1649 — *A Hue and Cry After Cromwell, or the City’s Lamentation for the Loss of their Coin and Conscience* (London, Printed for A. Moore near St Paul’s, 1727) presents an image of Cromwell as a horned and fiery-eyed ‘beast’ who ‘hath defy’d his God, murthered his King, and ruin’d his Country; undone Thousands, is Religious in nothing but Regicide, Murther, Theft, and the rest of the deadly Sins’.

**Leopards’ wombs and elephants’ teeth**

Other items are less directly relevant to the events of the Civil War, but nonetheless provide some fascinating glimpses into the economic and social life of 17th century England.

One of these details the plans for the wedding of Charles I’s sister Elizabeth. It records the amounts spent on extravagances and entertainments, such as ‘apparrell and like necessaries for the Lady Elizabeth’ (£1829); ‘Jewells for her, and for apparrell for her servants’ (£3914); ‘Silks and other necessaries’ (£995), ‘To the Treasurer of Navie for the Navall fight performed on the Thames, at the marriage’ (£4800); and ‘For the Fireworks of the Thames’ (£2880). The whole sum of these ‘Extraordinary Disbursments’ was ‘£296,8970’ (sic). Another item, *An Additional Act for the Better...*
Improvement and Advancing the Receipts of the Excise and New-Impost at the Parliament, details the taxes to be paid for products as varied as treacle, ‘Trumpets for Children’, ‘otter skins, leopards’ wombs and elephants’ teeth’.8

Mercurius Politicus

The collection includes a copy of the early newsbook Mercurius Politicus: Comprising the summe of all intelligence, with the Affairs and Designs now on foot, in the three nations of England, Ireland, and Scotland (no. 129, dated 18–25 November 1652). Mercurius Politicus (figure 3) was founded June 1650 and published until April 1660. The title reflects the high-flown aims of its editor, Marchamont Nedham, who moved beyond the purely domestic news of many earlier newsbooks to provide his readers with ‘the summe of all knowledge’. Throughout its ten year life, Mercurius Politicus was indeed Britain’s pre-eminent newsbook.9 It was more ‘moderate’ than many of its predecessors — in part as a result of the Act of 1649 that regulated pamphlet printing — but this did not affect its popularity. Nedham sold papers by supplying news that was reliable, even if it was coloured by republican propaganda. Indeed Nedham’s admitted aim was to write ‘in defence of the Commonwealth’ and help the people of England ‘to learn to be true Commonwealthsmen’.10

There are some clear differences between Nedham’s newsbook and the newspapers we might dip into over breakfast today. In these early publications, the editor is hidden, identifying himself only as ‘Mercury’, the Roman god of messengers. Indeed Mercurius Politicus was one of many ‘Mercuries’ that included Mercurius Britannicus, Mercurius Bellicus and Mercurius Melancholicus. Individual articles are also unattributed, with headlines providing only the place and date of the dispatch. Yet, despite these differences, Mercurius Politicus displays many of the features of 21st century newspapers. Early issues included forthright editorials, and there are headlines and clearly defined articles, although the latter are divided geographically rather than according to their subject matter.

Mercurius Politicus also resembles our newspapers in the breadth of its subject matter. The Law Rare Book Collection’s copy includes both ‘human interest’ stories and news that is more serious. The front page article, for example, tells the story of a farmer who was ‘so harsh and rigid toward the poor’ that a group of the ‘meaner sort’ in the town determined to punish him. The story continues:

Figure 3: Front page of the newsbook, Mercurius Politicus, 1652.

They attempted him one night, and could not doe their work, but the next night they did it, routing him and his Protectors. He himself made an escape in this shirt: (His name is Crow) and run and hid himself in a Tub of Feathers, but all would not save him; they got him into their hands, and (contrary to his expectation) gave him fair Quarter. The Conclusion of all was, that having made him swear on the Bible … they dismissed him without wounds, but half frightened out of his wits.11

A ‘society column’ from Nedham’s unnamed Prague correspondent tells of ‘the great Feastings and Entertainments made there by the Emperour (sic) for the Electors … with great contentment on all sides’.12 There are also articles on more weighty events. Nedham reports on the outcomes of treason trials and other court cases and gives updates on diplomatic activities in Amsterdam, Paris and The Hague.

The Law Rare Book Collection holds a number of other noteworthy items dating from the 17th century. Among these is a collection of parliamentary speeches from 1627 and 1628, the Ephemeris.
Parliamentaria: or a faithfull register of the transactions in Parliament in the third and fourth years of the reign of our late Sovereign Lord King Charles, containing the several speeches, cases and arguments of law transacted between His Majesty and both Houses, together with the grand mysteries of the Kingdom then in agitation (London, John Williams and Francis Eglesfield, 1654). This book is notable for the use of red and black ink on its title page (figure 4), a relative rarity among printed books of this period because of the time and labour required to produce them. Unlike many other volumes in the Law collection, which were rebound in the 19th century, it also retains its original binding.

The pamphlets and newsbooks in the Law Rare Book Collection are valuable not only for the information contained within them, but also as prototypes of the modern newspaper. In them, we can clearly see the beginnings of many contemporary conventions in news reporting: editorials, headlines and even gossip all appear on their pages. They also represent an important stage in the history of printing. It became evident during this period of frenzied pamphlet writing and producing that the printing press could create as well as transmit public opinion. Indeed while the news they report is yesterday’s, the broader issues revealed in these early printed works are familiar and still relevant.

Notes
2 Raymond, ibid, p. 23.
3 A Serious and Faithfull Representation of the Judgements of Ministers of the Gospell within the Province of London: Contained in a letter from them to the Generall and his Counsel of Warre. Delivered to His Excelleny by some of the subscribers, Jan. 18, 1649, London, imprinted by M.B. for Samuel Gellibrand, and Ralph Smith, 1649.
6 A Hue and Cry After Cromwell, or the City’s Lamentation for the Loss of their Coin and Conscience, London, printed for A. Moore near St Paul’s, 1727, pp. 5–6.
7 An Abstract or Brief Declaration of the Present State of His Majesties Revenew: with the assignations and defalcations upon the same: all monies brought into His Majesties coffers from time to time, since his coming to the Crown of England, by what means so ever: the ordinary annuall issues, gifts, rewards, and extraordinary disbursements as they are distinguished in the several titles hereafter following, London, Printed for M.S., 1651, pp. 14–15.
8 An Additional Act for the Better Improvement and Advancing the Receipts of the Excise and New-Impost at the Parliament begun at Westminster the 17. day of September, An. Dom. 1657, Printed by Henry Hills and John Field, printers to His Highness, 1657.
10 Mercurius Politicus: Comprising the summe of all intelligence, with the affairs and designs now on foot, in the three nations of England, Ireland, and Scotland, 11–18 March 1652, p. 1458.
12 Mercurius Politicus, 18–25 November 1652, p. 2032.