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The undersigned, acting as a Committee of
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ments of the Graduate School of the University of
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THE LIFE OF JOHN HAMPDEN
NOVEMBER 3, 1640 TO JANUARY 11, 1642.

A Thesis submitted to the
Faculty of the Graduate School of the
University of Minnesota
by
Sybil Isabelle Fleming
in partial fulfillment of the requirements
for the degree of
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INTRODUCTION.

"History is the essence of innumerable biographies", wisely remarked Thomas Carlyle. More especially is this true of the biographies of men who by inherited position or dominant personality have attained to the throttle of governmental machinery. I have been led to attempt a detailed life of John Hampden because, as a Student of Stuart England, I am daily impressed with historians urgent need of it. This country gentleman of Buckinghamshire, who arose within the space of a few years from comparative insignificance to an eminence which gave him control over the greatest problems of church and State, demands our attention. First a member of the 1620-21 Parliament in his twenty-sixth year, he had, by 1637, become renowned throughout England, and three years later was acknowledged a leader of his party in opposition to monarchical usurpation. History is, indeed, built up out of the materials of such a life.

The need for a carefully worked out account of the actions, opinions, and motives of such a man as John Hampden has been called to the attention of scholars by many an English historian; and one cannot but be surprised at the meagre attempts to meet that need. The only long biography of Hampden is the two volume work of George Grenville, Lord Nugent, published in 1832. Lord Nugent called his book, Some Memorials of John Hampden, His Party, and His Times, and the largest portion of the work was devoted to the Party and the Times, with the result that sometimes Hampden completely disappeared. Nugent made no consistent attempt to follow Hampden's attitude shown by his actions and opinions, on even the main issues which confronted Parliament. Moreover, he sometimes

allowed his political sympathies to prejudice him in favor of the Parliamentarian. Second in the matter of length to the Memorials is John Ferster's life of Hampden which appeared in his Statesmen of the Commonwealth of England. This contribution is practically negligible because it is little less than a condensed summary of the parts of Nugent bearing directly on Hampden. Two other accounts of Hampden's life are worthy of notice: that by C. H. Firth in the Dictionary of National Biography, and the article contributed by Samuel R. Gardiner to the ninth edition of the Encyclopedia Britannica:² Both of these articles are mere critical and, therefore, more accurate than Nugent's Memorials; but both are necessarily confined to so small a space that they can contain no more than a mere chronological outline of actions, with no place for the details which are so pertinent, and scant room for supposition regarding Hampden's personal motives and convictions. This concludes the noteworthy lives of the gentleman from Buckinghamshire. There are, it is true, numerous sketches scattered throughout the histories of the period, but they are all exceedingly brief, often untrustworthy, and almost exclusively based on secondary materials.

One difficulty which in part accounts for the scarcity of detailed lives, and which meets everyone who aims to be Hampden's biographer, is the paucity of source material. For the earlier years of his life there is an almost total absence of any information concerning him; in the latter years there is information enough but so little of that informal kind which reveals the inner man. As Nugent has truthfully said, "of his correspondence and conversation, less has been preserved than perhaps of any other so remarkable person". It certainly merits astonishment to find among the numerous collections of contemporary documents so very few which shed light on Hampden's private life or

1- Ferster quotes Nugent frequently, and often forgets the quotation marks.

2- Republished on the last (eleventh) edition.

on the motives and ideals of his public life. This is especially true of the period to which I have been forced to confine myself in this limited Study: from the opening of the famous Long Parliament, November 3rd, 1640, until after the attempted arrest of the Five Members, January 11th, 1642. During these fourteen crucial months which contain the height of Hampden's fame if not of his service to England, there is not one personal letter extant, no speech exceeding a few lines, only a few authoritative lights on his conversation or personal life. His correspondence, if there was any, has been destroyed; his conversations were never recorded; and his laconic speeches, for he never indulged in elaborate set orations, as did most of his colleagues, are available to us only in the disjointed notes of a Verney or a D'Ewes.

The interpretation of Hampden's life during these significant months, when party lines were strengthening in preparation for the civil war, is limited to the well known official sources: the House of Commons Journals, a few state papers in the Public Record office, (available to us in the Calendar of State Papers); and to a number of private journals and accounts of fellow members in the House. Chief among the unofficial works are: Sir Ralph Verney's Notes, Sir John Northcote's Notebook, Bulstrode Whitlock's Memorials, Lord Clarendon's Life, and his History of the Rebellion, Sir Philip Warwick's Memoirs, and the manuscript journals of Sir Thomas Peyton, Geoffrey Palmer, and most famous of all, the invaluable journal of Sir Symond D'Ewes. Chance information is also obtainable from the private letters and documents in the Calendar of State Papers and in the collections catalogued by the Historical Manuscripts Commission.

If in all these valuable source materials there is to be found scant information of Hampden's conversation and speeches, there is nevertheless, sufficient testimony as to his character. Criticisms from both parties are numerous, but as the great Gardiner has pointed out, and as the following citations will show: "both friend and foe are of one mind in recognizing his power." "He was a gentleman of the ancientest extraction in Buckinghamshire," says White-

1. See p. 14.

leek, " Hampden of Hampden: his fortune large, his natural abilities great, and his affection to public liberty in his country exposed him to many difficulties; in parliament..-he was a most active and leading member. He was well beloved in his country, where he had a great interest as also in the House of Commons." "He was certainly," says Sir Philip Warwick, another member in the House, " a person of the greatest abilities of any of that Party." Thomas Carlyle gives us a very intimate although scarcely pleasing portrait of Hampden", " with his close thin lips and very vigilant eyes; with his clear official understanding; his lively sensibilities to 'unspotted character', 'safe courses' etc: a very brave man, but feridably thick-quilted and with pincer lips and eyes very vigilant." Richard Baxter, a contemporary, gives Hampden a place in his Saints Rest with these whom he hopes to see in heaven; he says of him he was a man" that friends and enemies acknowledged to be most eminent for prudence, piety, and peaceable counsels, having the most universal praise of any gentleman that I remember of that age". Clarendon, a leader of the opposition, adroitly sums up Hampden's virtues thus: "In a word, he had a head to contrive, a tongue to persuade, and a hand to execute any mischief". "Mischief" is simply indicative of Clarendon's prejudice, and if the word, design, was substituted, a fairer statement would result.

There is one trait in Hampden's character which from friend or foe alike calls forth attention: from the former it receives praise and from the latter blame. Whatever ones interpretation, there can be, in view of

1- p.III.Gardiner, S.R, The Great Civil War I.153.

1-Whiteleock, Bulstrade, Memorials I. 204.

2- Warwick, Sir Philip, Memoirs. 240.

3- Carlyle, Thomas, Letters and Speeches of Oliver Cromwell II. Speech 1.

4- Baxter, Richard, A Narrative of his Life and Times Part III.p.1777.

5- Clarendon, Edward, Lord, History of the Rebellion. (Macray Ed.)VIII. 80 f.7.

the frequency of criticism, no doubt as to its foundation. The study of his Parliamentary life in the following pages, moreover, convinces one of its justice. That characteristic so generally noted by contemporaries deals with Hampden's methods in debate and is well formulated by his opponent, Clarendon; "He (Hampden) was of that rare affability and temper in debate and of that seeming humility and submission of judgment as if he brought no opinion with him, but a desire of information and instruction. Yet he had so subtle a way of interrogating, and, under the notion of doubts insinuating his objections, that he infused his own opinions into those from whom he pretended to learn and receive them, and even with them, who were able to preserve themselves from his infusions and discerned these opinions to be fixed in him with which they could not comply,¹ he always left the character of an ingenuous and conscientious person". Warwick describes this characteristic by saying "(Hampden) was of a concise and significant language, and the mildest yet subtlest speaker of any man in the House".² Whiteleock refers to it when he says, "He spoke rationally and subtly and often proposed doubts more than he resolved".³ By this "wonderful art of governing and leading (others) into his principles and inclinations whilst they believed that he wholly depended upon their counsel and advice",⁴ Hampden was to exert enormous influence over the course of Parliamentary debate without ever taking the floor himself. This then, without a doubt, is the true explanation of the very few recorded words under his name. "He was not a man of many words and rarely began the discourse, or made the entrance upon any business that was assumed; but" continues his Royalist critic, "a very weighty speaker and after he had heard a full debate and observed how the House was like to be inclined, took up the argument,

1- Clarendon, VII. p.83.

2- Warwick, p.240.

3- Whiteleock, I. p.204.

4- Clarendon, III. p.31.

and shortly, and clearly, and craftily so stated it that he commonly conducted it to the conclusion he desired". So well known was this trait of Hampden's that it found expression even in the political poems of the day:

"Hampden whose spirit moved o'er this mighty frame,
Of Britain's Isle and out this chaos came
Hampden, the man that taught Confusion's art
His treasures restless with a noiseless heart
His active brain like Aetna's top appeared
Where treason's forged, yet no noise outward heard;
'Twas he continued whatever bold M(artin) said
And all the popular noise that Pym has made
'Twas he that taught the zealous rout to rise
And be his slaves, for feigned Liberties
Him for his black design well-thought most fit
Ah! wretched man, cursed by too good a wit".¹

Such was the man that in the fall elections of 1640 was so much the people's choice that he was given the honor of being returned to Parliament from two constituencies.² Hampden was given longer than the other members to decide on his preference,³ and it was not until December 8th that he finally chose to represent his own county, Buckinghamshire, in preference to the borough of Wendover. Hampden has been accredited by numerous historians of riding about central England during the early Autumn months rousing by his utmost exertions the electors to support candidates of known fidelity to his cause. The author-

1- This portion of the poem on the Civil War is quoted by Disraeli in a pamphlet entitled Eliot, Hampden, and Pym. British Museum, T. 1407 (9).

2- Members of Parliament I. 485; Northcote, Sir John, Notabeekp. 40; Palmer, Geoffrey, a manuscript journal f.5.

3- Commons Journals II. p.47.

4- Nugent, Lord, Memorials I. 335; Green, J.R., A short History of English People p.1115 Taswell-Langmead,

English Constitutional History p. 481.

ity for this statement is based on two passages in Wood's Athenae Oxonienses: one which accuses Pym alone of riding "about the country to promote elections of the puritanical brethren to serve in Parliament" and the other which states that "Hampden...did not only ride for several years before the grand rebellion broke out in Scotland, but kept his circuits to several puritanical houses in England, especially that of Knightley in Northamptonshire, and William, Lord Say at Broughton, Oxfordshire, where as at the other places, the meeting of the brethren being numerous, they had their council tables." Wood is the sole authority then for the statement that Hampden with others canvassed the electorate to secure the return of their party. This being the case, we cannot accept the statement as an established fact. But it is highly probable that in the months preceding the assembling of the Parliament which any of the clear-sighted knew must be one of the most momentous gatherings in all past English History, that the leading spirits of the opposition party had many a serious conclave. That they not only talked among themselves; but earnestly tried to convince others is doubtless true. But to state that Hampden, Pym, and others spent their time in a wholesale political canvass is certainly overrating the case. ^{But} Whether due to the efforts of a few or the candid convictions of many, the Parliament which met on November third consisted of a goodly majority of the popular party: besides Hampden and his friend John Pym, there were innumerable members with whom Hampden became closely associated in the Parliamentary struggle which was so soon precipitated. Prominent among these may be named: his future associates in the Scotch Commission, Nathaniel Fiennes and Sir Philip Stapleton; the two radicals who were later to convert Hampden to their faction, Henry Marten and Sir Arthur

1- Wood, Anthony, Athenae Oxonienses III, pp. 73, 59.

2- Wood's biographical sketches must, of necessity, have been compiled largely from hearsay, and hence we are not justified in accepting at full value any statements for which he is the sole authority.

Haslerigg; the prominent lawyers, St. John, Selden, Glyn, and Maynard; and his future partners in Charles' attempted arrest; Denzil Holles, and William Strode; besides these many others including his colleague from Buckinghamshire, Arthur Goodwyn; his cousin who was to become world wide famous, Oliver Cromwell; not to speak of Sir Henry Vane, junior, Sir Robert Pye, Bulstrode Whitelecke, and many others. The control of the popular party was, according to Clarendon, vested in Pym, Hampden, St. John, Holles and Fiennes: "these men," says he, "absolutely governed, being stoutly seconded upon all occasions by Mr. Strode, Sir John Hetham, Sir Walter Earle, young Sir Henry Vane, and many others"¹.

Clarendon is also to be credited for throwing invaluable light on the ex-official way in which these leaders managed the affairs of their party outside of Parliamentary hours. He tells us of their lodgings back of Westminster Hall "where Mr Hampden, Sir Arthur Haslerigg, and two or three others more, upon a stool kept a table where they transacted much business and invited thither those of whose conversion they had any hope"². Wood substantiates this information connecting it with the meetings of the Puritan leaders previous to the assembling of Parliament: "what embryos were conceived in the country (at Knightley's house in Northamptonshire and at Lord Saxe in Oxfordshire) were shaped in Greys-Inn-Lane near London where the Undertakers for the issue of providence did meet, brought them to pass, and put them out to nurse in London."³ It was in these extra- Parliamentary -debates that the course of the Puritan Party which found its expression on the floor of the House of Commons was formulated. In this group lay the motive power of the Puritan Parliamentarians.

1- Clarendon, III. 55N.

2- Clarendon, Life I. pp. 50-1

It was to these lodgings that Hyde was invited when in the Spring of 1641 he was in the chair of the Committee for Religion. The Root-and-Branch Bill was under discussion and the radicals were working to secure his support.
of. infra. p. 16

3- Wood, III. 546-7.

Who among its select members held chief control? King Pym is accredited with being the acknowledged leader of the party and Hampden is assumed to have been his right hand man. But Clarendon, at times, seems to indicate that Hampden was fully on a par with Pym: "when this Parliament began", he says, "the eyes of all men were fixed on him as their Patriae pater and the pilot that must steer their vessel through the tempests and rocks which threatened it. And I am persuaded his power and interest at that time was greater to do good or hurt than any man in the kingdom or than any man of his rank hath had in any time." In another place Clarendon contrasts Pym and Hampden: the latter he declares is "a man of much greater cunning than Pym, and it may be of the most discerning spirit", and again he asserts that "in private designing he (Pym) was much governed by Hampden." This remember, comes from no zealous advocate of Hampden, but from a political adversary who could have no purpose in unduly exalting him above Pym. In view of such testimony we may feel justified in fearing that the subject of our present study has not in the past received his just reward. If it were only in our power to produce some of the private conversations of these two great leaders, if some common friend had only played the Boswell to their intercourse, if, only we could penetrate the past, we might easily find that many of the honors now attributed to King Pym would be transferred to his less ostentatious but more deserving associate, John Hampden. But the impossible is unattainable and without wasting more time in idle wishes it must suffice us to find out just what Hampden outwardly accomplished for his cause, and leave to supposition his immeasurable personal influence.

1- Clarendon, VII.p.82.

2- Ibid. III.p.31.

3- Ibid. VII. p.411.

SHIP MONEY

One of the first questions brought up for consideration in the Long Parliament was Ship Money. A discussion of its legality and the wisdom of voting 12 subsidies as the price of its abandonment had brought on the dissolution of the Short Parliament. But no fear of a repetition of that act for a like cause was evidenced when the new body met in November. The matter was first brought before the House on November Seventh when Hampden presented the petition of Alexander Jennings of Bucks concerning ship money.¹ When the tax had been levied upon Jennings he had replied that the best way to gather it was by consent of the Parliament for which daring reply he was committed to the Fleete by the Lords of the Council and kept there. He could neither secure discharge nor bail, and had now turned over his humble petition to that man who only a few short years earlier had opposed ship money before the nation.² The House, knowing that more petitions of like nature were sure to be presented put aside the consideration of this one until later. They were, however, sufficiently convinced of the evils^{of ship money} to make immediate action against it possible. On the twenty-seventh of the month a Committee composed of Hampden, St. John, and others, whose opposition to the ship money was well known, was appointed to consider the judgments and decrees in the Exchequer Chamber concerning illegal

1- Harl. 162 f. 2.

2- Hampden's refusal to pay ship money was brought before the Exchequer Chamber in November 1637. His case was argued by Oliver St. John and Holborne. The counsel of state were Solicitor-General Lyttleton and Attorney-General Banks. Each member of the bench delivered his opinion at length-never more than two on one day; hence the case was drawn out through the early months of the following year. (State Trials III 825-1315) The case demanded the attention of all England and, when a bare majority of seven judges proclaimed in favor of the King, the county at large was against the decision. The trial brought Hampden into national prominence and made him in the words of Clarendon (VII 80 n)"the most generally known and the most universally esteemed throughout the whole nation that any private man at the time could be."

taxes and the property and goods of the subject. On the seventh of December upon Mr. St. John's report from that committee, the House proceeded to pass four significant resolutions without a single dissenting voice, viz., (1) that ship money is against the law of the realm, the subject's right of property and contrary to former resolutions in Parliament and to the Petition of Right, (2) the extrajudicial opinions of the judges in the Star Chamber were likewise against the law of the realm,² as were also (3) the writs for ship money, and (4) the judgments in Mr. Hampden's case in the Exchequer.³ The outcome of these resolutions is a trustworthy weathercock revealing the sentiments of the House. They had not only been supported by the vigorous arguments of such men as Falkland and Hyde, future royalists of the deepest dye, but they had been accepted by the entire House in an unanimous vote: such facts prove conclusively the solidarity in the opposition to the royal claim.⁴ At a later date the Lords, likewise, passed similiar resolutions, and thus an united Parliament had reinforced by legislation the popular justification of Hampden's stand. The House of Commons was not satisfied, however, with mere resolutions: even its most conservative members demanded that the Judges of 1637 should be punished. It was suspected that the unanimous vote of the Bench in the extrajudicial opinion favoring ship money had been secured only after solicitations and even threats from Chief Justice Finch. The eight judges who were still on the Bench were

1- C.J. II.p.35.

2- This unanimous decision of the judges of the Bench in 1637 was given on two points asked by the king:

(1) whether when the good and safety of the kingdom demanded it the king had not the right to command all his subjects to furnish ships to repel the danger and by law compel them in case of refusal,

(2) whether the king was not sole judge, both of the danger and when and how it was to be prevented?

C.St.P. Dom. 1636-7.pp. 416-8

3- C.J., II.p.46.
Whitlock I.113.

4- L.J. IV.p.136.

interviewed on the very day the four resolutions were passed. On the following¹ morning when the testimonies of Baren Trevers and Justice Creke were read, it was felt that the suspicions were amply justified. The matter was clinched when Hampden testified that he himself had seen the letter sent by Finch to Justice Denham urging him to concur in the decision.² It was, at once, ordered that the former committee on the propriety of the subject in their goods should now prepare a charge against the Lord Keeper Finch and the rest of the judges who had favored ship money.³ The House carried the vote for impeachment almost without a dissenting voice.⁴ This sweeping majority again goes to shew the solidarity of the House. In the following months the House did several things which further testified its attitude on the ship money proposition. On February sixth Hampden was appointed one of a committee to see that the resolutions concerning ship money were entered properly in both the Lord's and Common's Journals, and to have a conference with the Lords about setting forth in printing the whole proceedings, as well as to arrange for the vacating of the extrajudicial opinions delivered in Hampden's case from the rolls of all the courts of Westminster.⁵ Not satisfied with a mere printed resolution the House in the following June introduced "An act for declaring unlawful and void the late proceedings concerning ship money." On the nineteenth it was committed to

1- Peyton ff 39-40 Northcote pp. 41-3

2- Although all twelve Judges on the Bench in 1637 had concurred in the extrajudicial opinion, Creke and Hutten had done so because they were told it was customary for the minority to join in with the majority in giving a decision. Creke testified that Finch had promised to tell the King that his subscription was only for conformity. History MSS. Com. 4th Report p. 46

A year later when the Hampden case was tried only 7 out of 12 took the King's side: Baren Trevor being 1 of that number; Sir George Creke was the first judge in the argument to oppose the levying of ship money, and Denham, who was sick at the time, sent in a brief judgment in Hampden's favor.

3- C. J. II. p. 46

4- D'Ewes says "There were only 2 or 3 nces" Harl. 162 f. 91.

5- C. J. II. p. 80

For a draft report of the committee on vacation
See H. MSS. Com. Fourth Report p. 54.

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a group of prominent members among which, of course, was John Hampden. On August seventh the Act received the royal assent; Hampden was publicly justified before all England.

RELIGIOUS PROBLEMS: CATHOLIC AND EPISCOPAL.

If the House could present a solid front in its opposition to ship-money there were many subjects on which opinion was far from unanimous; in fact where division entered even into political groups and separated such fast friends as Pym and Hampden. No question before Parliament among all its troublesome problems caused more divergence of opinions or led more surely to the formation of parties than the complex question of religion. It is not always possible to ascertain the exact stand taken by Hampden on the various phases of religious problems. But, of one thing, we can be sure, he was vitally interested in all considerations of the subject: his loyal service on numerous minor committees as well as, his constant activities on the most important committees in Papist and Episcopal questions, prove this beyond a doubt. Eochard tells a story of Hampden's being asked why his party "pretended religion, when liberty property and temporal matters were the chief end of their proceedings?" Upon which the member for Buckinghamshire answered, "Should we not use the pretence of religion, the people would not listen to us." Besides the unreliability of the authority, this statement is on its very face preposterous. Temporal gains may have been made as the result of ecclesiastical legislation, but that Hampden and his friends were using religion as a cloak for material greed is not true to the facts. A proof of Hampden's sincere devotion to religion lies in the list of committees in which nothing political

1- C.J.II.p.181

2- Nugent I p336 using Eochard History of England.

3- Eochard is based on Clarendon and other similar biased accounts and cannot be accepted when unsupported by other evidence.

could be at stake but on which he served diligently. Among these might be named:

- (1) the committee for both November and April Fasts,¹
- (2) a committee to consider the complaints of the parishioners of St. Gregory concerning the pulling down of their churches,²
- (3) a committee to consider the Petition of the Parish of Beckington and Somerset against the Bishop of Bath and Wells,³
- (4) another committee for a petition, this time from the inhabitants of Hugenden, Bucks, asking for preaching ministers,⁴
- (5) a committee to which was referred "An Act against Pluralities of Spiritual Promotions".⁵

Other than in committees, Hampden served his cause in several minor ways, viz. as messenger to the Lords with the above act,⁶ as well as an act to prevent the dangers that may happen by Popish Recusants,⁷ and also an act to take away a Branch of a Statute made 1 Elizabeth concerning Commissioners in Causes Ecclesiastical,⁸ and later as commissioner to inquire into arrears of recusants.

But Hampden did not confine his ability to the work of minor committees only; his name is connected with almost every important action on both of the two great religious questions facing the Long Parliament: the Catholic and the Episcopal problems. Very early in the session the House began its campaign against the papists: on November ninth Hampden was appointed to serve on a committee for investigating the members of the lower House with a view to unseating those of popish ten-

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- 1- C. J. II. pp. 23, 122.
 - 2- C. J. II. p. 36.
 - 3- C. J. II. p. 50.
 - 4- C. J. II. p. 54.
 - 5- C. J. II. pp. 100-1.
 - 6- C. J. II. p. 161.
 - 7- C. J. II. p. 171.
 - 8- C. J. II. p. 197.

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 dencies, and also one to inquire into the number of Papists within ten miles of
 2
 Londen and to carry out the law of disarming recusants. On the twenty-first he was
 again named with others to investigate the religious affiliations of the army of-
 3
 ficers. A general house cleaning was in progress and no disciple of the Pope was
 going to escape. The feeling against the Catholics was growing stronger every day.
 Speeches were made telling of their prevalence in England, their control of the
 army in Ireland, and their associations with the Queen. Not only Hampden, Pym, and
 other Puritan Leaders, but even Falkland and Hyde who were later to join with the
 King against the Puritan faction, now feared that a Catholic plot to overthrow
 Protestantism was on foot. Evidence of the suspicion and fears of the entire House
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 are found on almost every page of D'Ewes Diary. It was some time however, before any
 proof appeared, but by the last of November an event had occurred which crystal-
 ized the fear and seemed to confirm the suspicions. One Heywood, a justice of peace,
 when crossing Westminster Hall, was stabbed in the back by John James, an ardent
 Papist. Heywood in his official position was working for the removal of re-
 cusants from the neighborhood of Westminster; James was probably only a

1- C. J. II. p. 24. The fairness with which Hampden judged a suspected Papist is shown when Sir John Helland, member of the House for Castle Rising, Norfolk, was under suspicion. Helland explained that although his wife was a Papist and insisted on continuing so, he himself was not, and, therefore begged to be allowed to retain his position in Parliament. Hampden convinced of his sincerity was too broad-minded and tolerant to punish a man for his wife's sins, and hence moved that the House might declare itself satisfied with Helland's declaration. (Harl. 162 f. 18.) Hampden's lead was followed, satisfaction was expressed and Helland allowed to retain his seat (C. J. II. p. 35).

2- Ibid.

3- C. J. II. p. 34. This was a general committee on army affairs with numerous other functions besides investigations for recusants.

4- The diary commonly known as that of Sir Symond D'Ewes was written by John Bedvile of Wales through November the eighteenth: D'Ewes not coming in the House until the nineteenth.

On November seventh Bedvile (Harl. 162 f 3-4) records a relation of the prevalency of Catholicism in England and Wales; and gives figures to prove that of 10,000 men in the new Irish army, 5,000 were Papists. The fear of the city was told by Mathew Cradeck, a rich Londen merchant (Palmer f. 34). Rigby, the Puritan member for Lancashire, turned in a letter showing the military preparations of the Catholics in his county and revealing the correspondence of Count Pessetti, the papal agent, with priests and Catholic divines. (Harl. 162 f 5)

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 half-crazed zealot who was retaliating for a personal wrong, but the House did not step to consider this; Great excitement prevailed and the fear of a Catholic Plot was assumed to be substantiated. The tremendous effect of the incident upon the imagination of the hearers was shown when Alderman Pennington rose to offer a guard of 300 from the city, the House seized the chance to protect itself against "a general assassination, and member after member rose to approve of the plan. Sir Thomas Jermyn and Sir John Eveling alone were opposed saying that a guard could only protect them while they sat in a body. Hampden was carried along with the general wave and moved for the acceptance of the guard.² Opinion was so decisively favorable that D'Ewes thought, as he tells us, a message was being penned to the Lords acquainting them with the decision, but when he returned to the House after a short absence he found the tide had changed and "common sense prevailed in the end".³ The James case was not to be dropped, though, and a committee was appointed to investigate. On the twenty-seventh it reported recommending that a bill should be prepared against the Papists for felony. The House agreed and upon Hampden's motion it was recommitted to the former committee with some added members, of which Hampden was one.⁴⁵

Not only was the House to oppose Popery but before the Christmas recess it was faced by the second religious problem: the abuse of the Laudian system in the Anglican church. As a thorough-going Puritan, Hampden was as much opposed to Episcopacy as he was to Catholicism, and he busied himself in many phases of the problem. The issue appeared with startling vividness on December eleventh upon

1- The question of his lunacy was discussed. C. J. II. p. 37; Northcote p. II.

2- Harl. p. 162 f. 16.

3- Gard. IX. p. 240.

4- Harl. p. 162 f. 26.

5- C. J. II. p. 37.

In the following spring Hampden served on one or more committees over the James affair to which an act for the forfeiture of his lands and Hereditaments was referred upon second reading.

C. J. II. p. 125.

the presentation of the London Petition for the abolition of Episcopacy. Discussion on this extreme measure was, however, postponed for the time being, and attention was directed to the new canons. These products of the Convocation at York in the previous May contained the essence of the Laudian system. They had been unpopular from the moment of their passage. Their legality, moreover, was questioned, because they had been made in Convocation after the dissolution of Parliament. On the sixteenth of December the obnoxious canons were ordered illegal, and a committee was appointed to examine who were the promoters of the canons, and to prepare a charge against the Archbishop of Canterbury. On this first committee in the proceedings against Laud, Hampden with Pym, Hollis, Earle, and others of the same opinions served.¹ As a result of the committee's investigations, the House on the eighteenth voted the impeachment of the Archbishop for high treason.² Second only to Laud of the wicked bishops of England was Matthew Wren, Bishop of Ely. While in the Bishopric of Norwich "in less than two years and a half, he had roused the Puritanism of East Anglia to a dangerous pitch of rebellious fury."³ On December nineteenth, the very day after Laud's impeachment, a message was sent acquainting the Lords that the Commons had received certain information of high nature against the Bishop of Ely.⁴ Hampden was the bearer of the news. D'Ewes gives us in cipher an incident in the naming of the messenger. "I was also named", says he, "by divers to go up, but called on Mr. Hampden. Mr. Pym named him before the order⁵ was

1- C.J. II. p. 52.

2-C.J. II. p. 94., Articles of Impeachment given Rushworth III. pp. 1365-1370.

For further proceedings against Laud Cf. infra p. 13.

3-Reverend Alexander Gordon. Article in D.N.B. The public mind had been excited against Wren's visitation articles of 1636 by William Prynne's "News from Ipswich".

4- C.J. II. p. 54-55.

5-Such a trifling thing as this serves to show in its way the friendship between King Pym and Hampden. Pym, probably, often threw the honor of carrying important messages to the Lords to his quiet, dignified friend.

drawn, and I spake to the orders of the House that no private men ought to name
our messenger to be sent but the House ought to name him".¹ D'Ewes objection was
overlooked, and Hampden brought back the reply that the Lords had bailed Wren and
were awaiting further enlightenment.² On the thirtieth Hampden served on a commit-
tee to consider the petition of Lady Elizabeth Hatton against the bishop.³ Proceed-
ings continued against the bishops of the late Convocation, but for some months
nothing of importance was accomplished,⁴ and Hampden's service was demanded in
the Catholic problem which was again confronting the House.

During the early months of 1641 objections to Catholics and fears of
some hidden plot were growing with increasing strength. Frequent disclosures were
made which seemed to confirm the suspicions and certainly did fan the flame of dis-
trust and hatred. The case of John Goodman, a Jesuit priest, will serve to illus-
trate. Goodman having been converted from Protestantism to Catholicism, had been con-
demned to death under the bloody laws of Elizabeth's reign on the twenty-first of
January. Through the intervention of Count Rosetti, the papal legate and the
Queen, the King was induced to pardon him. This stirred the House to its depths:
on the twenty-third a conference was voted with the Lords for which Hampden as-
sisted in the preparation of the Heads.⁶ The King's speech justifying the reprieve
of Goodman given before the two houses at Whitehall instead of allaying their
suspicions, only aroused them further. The Lords joined the Commons in asking the

1-Harl. 162 f.88.

2- C.J.II.p.55.

3-C.J. II. p. 60.

Elizabeth, wife of Christopher, First Lord Hatton at Kirby Northampton, and
daughter of Sir Charles Montague, brother of the First Earl of Manchester.

4- On June fifth Hampden was a member of a committee to expedite the charges
against the Bishop of Canterbury (C. J. II.p.168.) Nothing, however, was ac-
complished.

On July thirty-first Hampden also was appointed to serve on a committee to
prepare the impeachment against the bishops who had made the new canons(May
1640) but he left for Scotland before any definite action was taken.

5-Goodman was a brother of the Bishop of Gloucester.

6.J.II. p.72.

King to agree to the execution of Goodman as a traitor. On the following day, January twenty-eight, the House proved its determination to continue investigation into Catholic abuses by resolving to demand an account from Sir Kenelm Digby, Walter Montague, and others concerning the motives and instructions which had been given Popish recusants for raising monies in support of the King's northern expedition in 1639. Hampden with Sir Walter Erle, Nathaniel Fennes, and others of like views was given the important task of formulating the questions to be proposed to them. The House continued to show its antipathy to Catholicism. A bill for the abolition of superstition and Idelatry was introduced, and after a second reading referred to a large committee including Hampden, Pym, and Falkland. One of the chief sources of discontent against the Catholics was the presence of the large number of Papists at court. Henrietta Maria kept herself constantly surrounded by friends and advisers whose Popish tendencies were ill concealed. The Commons had murmured long, but on February twenty-third they took a decisive step and moved for a conference with the Lords on the subject. Hampden was appointed manager and reporter of the conference whose heads were stretched to embrace the disarming of recusants and the disbanding of the army, both phases of the same question. On the twenty-sixth, Hampden with others reported the Conference in the House. Nothing was accomplished and the matter dragged along until an accident in May precipitated a crisis. In connection with the close of Strafford Trial the mob turned against the Queen Mother as the center of the Catholic circle. She was saved only by the interference of the guards who, while fulfilling their military duty,

1-Sir John Wintour, the Queen's secretary was also to be questioned. Gardiner (IX 26) says that the Catholics agreed to give the King (10,000 (pounds) at midsummer and a similar sum at Michaelmas. His statement is based on the letters of George Con and Count Rossetti, papal agents. Digby in the campaign for money had circulated a letter of appeal written by the Queen. On the twenty-second of June he was examined as to the circulation of the above letter by the committee for recusants of which Hampden was one. On the following day the Journals note that Hampden reported concerning the examination of Digby, but no further particulars are given. (C. J. II. 152-3). Nothing of serious nature, however could have been discovered for he was attacked no further and soon departed for France.

2- C. J. II. p. 74.

3- C. J. II. p. 84.

4- C. J. III, p. 91.

5- C. J. II. p. 93.

did it grudgingly. After this public manifestation the matter was retaken up in the House and a committee, of which Hampden was one, was appointed.¹ On the eighteenth it reported heads for a conference entreating the Lords to join them asking the King to remove the Queen Mother from the Kingdom in order to quiet those jealousies in the hearts of His Majesties well affected subjects occasioned by the Papists in and about the Queen.² This was a direct blow at Henrietta Maria as the fountain head of the Catholic stream. She was forced to accept her mother's removable but continued by herself the negotiations with both the Pope and the Irish Catholics. The leaders of the Commons, however, did not find this out at the time, hence they allowed the matter to drop.³

Going back in point of time to the early months of the year we must consider the problems confronting the House on the question of Episcopacy and try with the rather meagre materials available to work out Hampden's stand at various points. As was stated previously, the London Petition for the abolition of Episcopacy had been presented in December, but its discussion had been postponed. The question was revived on February eighth, when a heated debate arose over the wisdom of referring the Petition to a committee. In this debate the future party lines became distinctly visible^{for} the first time. The real issue at stake was the manner in which coercive jurisdiction was to be exercised. One party wished to leave the work of conducting religious worship to the ministers but give the authorities the coercive jurisdiction; the other desired the bishops to possess this coercive power under the strict supervision of Parliament. Rudyard and Fiennes spoke at length in

1- G.J.II.p.143.

2- G.J.II.p.149.

3- John Hampden served in the investigation of an other phase of the Catholic question: which was a problem from the past concerning Dr. Montague, Bishop of Norwich. Montague had expressed views in pamphlets which were attached as Catholic in their tenor. He had been brought before Parliament, while out on bail in 1625 he was made chaplain of Charles I. Throughout the Parliament of 1625 to 8 the Commons agitated the subject, but Montague was protected by the King and in July 1628 given the Bishopric of Chichester and a special pardon. On February twenty-third 1641 a petition from the inhabitants of St. Peter Mancroft, Norwich against the bishop was presented in the House. Hampden and others were appointed to look up the particulars in former Parliaments against him, to view the pardon granted him, and to prepare a bill for the reversal of the Pardon. (G.J. II.p.91)

support of the former, whereas Digby and Falkland replied by equally long arguments for the latter.¹ Gardiner maintains that Pym, St. John, Holles, and Hampden, the future leaders of the Parliamentary party, all were for the committal of the Petition.,² but that Hyde, Culpepper, Selden, and Hopton were opposed. His authority must be based on D'Ewes as Rushworth only says a long debate followed the final committment.³ Hampden's future actions all go to show that he would most probably have been in favor of committal.,⁴ and his inherent reserve in speaking quite explains the reason why no formal speech is left on record for him. But if party lines were discernible in the debates over the Petition on Episcopacy, they were still invisible on some religious questions, as for instance, the fate of the Archbishop of Canterbury. The articles of impeachment against Laud were voted on the twenty-fourth of February, and passed the Commons unanimously. On the first of March, Laud was sent to the Tower. Even the most ardent supporters of the institution of Episcopacy realized that the Laudian system was impossible and that some reform was needed. But the division lines appeared with startling clearness when the methods of reform were discussed. The Bishops' party admitted the necessity of ceremonial changes, but they broke with the Puritan party when the attack shifted to the participation of the bishops in secular affairs. The parting of the ways came on the very day Laud was committed to the Tower, when Hampden, Hollis, Selden, and others were ordered to prepare heads for a conference concerning the pulling of clergymen out of the Commission for Peace.⁵ Ten

Montague, however, died before any further steps were taken against him.

1-Their speeches are given in Rush. IV.pp. 173-178-186.

2-Gard. IX. p.281.

3- We lack Harl. 162 f. 206 on which D'Ewes' brief account of this debate is noted.

4- The fact that he was not named as one of the six members added to the original committee on church affairs which was now to consider the petition(but not the special question of Episcopacy) may indicate that he was not upholding any definite course at this time, but was perhaps undecided in his own mind as to what was the wisest course to relieve the evident abuses in the Episcopal organization.

5-C.J.II.pp.94-95.

days later the division was complete when the Puritan party carried the resolution to deprive bishops of the right to sit in Parliament. On the majority side of this bill we are surprised to find one of the bishop's party, Lord Falkland. Clarendon tells us that this was due to Hampden's assuring Carey that "if that bill might pass there would be nothing more attempted to the prejudice of the church".² Beside Clarendon's statement we have evidence in the Journals that Falkland, contrary to his general beliefs, did favor this bill, and there is no reason why his support might not have been won by Hampden. If we accept this story, we have some light on Hampden's attitude toward the degree of church reformation necessary. Divergence of beliefs was appearing in the ranks of the Puritan party: the radical element, coming to be known as the Root-and-Branch men, demanded total abolition of Episcopacy, whereas the conservative element desired the reform only to prune but not to destroy. Clarendon's anecdote would lead us to presume that Hampden at this time was still a member of the conservative faction. That he was not one of the first to join the ranks of the radicals, is again attested by Clarendon who, as a political opponent (and a very prejudiced one, at that) would have no object in postponing the time of Hampden's conversion to the cause.³ The two religious matters in which Hampden participated during the next two months do not thoroughly determine his attitude, although they seem to indicate that he had by April first joined the ranks of the sternest radicals. On that day "an Act to restrain bishops and others in high orders from intermeddling with secular affairs" was read the second time and referred to the committee for "an Act to disable clergymen to exercise any temporal or lay office or commission" with certain additional members, among them Hampden. It will be remembered that Hampden had not

1-C. J. II. pp. 101-102.

2-Clarendon III. p. 152.

A close examination of these words is in itself sufficient to vindicate Hampden's alleged deception in supporting the second bishop's bill the following October. His pledge that "nothing more would be attempted to the prejudice of the church" was given, as we see, only on the condition that the first bishops' bill was carried. When, therefore, after the Lords' amendment the original bill was dropped, Hampden was freed from his promise.

3-Clar. (J. I. p. 145) gives the earliest leaders of the Root-and-Branch Party as Nathaniel Fiennes and young Sir Henry Vane, and shortly after Mr. Hampden.

been appointed a member of the first committee in March. In view of this fact it might be assumed that, whereas he was not then judged to be heartily in favor of abolition of all the Bishop's temporal power, that now, by April, he was known to be convinced that abolition was the best possible course, and hence he was appointed to serve on a committee to secure it. On May third Hampden acted on another committee where his views of Episcopacy came into play. Following Pym's suggestion the House divided to draw up a Protestation on Religion which would prove to the world that they were united. A committee was appointed to draw up the manifesto: it contained members of both factions—Nathaniel Fiennes for the Root-and-Branch and Sir John Colpepper for the bishops; and members whose sentiments at this time we can not definitely ascertain, such as Holles and Hampden. The draft drawn up by this committee and presented to the House contained a pledge to support "the true reformed Protestant Religion". The bishop's' faction immediately moved for the additional clause "as it is now established in the church of England but the vote failed to carry. The fact that the committee had omitted pledging itself to the present state of the church affairs is significant. It is exactly what we should have expected from Fiennes and Henry Marten, but what of Hampden? Possibly he had finally become convinced that to pursue the middle course would no longer bring him what he desired and, therefore, he had taken up the policies of the radicals, with a bit of hesitancy, perhaps, but with a conviction that only by so doing ^{could} he secure even the limited reform which he deemed necessary. This is mere supposition, but whatever may have been etc. ~~Whatever may have been~~ Hampden's sentiments previously there can be no doubt but that by the end of May he was irrevocably pledged to the Root-and-Branch policy. On the twenty-seventh the Lords in a conference returned the Bishops' Bill with an amendment which changed its whole tenure: bishops were to be allowed to retain their seats in Parliament. Hampden with Pym reported this blow to the House. A committee was immediately ap-

1- C. J. II. p. 132.

2- C. J. II. p. 159.

pointed to prepare reasons in answer to the Lords objections: Hampden with Pym, Holles, and others was given the task. The reasons, as presented by the committee, hinge on two matters: the incompatibility of political and ministerial functions of the bishops and their encroachment on the liberties of the subject. After Pierrepoint's presentation of the committee's report on June fourth it was ordered that Hampden, Fiennes, Colpepper, and Falkland should retire to the committee chamber to make additions to the reasons. These however were not adopted, and the Conference with the Lords was set for that afternoon. Besides his other service, Hampden acted as one of the managers: sufficient proof of his convictions on the measures. But the reasons of the committee were not sufficient to convince the Lords, and the Bill was dropped³. The opponents of the Episcopacy^{were} for the time defeated. A more thorough measure of the radical party was, however, already before the House. It had been introduced on May twenty-seventh, the very day it was first known that the Lords would not consent to the expulsion of the bishops from their House. It was known as the Root-and-Branch Bill and demanded the extirpation of Episcopacy. On the morning of June eleventh the House went into a committee of the whole and fell into a great debate on the Bill. D'Ewes tells us that Sir Robert Harley, Mr. Pym, Mr. Hampden, and others had met the night before and decided that the bill should be proceeded with this morning. Then he gives us an invaluable commentary on Hampden's methods in the House. "Sir Robert Harley moved it first in the House", says he, "for Mr. Hampden out of his serpentine subtlety⁴ did still put others to move those business that he contrived". This is an explanation of the scarcity of Hampden's motions and speeches, and is borne out by

1-C. J. II.p.165.

2-Pierrepoint's report from the committee contains 9 heads, the 7th refers to the encroachment of liberties by several bishops of late and adds that future bishops will only be encouraged in like actions if they are left in a position to be their judges (C. J. II.p.167; Verney p.82-3).

3-C. J. II.167

4- D'Ewes (Harl. 163 f. 306b) quoted by Sanford (p. 365), Gard (X.p. 77) points out that there is irrefragible internal evidence that this passage was written long after the date under which it is noted, and is, therefore, a slur on Hampden made by D'Ewes after they had been politically separated. It may easily be that the term "serpentine subtlety" is due to these circumstances, but the method ascribed to Hampden of formulating motions for others to introduce while he sat discreetly silent, is almost without a doubt the true explanation of the ap-

all contemporary opinion Clarendon says of him "he begat many opinions and motions the education whereof he committed to other men, so far, disguising his own designs that he seemed seldom to wish more than was concluded." It was Hampden's way to let the opposition speak first thus losing its reasons in a loud and less significant tempest commonly arising upon a first debate, in which, if he found his side worsted, he had the dexterous sagacity to mount the argument above the heads of the major part...or at least give time for another debate by which he had the opportunity to muster up more forces: thus by confounding the weaker and turning out the acuter judgments, he seldom failed to attain his ends.² An anecdote told by Clarendon,^v to which we have previously referred, corroborates D'Ewes suggestion that the Root-and-Branch Bill had been discussed the previous evening by a group of ardent supporters.³ Clarendon also states that the radicals had tried their best to convert Mr. Hyde, the chairman of the Grand Committee to their belief, and had, for that purpose, invited him to dine with them at Pym's Lodgings. Haslerigg and Hampden each had apartments of their own near by and, according to Clarendon they vied with Pym in attempts to convert the doubtful or weaker members of the Bishop's party whom they had gathered around their hospitable board. This is one of the very few authorities to which we can point for confirmation of our strong suspicions that Hampden's great influence over men was exercised outside of Parliament hours, by means of private conversation and contact rather than by eloquence and oratory on the floor of the House.

PETITIONS

The Long Parliament had more than its share of petitions against grievances to consider, and Hampden is found active in dealing with many of them. As early as November seventh Hampden spoke concerning the famous pair Bastwick and Burton who had been confined in Island prisons.⁴

parant contradictions in the scarcity of recorded words by him and his imminent importance in Parliamentary affairs as evidenced by all contemporaries.

¹-Clar. VII. p. 83.

²- Osborne, Advice p. 75.

³- Cf. Introd. p. 401

⁴- In 1634 John Bastwick had been fined and imprisoned in the Gatehouse for publishing treatises favoring predestinationism. Henry Burton had also published sermons slandering the bishops. He had been imprisoned and later indicted on

He hoped that the sending of a request for them would not turn away his Majesty's favor, but whether it did or not he desired that they be sent for. This speech is typical of Hampden's early attitude on the subject of the reform of grievances. He still had hope that it might be carried on with the king's approval, but, if not, he was fearless enough to stand up for reform against the royal wish. Two days later he was made a member of the committee to consider the petition of Alexander Leighton,¹ on December third he was put on a committee to consider numerous petitions among them these of Burton and Prynne,² this committee was also to consider the jurisdictions of the High Commission Court and the abuses committed in it as also in the Star Chamber. Prynne and Burton had returned to London a few days before in great triumph showing that the city was in agreement with the Puritan action of the House. On the seventeenth a new committee was appointed to consider Bastwick's petition alone and Hampden is the first name after Pym's in the Journal's list of members.³

One very important grievance which the House was called upon to look into, needed no petition as it was a breach of its own privilege. After the dissolution of the Short Parliament in the preceding May, the studies of some of its members, among which were both Hampden and Pym, were broken into and searched in the hopes of obtaining incriminating evidence in regards to the Scots. This evident breach of privilege was brought up in the House on November seventh,⁴ one

the same charge with Bastwick, Burton was fined, had his ears cut off and imprisoned.

1- Harl. 162. f.2.; Peyton f.3.

2- C.J. II. p.24. Alexander Leighton was thrown into prison in 1630 for his pamphlet "Sion's Plea against the Prelacy". He was brought up before the Star Chamber and sentenced to fine and imprisonment. William Prynne had published in 1632 a book "Histriomastix" showing that plays were unlawful and immoral. This aroused the royal wrath for the Court favored the drama and the queen had even taken part in performances. After a year's imprisonment in the Tower, Prynne was fined and imprisoned. He continued to write in the Tower, and was finally imprisoned for life because of his attacks on the bishops. To complete his isolation he was moved in 1637 to a castle on the island of Jersey from which confinement his petition now came.

3- C.J. II. p.44.

4- C.J. II. p.52.

5- Sir William Beecher, clerk of the King's Council, was the searcher of the trunk and chambers of Lords Brooke and Say, and Hampden, Pym, and Sir Walter Erle on May sixth. In Tanner Mss. (88 f.116) is a list of the papers taken in Hampden's rooms. The only one of importance was a letter from Dr. Williams, Bishop of Lincoln, requesting Hampden to make his persecutions from Laud a parliamentary grievance. Hampden's cool answer declining the business was also among the

member testified that he had been informed that directions had also been given for the drawing of an information in the Star Chamber against those members of the House. On the tenth the Lords, two of whose members, Lord Brooke and the Earl of Warwick, had received similiar treatment at the same time, sent a message requesting a conference concerning the breach. The House was glad to confer on the point, and Hampden was named as one of the forty members representing the House. Nothing further was done until on December eighteenth when a select committee of the House was appointed to take into consideration the proceedings against its members and to consider likewise what reparations should be granted to the aggrieved parties. Nothing very much was really done, except to evidence by words Parliament's disapproval of such actions.

On one petition which came before the House, Hampden was particularly well qualified to act. This was from the adventurers and planters of the colony of Virginia. Hampden's past interest in the colonization of the new world must have made this an interesting service for him. Many other petitions bearing subjects nearer

list. It will never be known exactly what Charles expected to find among the papers of these men, but it was generally thought at that time that the purpose of the search was to discover whether there had been any correspondence between the members of Parliament and the Scotch Covenanters. C. St. Dom. 1640 p. 152-153. Brampton Gurdon to John Winthrop, Mass. Hist. Coll. IV. Ser. VI. p. 566.

- 1- Rush. IV. p. 35.
- 2- According to the contemporary letters referred to above the second Lord was Say and Seale.
- 3- C. J. II. p. 25.; Harl. 162 f. 5.
- 4- C. J. II. p. 53.
- 5- C. J. II. p. 54.
- 6- There are numerous stories of Hampden's interest in the new world: one even goes so far as to say Hampden actually took a trip to New England over the winter of 1623. (Examiner Journal, article by Towill Rutt.) The basis for this story comes from a reference in "Winslow's Relation" which was published by Winslow in 1624. In it he tells of a trip to interview some Dutch sailors thrown on the shore near Plymouth by a storm, adding he had as a consort "one Master John Hamden, a gentleman of London (who then wintered with us, and desired much to see the country)". (Purchas His Pilgrimes Vol. XIX pp. 344-394.) Jeremy Becknap in his American Biography (III. p. 23) repeats the story, and adds that he supposes this John Hampden to be the same person who afterward distinguished himself by his opposition to the arbitrary demands of King Charles I. On these two blocks the story is built. In no other journal or contemporary New England work is John Hampden mentioned. Could this be possible if the John Hampden had really lived here? Moreover Hampden had a baby girl at home only a few months old. (Lypscomb II. p. 292.) Would he be likely to leave her and Mrs. Hampden, a wife of only three years, to sojourn for six months so far away from them? Hampden's interest in the new world is

home, and often relating to such important personages as Strafford, Laud, Wren, and Percy were continually flooding the House. Hampden, as is shown in other places, did his share of work on many of the committees to which these multifarious grievances were referred. On December twenty-fourth Hampden, desiring to bring order out of the chaos, moved that those who sat in committee chairs might present a brief sum¹ of the petitions then in their hands concerning the great problems of the day. This wise suggestion was followed to the great advantage of Parliamentary business.

proven by his correspondence in December 1629 with Sir John Eliot, while that gentleman was confined to the Tower. (Hampden to Eliot--Eliot Letters Book II 76) The paper referred to in the letter entitled "A Project for New England for Mr. Hampden: the grounds of settling a plantation in New England: objections and replies thereto". This paper is among the Eliot Correspondence at Port Eliot, and is printed in Proceedings of the Massachusetts Historical Society 1864-1865, pp. 413-43e. This paper was originally drafted by John Winthrop of New England. (Old South Leaflets Vol. II. No. 50.) The fact that Hampden and Eliot were exchanging views on it shows their interest in colonization. Another proof of Hampden's interest in the subject is that his name is found as one of the twelve persons to whom the Earl of Warwick in March 1631 granted a large tract of land in what is now the state of Connecticut. (Trumbull, I. p.27.) Later we find Hampden active in a civil case before the committee for Providence island. (C. St. P. Col. I. 262, 311) Another story told of Hampden's connection with the new world is that in 1637-8 he with others (namely Cromwell and Haselrigg) embarked for America to be free from the royal despotism. This story is accepted by David Hume, (Vol. VI. p.245) David Neale, (Vol. p.618) and others. Its only authority are the statements of Sir William Dugdale and Dr. George Bates, stern royalists writing after the Restoration. It is refuted by Ranke, (Vol. II. p. 65.) Forster, and others. As Hampden's famous trial for ship money was at this very time, it is highly improbable that he contemplated passage. Other evidences of the error of the story are pointed out by Forster. (Statesmen 161 F. N.)

1- C. J. II. p.58;
Northcote 110.

EARLY FINANCIAL PROBLEMS

Although the question of grievances was one of the first and foremost before the Parliament, there was one matter of necessity which demanded more immediate action, and that was the question of money. The army was costing the nation 20,000 pounds per month according to Sir William¹ Woodale's estimate. It was necessary that money be raised at once to meet this urgent demand. On the thirteenth of November the House went into a committee of the whole. Without any trouble it was agreed that 100,000 pounds should be raised for the payment of the Northern armies but disagreement arose over the manner of the raising. Sir Hugh Cholmeley and Sir John Hotham desired to go by the old way of subsidy, but as Sir Henry Vane pointed out, subsidy took time and, therefore, the only way to secure the money by the time it would be needed was to accept a loan from the city of London. Pym was in favor of raising the money by contribution and declaration. Hampden, who had remained silent in his usual manner until both sides had shown their colors, now arose and in opposition to Pym moved that they go by subsidy. A compromise was agreed upon by which the subsidy was vetoed, 100,000 pounds to be raised by act of Parliament, but during the time of its slow collection the city was to contribute a temporary² loan. Thus both parties were satisfied. On the nineteenth the question was brought up in the House, and there passed in the same form that it had been vetoed in the grand committee. Hampden was put on the committee to prepare the bill for the grant of 100,000 pounds.³ There could be no delay in obtaining ready money., hence immediately following the order Hampden asked when London would begin paying in its⁴ loan. Alderman Pennington pledged the city to take order soon for 50,000 pounds. On the twenty-first the same alderman reported that the city had already subscribed 20,000 pounds, and that more would be raised if security might be given. The House responded instantly and heartily by nearly a hundred of its members pledg-

1- D'Ewes, Harl. 162 f. 6b.

2- D'Ewes Ibid.

3- C.J. II.p.31.

4- D'Ewes f.11.

ing themselves to sums of £1,000 (pounds) each. Among the names of these whole-hearted, public minded men, we are not in the least surprised to find that of John Hampden. On the same day a committee including Hampden was appointed to consider "the state of the northern counties and the payments issuing thence to the Scottish army, and how the money being raised may with convenience and speed be sent into the Northland, to see whether any of these charges that be upon the army may conveniently^{rie} spared". The committee had power to send for the lists of the army and any person who would conduce to the business. Thus, while Hampden was doing his share in helping raise the money at home, he was acting on an investigating committee to insure its wisest expenditure. On December tenth the question of money supply was again brought up in the House, and a very heated debate ensued on the question of changing the former bill for 100,000 pounds into a grant of two subsidies. We have no account of Hampden's having spoken during the heated exchange of arguments, but the side which he evidently favored, the grant of subsidies, finally¹ won. On the eighteenth a dispute arose regarding the proportioning of the 50,000 pounds raised by the city and in readiness to be sent into the North. The dispute hinged on the division of 30,000 pounds to the Scotch army which they had requested and the remainder to the king's army. After some discussion Hampden moved to settle the proportioning on the following day. What he hoped to gain by postponing the question, is not evident, but whatever it may have been, the resolution, contrary to his motion, was carried "nulle contradict²", and 20,000 pounds went to the king's army while 30,000 pounds was despatched to the North. On December the twenty-third Sir John Hotham informed the House that all the money raised would be spent by January fourth besides 75,000 pounds more and, therefore, he moved that a grant of two more subsidies³ be made. The House upon Hampden's reminder that "it hath always been the custom when we give money to put

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- 1- D'Eves, ^{Harl.} 162 f. 73.
 2- Northcote p. 82.
 3- D'Eves f. 96.

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the House into a committee¹ dissolved into a grand committee and voted to grant four subsidies. Whether Hampden entered into the discussion of this soothing gift to the king is a question we have no way of ascertaining.

But even the money from four subsidies was not enough to assure the citizens of London into advancing vast loans. By the middle of February the Scots Commissioners were clamoring for more funds, and Uvedale had to report to the House that the city, none too well pleased with the slowness of the Strafford trial was not willing to pay the remaining part of the loan. On February twentieth two subsidies were proposed, and passed over the objections of a strict Puritan minority. We have no way of knowing what stand Hampden took on the question. On the twenty-fourth Mr. Hyde, (Lord Clarendon), in reporting from the committee which on the previous day had been appointed to interview merchants and rich men in London, announced a hearty willingness on the part of the city to lend money for the disbanding of the armies. This, says Clarendon, was received by all with joy except the governing party who did not wish the city's sentiment expressed in favor of disarmament "which, how grateful soever to most other men was the thing they most abhorred". So "after a long silence (following Hyde's report) Mr. Hampden said that the gentlemen was to be much commended for the pains they had taken, of which he doubted not good use would be made, and so proposed that it might be well thought of, and the debate resumed the next day; which could not be denied". This speech does not express great joy at Hyde's favorable report. Exactly how true it is that the governing party were opposed to the city's ready loan for disarmament is a hard question to solve. They were anxious for the speedy culmination of the trial against Strafford, and it is possible that there were men in their numbers who

1- Palmer f. 56.

2- C.J.II.p.89.

3- C.J.II.p.91.

4- Clar.III. pp. 91-92.

would not hesitate to welcome Northern disturbance if it, in any way, aided their cause. Just what was Hampden's attitude we have no way of ascertaining. The other diarists are silent on the point and we can not be expected to take the single evidence of Clarendon, an opponent, and one who was highly biased at that time, as absolutely conclusive. But disregarding the question of Clarendon's account we must confess that if Hampden, as he is accused, did feel disconcerted at Hyde's report he would have taken just that means to counteract it. As Clarendon himself observes at another point if "he (Hampden) found that he could not conduct the argument to the conclusion he desired, he never was without the dexterity to divert the debate to another time, and to prevent the determining anything in the negative which might prove inconvenient in the future¹" By thus adjourning the debate² Hampden would have time to muster new forces for his side. However, in this case, the majority were so much in favor of the loan that on March first they voted without trouble to accept the loan of 100,000 pounds from the city on the security of the two subsidies last voted. We have no account of Hampden's opposing this, and in fact he, as well as the other Puritan leaders, were not willing to expose themselves to the criticism of desiring the Scotch army as a ready weapon in case of emergency. A proof of the fact that their inward desires (if they really had any) on this subject were not known is seen when, on viewing the names of the members appointed to go to the court of aldermen concerning the loan, we find those of Hampden, Pym, Earle, Hollis, and others including Vane.³ Meantime Scotch demands become more insistent: on the twentieth of March both houses of Parliament met in a conference over a paper sent by the Scotch army demanding their arrears. Hampden was put on a committee to draw up the heads which consisted in an account of the six subsidies already voted, and what part of them remained yet unspent to meet the present demands.⁴ Parliament realized from the urgency of the Scotch note that

1- Clar. III. p. 31.

2- Disraeli Commentaries I. pp. 328-329; Warwick, Memoirs p. 204.

3- C. J. II. p. 94.

4- C. J. II. p. 94.

money must be secured at once. A joint committee of eight Lords and fifteen Commons was appointed to go once more into the city to hasten the loan. Again Hampden aided in the raising of the monies to pay off the armies in the North. In view of these activities we can hardly accept Clarendon's statement that the popular party including Hampden, did not wish to accept a loan from the city which would make possible disarmament, "the thing they most abhorred."¹

1- Clar. III. p. 92.

PROCEEDINGS AGAINST THE EARL OF STRAFFORD

The greatest event in the first year of the Long Parliament and the one around which the most interest centered was the trial of the Earl of Strafford. It behoves us to go into Hampden's participation in these proceedings in great detail. At the outset it is of prime necessity to call attention to a fact which is not clearly emphasized by some writers, that the trial was divided into two distinct divisions: the impeachment lasting from November 1640 until the following April, and the Bill of Attainder first brought in upon April tenth and the direct cause of the execution on May twelfth. Hampden's activities in the proceedings against Lord Strafford must be viewed separately in regards these two aspects. That proceedings against Strafford would be instigated was evident from the very opening day of the Long Parliament. It was probably hastened by a rumour that was spread about that the Earl "had got knowledge of the treason of some (Parliament) men and was preparing to accuse them." His charge was to be aimed at some of the prominent Parliamentary leaders and, without a doubt, Hampden was one of the number. The basis of the charge for treason was that the Scots had come in "by invitation and confederacy between the Heads of the Covenanters and some of the English members of both houses." Exactly what responsibility Hampden must bear for the calling in of the Scots will never be ascertained; but it was current belief that some one in the inner circle was giving constant intelligence to the Scots and the finger pointed to a small group namely the Earls of Essex, Warwick, and Bedford, the Lords Say, Russell, and Brooke, Pym and Hampden. On the last day of August Windebanke wrote to the King that "these men have had their meetings and the Lords, (of the Council)....do much apprehend it is for some dangerous practice or in-

1- Laud. III. 295.

2- Rush. VIII. p. 2.

3- H. MSS. Com- V. 85 p. 128.

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telligence with rebels of Scotland," A contemporary political poem written by an opponent of Hampden's ascribing to him all manner of intrigues, accuses him of direct complicity with the Scots:

"Did I for this bring in the Scot
(For 'tis no secret now) the plot
Was Say's and mine together."
2

There is however no proof that Hampden and his group of friends ever had any criminal correspondence with the Scots, but the fact surely remains that the presence of the Scotch army worked highly to their advantage, as Robert Baillie wrote home in one of his letters which gives such keen side lights on the political situation in England, "Nothing frays all here so much as our quick agreeing with the King, and the disbanding of our armie thereupon. Under God, they all everywhere profess that they are aught to that army their religion, liberties, Parliaments, and all they have, and if we take conditions for ourselves they say they are undone." But not one word does Baillie say about the Puritan leaders bringing in the army nor negotiating with it privately to stay. Baxter gives us a very interesting comment on the current belief and, likewise, adds his opinion of the truth of the situation. "Some suspected that many of the nobility of England did secretly confederate with Scots, so far as to encourage them to come into England, thinking that there was no other way to cause the calling of a Parliament--(Essex, Warwick, Bedford, Clare, Mulgrave, Say, Breke, Holland, Bullingbroke, and others). But Heylin himself hath more truly given you the history of this, that the Scots, after they came in did persuade these men of their own danger in England, if arbitrary government went on, and so they petitioned the King for a Parliament which was all their confederacy, and this was after their second coming into England." But whether the leaders were culpable or not, it was current opinion that Strafford was contemplating their impeachment on that charge.

1- Ol. St. P. II. pp. 94-5, 6.
2- Thompson, Tracts 669f. 122.

3- Baillie I. p. 275.
4- Baxter's Life. p. 17.

Beth Rushworth and Laud bear testimony to the fact.¹ And Rushworth even goes so far as to say that^{when} the Earl had "digested his intelligence almost into the form of an impeachment he posted up with the same² intending to present it to the House of Peers as soon as he arrived there." The belief in Strafferds plan probably hastened and heated the proceedings³ against Strafferd, for on November eleventh the House took up the question and after a heated debate behind closed doors appointed a committee of six to investigate matters and prepare an accusation against Strafferd for a conference with the Lords. Hampden was not one of the original six,⁴ but on the following day the Journals note that Hampden and Earle⁵ were added to the original committee. These eight worked rapidly and drew up the rather vague accusation upon which Strafferd was at first sequestered from the House of Lords, and later committed to the Tower. Exactly what part Hampden took in the activities in this committee in its work of gathering and organizing the charges^{against} Strafferd we have no way of knowing. But he desired the punishment of the Earl just as heartily as did any of its other members and probably worked in his quiet way with resulting effects second only to those of Pym. On the twenty-fifth the Lords received the Articles of High Treason; on the twenty-seventh they requested a conference over the desire of the House to have members present at the examination of witnesses against Strafferd. Hampden and Sir Thomas Roe were both named to go with the message⁶ granting a conference, but Hampden desired to be excused and so Sir Thomas went alone.⁷

1-Gardner^{iper} (IX. p. 231-n3) quotes another authority: Manchester Memoirs (AddMS. 15,567) Manchester Memoirs. "Intimation was given to some of the House of Commons that the Earl of Strafferd intended to prefer an accusation of high treason against divers members of both Houses of Parliament. Whether this information were real or feigned is uncertain, yet it wrought the effect designed to hasten their intended impeachment of high treason against him."

2-Rush. VIII. p. 2.

3-Laud, III. p. 295

4-Rushworth (IV. p. 43) errs in giving Earle and Hampden with the original list. They were not added until the following day. Pym, Streda, St. John, Lord Digby, Clotworthy and Hollis were the original six but Hollis was replaced by Grimston on the twelfth. C. J. II. pp. 26-7.

5-Ibid.

6-Harl. 162. f. 32.

7-C. J. II. p. 39

There seems to be no reason why Hampden declined to carry this message, but the fact that he was forthwith appointed as one of the members to meet with the thirty Lords in this conference indicates that his refusal was due rather to some external cause than to any lack of interest or approval in the subject. The Lords agreed to the requests of the House and suggested that the committee which drew up the charges be present at the examination of witnesses before the Lords. This committee of eight was also empowered to ask any question of the Lords which they might think fit and, after full examination, to present the whole state of the business to the House. On December fourth it was ordered in the Commons that at least four of the eight members should be present at the examinations, and all eight were bound to closest secrecy. The committee worked constantly even through the four day Christmas recess, but what share Hampden took is not discernible. We can not know how often he attended the examinations; nor is there any record of his ever having propounded a question to the Lords. His absence from any spectacular part does not, however, prevent his having worked diligently although quietly in swelling the original nine charges against the Earl to the final number of twenty-eight. In this Hampden probably had his share. On the last day of the year the House took up the question of the charges against Strafford and Laud made by the Scotch Commissioners. A conference with the Lords on the desirability of the Scots bringing proofs was desired, and Hampden was appointed with Pym on January fourth to manage it. On the twenty-eighth the committee for accusation brought in the detailed charges against the Lord Lieutenant, and on the thirtieth they were voted and transmitted to the Lords, at a conference which had been requested through the messen-

1- C.J.II.p.39.

2- C.J.II.P.42.

3- C.J.II. p.45.

4- C.J. II.p.56.

5- C.J.IIp.62.

Strafford had won the title of "chief incendiary" from the Scots as early as October 1640 in his trouble with the Scots of Ulster. Gard.IX. p.213.

6- C.J. II.p.62.

7- The complete 28 articles against Strafford can be found in Rushworth VIII.

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 ger Hampden. For a couple of weeks while Strafford was preparing his answers to the long array of articles, the House was occupied with ecclesiastical discussions³ the subsidy problem,^{and} pushing through of the Triennial bill concerning which Hampden had been the bearer of one message to the Lords desiring a conference.² But by the middle of February the last two questions had been solved by the royal assent to the two bills, and the House, being willing to postpone the religious question on which there had appeared such a difference of opinion among the Puritan members now turned its full attention to the Strafford proceedings.

Impatience was felt by almost the entire House at the apparent dalliance of the Lords on the question, and a committee of five including Hampden was set about preparing heads for a conference to hasten the impeachment.³ On the eighteenth Hampden with Pym, Hollis, Earle, Maynard, and others was appointed to take into consideration the right of the commons in the proceedings against Strafford, also⁴ what concerns the kingdom in general in the legality of these proceedings. The Commons by their insistence thus hastened the trial so that on the twenty-fourth Strafford presented his answer to the articles at the bar of the Lords. On the following day a conference was held over his answer, and Hampden was appointed one⁵ of the reporters. On the twenty-sixth the original committee of eight with the addition of four lawyers was ordered to consider the articles, the Earl's answer, the proofs, and the matter of bringing witnesses together; and they were requested to proceed" in the secretest and speediest way they can--- in preparing it for a trial and for farther proceedings.⁶ Hampden's name naturally appears in the list of forty-eight Commoners who conferred on March seventh with a proportionate number of the Lords for the purpose of selecting a committee to manage the evidence, and

1- C. J. II. p.76.

2- C. J. II. p.83. Hampden had previously been a member of the committee which had considered the bill for the yearly holding of Parliaments which was superceded by the Triennial Bill.

3- C. J. II. pp.86-87. This committee was also to manage the conference.

4- C. J. II. p.88.

5- C. J. II. p.93.; Rush. VIII pp.21-22.

6- C. J. II. p.93.

in general, to decide on the circumstances of the trial. The outcome of the conference is evidenced by an order of the House constituting the committee of eight¹ as managers of the evidence against Strafford during the trial.² On the twenty-second the trial proceedings were formally begun at Westminster Hall. In the afternoon of this day when the House met, Hampden made a motion from the committee appointed to manage the evidence that they might be authorized by the House that in case the Earl should offer to speak in his own defense before the members of the House had entered into the managing of the evidence against him they might interrupt him, and if none the less the Lords gave him permission to continue that they should then forbear to proceed till they had advised with the House thereupon.³ The motion was passed and so recorded.⁴ In the days that followed the trial was prosecuted by the managers with ability and rapidity, but one strange fact can not help but strike us in reading over Rushworth's account of the management of the evidence: Hampden had apparently no part in it.⁵ The chief actors were Pym, Maynard, Glyn, and Palmer, but all of the managers except Sir Walter Erle and Hampden propounded some questions during the course of the trial.⁶ Surely Hampden was quite as convinced as the others that Strafford's destruction was a political necessity. Then why does his name not appear in so detailed an account as is Rushworth's? There can only be one explanation (and that not a very satisfactory one) to account for his silence: he must have been acting and not talking, influencing the current of the proceedings by formulating the questions in the secret committee meeting previous to the public hearings of the trial when the questions were put by Pym or Maynard. With his habitual methods he must have been working behind the scenes of the great trial, and leaving it to the others to step into the arena of the formal

1- C.J. 11.p.98.

2- C.J. 11.p.108.

3- D'Ewes Harl. 162 f.347.

4- C. J. 11.p.110.

5- Whitelocke(1. 113ff.) refers to the actions of every other member of the committee of managers of evidence except Hampden.

6- Rush. VIII.

proceedings and execute the line of attack which he had often planned in private. We can never know what his private counsels on various points were, but that he favored the speedy culmination of the trial is certain. One proof of this is that on April eighth when the Commons were aroused by the fear of immediate military intervention, Hampden with Glyn was named as assistant to Pym in managing a conference with the Lords desiring that the next day be appointed a peremptory day for the Earl of Strafford to be heard if he will come, otherwise that the committee of the House should be allowed to proceed to the replication to the whole matter and the Earl be absolutely precluded from saying any more to the matter of fact. Up to this time there was practical unanimity in the House on the question of the impeachment of the Lord Lieutenant. But on the tenth a difference with the Lords and a difference within the House^{itself} arose out of which came the Bill of Attainder.

In order to understand Hampden's opinions and participation in this second part of the proceedings against the Earl of Strafford, we must look into the trouble on the tenth. Strafford had been ill on the ninth, and when he appeared at the bar on the tenth he asked to be allowed to produce fresh evidence on other articles in view of the fact that the committee was allowed to give additional proof on the twenty-third article. The Lords after two adjournments decided, against the wishes of the committee, to allow Strafford this privilege. However the managers were in favor of proceeding, and all would have gone well had not some impetuous members of the House cried "Withdraw, withdraw" and some equally rash Lords replying by "Adjourn; adjourn". The sitting broke up in confusion. When the House met a radical faction controlled by Sir Arthur Haslerigg and Martin, but not including

1- C.J. 11.p.117.

2- D'Ewes Harl. 163 f.27.

3- This group was composed of the extreme members of the radical party: men who could brook no restraint in their opposition to royalism and episcopacy. These same men, we have seen, were the nucleus of the Root-and-Branch party. Their keynote was trenchant opposition to absolutism. Clarendon (Life, p.82.) tells us that Martin once confided to him that he did "not think one man wise enough to govern us all". Martin's whole later career proves his conviction of this belief.

Pym nor Hampden among its numbers, urged a Bill of Attainder as the swiftest course to rid the country of a dangerous enemy, and to defy the Lords by making themselves co-judges. Pym and Hampden, not wanting a disagreement with the Lords, desired a conference,¹ but they were outvoted and the bill read for the first time.² Before the close of that day (Saturday afternoon), however, Hampden's suggestion that they resume the heads for a conference with the Lords was assented to, and the committee of managers was ordered to meet at seven o'clock in the morning on Monday.³ On Monday morning the House opened with a discussion of the new evidence in corroboration of Vane's story:⁴ it appeared that matters were to be resumed as if no break had occurred but Henry Marten rose twice to insist on the second reading of the Bill of Attainder "Mr. Hampden" answered him and moved that the message (to the Lords)⁵ for a conference might go up speedily." The proposal was accepted and Hampden himself was sent up with the message desiring a conference on the head that the House would not produce any more evidence (unless the Lords were dissatisfied with the proofs for the twenty-third article)⁶ to the end that business might come to some speedy conclusion. Thus it was that Pym and Hampden won their way for the time being and impeachment proceeded unhindered. Hampden and Pym were not turning back on their previous opinions: they were still just as anxious to convict Strafford as they ever had been, but felt sure that they had sufficient proofs to convict him in a judicial form, and hence they saw no reason why they should adopt a legislative act which had none too strong precedents and which would be sure to antagonize the Upper House. Their opposition to the Bill of Attainder was not of the

1- Forster, Grand Rem. pp 135-45 using D'Ewes. Harl. p. 164.

2- C. J. II. p. 118.

3- Ibid.

4- It will be remembered that Hampden was a member of the select committee to which Vane's paper was referred. He was present at the time of its mysterious disappearance, and received with the others his share of the reproach. He publicly protested himself guiltless as did all the others. Hampden's truthfulness does seem to have been questioned as was Pym's and Digby's: the latter of which proved the guilty party. Nathaniel Tomkyns to Sir Jo. Leake.

G, St. P. Dom. 1640-1 p. 559.

5- Sanford, p. 338 quoting D'Ewes, Harl 164. f. 976.

6- Ibid.

kind that their opposition to acquittal would have been: it was simply a case of preferring a case of impeachment to the bill and hence there is nothing inconsistent in their actions when after the majority of the House approved of the ¹ Bill they accepted it. The question of whether to proceed by Bill or judgment was one on which there was great division. The Lords on the fifteenth stated that they intended to hear counsel and deliver judgment whether the lower House was present or not. On the sixteenth rose a debate in the House whether they should hear counsel upon matter of law at Westminster or not. Colpepper, St. John, Glyn, and others insisted that the dignity and power of the Commons would be compromised since they had made themselves judges of the case, if they consented to hear or reply to counsel anywhere except at their own bar. Hampden assumed the position of mediator and pointed out that "the bill now depending doth not tie us to go by bill. Our Counsel had been heard: ergo in justice we must hear his. No more prejudice to go to hear counsel to matter of law, than 'twas to hear counsel to matter of fact. ²" He therefore, desired that the house speedily resolve to go this morning into Westminster Hall as a committee, that our members appointed to manage the evidence might first speak to the matter of law and then to retire to their places amongst us from the bar, that the ^{Earl} of Strafford's counsel having spoken at the bar on the left side of the Earl aforesaid, our members might again come down to their former place and answer them what they thought material to be answered". Pym agreed with Hampden, as did also Rudyard. Hampden's speech has been taken by Nugent to mean that he absolutely opposed proceedings by bill. ⁴ Now this can not be assumed; he simply favored the hearing of counsel on matter of law; after a long debate his pro-

1- The fact that the majority of the House voted to go by Bill proves that Hampden and Pym were not always able to control the actions of even their own party. Here on a very important measure, a small radical group was able to swing a majority to favor its rabid measure as against the more conservative plan of the hitherto party leaders.

2- Verney 50.

3- D'Ewes, Harl. p. 163 f. 52. These two speeches or more probably two versions of the same speech are about the most recorded words ever spoken by Hampden on any one subject.

4- Nugent, I. 378.

position carried the House consented to hear the Earl's counsel: but it did not give up the bill. In the afternoon Hampden was on a committee which drew up heads for a conference informing the Lords that the House was willing to hear counsel but nothing more. On the seventeenth the legal argument for Strafford was presented, but in the House the Bill of Attainder was discussed, and on the twenty-first it was passed by a vote of 204 to 59.

During these days after the sixteenth we have no account of Hampden's speaking either for or against the bill. But does this force us to accept Nugent's assumption that Hampden was, therefore, heartily against it and did not add his name to the fifty-nine Straffordians simply because he had not the courage? Hardly! such an explanation is certainly misconstruing, not only Hampden's attitude on this most important question, but also his whole character. He did not prefer, it is quite true, the more legal method of impeachment to the summary Bill of Attainder, ^{but he assuredly preferred the Bill} to any possible acquittal of Strafford. Perhaps, he was not quite satisfied that the alternative to the bill was acquittal and hence did not care to push it, yet he certainly was strong enough in his convictions against Strafford to make Nugent's suggestion possible. Whether his scruples against the minute legality of the act kept him from voting for it or not we can never know but, at least, his determination to rid the country of what he deemed its most dangerous enemy was firm enough to keep him quiet when the majority chose a way for which he might have wished to substitute a better. The Journals themselves contain the absolute proof that Hampden had not by word or deed separated himself from his party, for on the following day (April 22) he was appointed on a committee which brought in the following heads for a conference with the Lords—"that this house is ready to justify the justice and legality of the Bill of Attainder of the Earl of Strafford".¹ Would Hampden have been put on a committee expressing such sentiments had he been a virtual Straffordian? Hardly! whether Nugent is willing to face the truth or not is not a matter for us to criti-

1- C.J.11.p.126.

cise; but in view of the bald facts before us we must confess that if Hampden was one of the thousands who, standing on the Tower Hill on the morning of May twelfth saw Strafford executed in cold blood, his heart rejoiced within him, and his conscience was clear that the Earl had received nothing but his just retribution for his crimes, although he might have added in an under-breath, "the form of the justice is not quite what I should have preferred".

ARMY AND MONEY AFFAIRS.

Closely bound up with the Strafford Proceedings and often times dependent on it was the problem of armies. The Scots were crying for their pay, and the rumor was wide spread that the King was sending money to the northern army, thus assuring himself of its aid against a recalcitrant Parliament. The King had refused to disband the Irish army, and his secret plans to dissolve Parliament by the combined forces of Irish and Northern armies were everywhere afloat. It was learned that the King with the aid of Captain Bellingsley and Sir John Suckling was collecting armed forces in London under the pretence of aiding Portugal in her fight with Castile. The King, having persuaded Parliament to drop the case against Strafford by consenting to remove him from his counsels, had now determined to use force to free him. When the Commons met on Monday, May third their first act was to order that a letter should be sent to assure the soldiers that they would soon receive¹ their arrears, Hampden was one of the members appointed to draw up the letter. It was on the day also, that Hampden worked with others to draw up the Protestation supporting the "true, reformed, Protestant Religion." The protestation as it was first brought in was not wholly satisfactory, and the committee was forced to add a Preamble referring to "a popish army levied in Ireland; and two armies brought into the Bowels of the Kingdom," "...and..." "the endeavors used to bring the English army into a misunderstanding of this Parliament, thereby to incline that army with force to bring to pass those wicked counsels."² The Protestation thus amended was taken by the Commons and Lords. Moreover it was given to the citizens to sign and thus confirmed the suspicions of the mob haunting Westminster that there really

1- C. J. II. 13 1-2.

2- C. J. II. p.132.

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 was a plot for effecting Strafford's escape. The House moved that Sir John Suck-
 ling, Mr. Wadsworth, and Captain Billingsley be sent for and that a committee, of
 which Hampden was one, be appointed to examine these men. On the morning of the
 fifth Pym told the House what he had learned some days previous from Goring about
 the plot to overawe Parliament. a committee of six including Hampden was immediate-
 ly appointed to prepare Heads for a conference on the seducing of the King's army.
 They reported in a short while Heads asking the Lords to appoint a select committ
 ee to investigate. The House accepted the report and ordered that the same commit-
 tee under a protestation of secrecy should be present at the examination of wit-
 nesses by the Lords and have power to send for parties, papers, records, etc. In the
 morning Hampden was busy in the examination of Suckling and Billingsley. On the
 following day when the witnesses were to appear before the Lords' Committee it was
 found that a number of them including Suckling, Henry Percy, and Henry Jermya had
 escaped. The Commons asked for a conference about a plan to send investigators to
 Portsmouth and to the army in Yorkshire. The Committee of Seven who were joined

1-This is one of the early instances of a great mob surrounding Westminster and Whitehall in times of crucial proceedings in Parliament. Contemporary writers differ as to the composition of the mobs. In numbers they vary from "some thousands" (Baillie l. 351.) to fully "ten thousand" (Sir William Uvedale to Mathew Bradley Cal. St. P. 1640-1641 p. 569.) The effect of these mobs, which were frequent all through the spring and summer days, upon the actions in the House is debatable. That they did materially shape the Lords and the king in those days is practically certain. It may be assumed with a limited degree of certainty that the leaders in the Commons were sometimes, (perhaps always) connected with the investigation of the tumults, and used them as an instrument to bring the Lords and the king into accord with their wishes. For a rather inconclusive discussion of the facts leading to that assumption see a paper by Alla Ransom "The Mob in the Year 1641" University of Minnesota series.

2- C.J. 11. pp. 134-136.

3- Pym, Hollis, Strode, Fennes, and Sir John Clotworthy were the others. Stapleton was added on the seventh, making the number seven.
 C.J. 11. p. 138.

4- C.J. 11. p. 135.

5- Gardiner (IX, p. 358.) is evidently in error here; when he says that the Commons appointed a committee of seven (the six here given and Culpepper) to conduct an independent investigation. He may be excused, in part, on the ground that Moore's diary on which he bases his statement, is in an almost impossible cipher and hence open to frequent mistakes in transcription. But he is inexcusable in denying the fact that the Journal's record the appointment of this committee of the House to aid in investigating the army plot.

6- C.J. 11. p. 136.

with ten Lords to investigate the army plot, drew up the instructions for the mes-
 sengers into Yorkshire.¹ Hampden delivered the letter to the House, where it was
 read twice and returned to him.² On the eighth he brought them the letter again for
 a third reading. It urged a confession of anything regarding the plot with an as-
 surance that "they shall not only be freed from all punishment, but also shall be
 esteemed to have done that which is for the service of the State", and promised,
 moreover, the speedy payment of arrears.³ But investigation took time and, meanwhile
 war-like rumours filled the air. Mobs surrounded Whitehall demanding the signing
 of Strafford's bill. They cried out against the queen mother particularly saying
 she was the chief instigator; when the Lord Lieutenant of Middlesex ordered the
 trained bands to protect her he found great unwillingness to comply.⁴ Charles final-
 ly gave the royal assent to the Bill of Attainder.

Strafford met his doom on the twelfth of May, but the army investigation
 was still prosecuted. On the thirteenth, Stapleton reported an account of his
 journey to Portsmouth; the committee of seven, with others added for the express
 purpose, drew up heads for a conference.⁵ On the fifteenth the House again conferred
 with Hampden acting as manager: this time the examinations taken at Chichester a-
 gainst Percy were considered.⁶ On the same day the Lords desired a conference on the
 same subject: Hampden was appointed a reporter and actually did report in the
 House, on May fifteenth.⁷ On Monday the seventeenth Hampden again served as a report-
 er for a conference, this time the subject was the rumours afloat that the French
 fleet was about to attack the islands of Jersey and Guernsey.⁸ During the next few
 weeks the Bishop's Exclusion Bill and the negotiations with the Scots pushed the

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- 1- C. J. 11. p. 138.
 2- C. J. 11. p. 139.
 3- Entire letter given C. J. 11. p. 140.
 4- C. J. 11. p. 143.
 5- C. J. 11. p. 146.
 6- C. J. 11. p. 147.
 7- C. J. 11. p. 148.
 8- Ibid.

investigation^s of the army plot out of the program until the seventh of June. On that day Hampden went up to the Lords to request that they would give the Commons¹ leave to make use of the examinations, hitherto secret taken by the committee. Upon the Peers' consent, Fiennes on June eighth made the first public report of the work of the examining committee.² The result of the report was to convince well-nigh every person that the use of force against Parliament had been contemplated in the Whitehall Counsels. This conviction of the majority of the House was evidenced by the uproars following Lord Digby's reflections upon the credulity of Goring's story. On the next morning Holles reported information given by Lord Essex about Harry Percy;³ the House ordered that Holles and Hampden were to thank Essex for the communication.⁴ The old committee of seven was impowered to take the examination on the new discovery. On the twelfth Holles reported for himself and Hampden saying that they had called on the Earl of Northumberland who had told him that he had received a letter from his brother Henry Percy; he gave them a gist of its contents and said he was willing to give the House a copy of the parts relating to the plot.⁵ This is a case typical of Hampden's actions. He was employed on most important business and^{performed} his duty in a most satisfactory way, but he always let someone else do the reporting. He appears to have had a virtual antipathy for speaking in public, and probably was a man of few words in private. Upon Holles' report the House ordered the two men to return to Northumberland requesting him to acquaint the House with as much of the letter as concerned the business at hand.⁶ The very fact that the House kept Hampden associated with Holles in this affair proves that they realized he was far from a figure head in the real conduct of the business. On the

1- C. J. II. p. 169.

2- Verney pp. 86-90.

3- Essex had said that Northumberland told him his brother Harry Percy had confessed taking the secrecy oath in the plot and he said that others had taken it also. Verney p. 91.

4- C. J. II. p. 172.

5- C. J. II. p. 174.

6- C. J. II. p. 174.

fourteenth Holles is again the one to report the business: he presented a transcript of relevant passages of Percy's letter. Besides implicating Percy, the report convinced the House that three of its own members had been guilty, and the arrest of Wilmott, Ashburnham, and Pollard ensued. Holles and Hampden had obtained such fine results that the House was pleased to delegate them to interview Essex, the Lord General with a request that he exert himself to identify the persons who had done the ill offices between the House and the Army. The House could not settle the problem without more conference with the Lords, and Hampden was appointed both reporter and manager of an important one at which divers letters from army officers were read and discussed. On the sixteenth Goring "made a declaration of all he knew in the business concerning the uniting of the forces of the army" against Parliament. He was referred to the committee of Seven, who examined him further and after lengthy investigation brought in, on July twenty-second, Articles of accusation against Percy, Jermyn, and the rest. Thus ended Hampden's valuable service in the Army Plot.

Another phase of the Army Problem upon which Hampden was able to contribute worthy service was that of the disbandment of the northern armies, which since 1639 had burdened the Kingdom. From the beginning days of the Parliament negotiations for the cessation of arms and a permanent peace with Scotland had been fervently discussed, but the leaders in Parliament had shown themselves in no great hurry for the Scots to evacuate English soil as long as the Irish army was not disbanded and feared that force was to be used against Parliament were rife. Lengthy negotiations over the incendiaries and the amount of money to be paid the Scots as compensation for their expences in the war had spun out the negotiations. Conferences were held with

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- 1- C.J. II.175; Verney p.94-7.
 - 2- C.J. II. p.175.
 - 3- C.J. II.p.175.
 - 4- C.J. II.p.177.
 - 5- with four lawyers added.C.J. II.p190.
 - 6- Verney p.110-11.

the Lords over the Articles of Cessation and Treaty; for one of these Hampden had reported an additional article desired by the Lords.¹ Charles was continually hoping that a breach between the Scotch and Parliament would ensue so that he would be free to act without the fear of a of a Scottish Army backing up Parliament. The leaders were desirous of drawing out the negotiations just as long as possible thus retaining the of an armed force close at hand to meet any emergency, but they realized that they must not alienate the affections of the Scotch during the tedious months of negotiations. The final settlement with the Scots was closely tied up with the financial problem as well as the proceedings against Strafford. The army if it was not paid would be on hand and its very presence insured judgement against Strafford. Henry Marten even went so far as to suggest that they threaten the Lords with cutting off supplies and thus bring down the Scotch army.² This however was not acted upon. Hampden's stand was probably on middle ground. Doubtless he was not willing to go to such ends as Marten and Eark in threatening the Lords, but neither did he desire the disarmament and settlement with Scotland until the way before Parliament seemed clearer and less fraught with danger. His attitude as portrayed before in the matter of raising monies to pay off the Scots corroborates this view.³ In the early Summer months when the investigations in the Strafford case led to the firm belief in current plans for bringing over the Irish army, and the disclosure of the Army plot awakened the Commons to a new sense of their own danger, the necessity for keeping harmonious relations with the Scots came to be realized more generally. The, Scots, however, were growing increasingly impatient with

1- Jan. 7-Peyton f. 63; C. J. II. p. 65. The article was as follows: "That in case any Breach happen, before or after the time of the Treaty be expired, no act of hostility to pass on either side have given notice of such breach; and during that 20 days, no advantage is to be taken of the Scots, that are here, but that they have the Ports and Passages open to depart".

2- Gard. IX. pp. 300-1

3- cf. Supra p 21-4.

the long delay in the supplies. They began to lose faith in the English Parliament. Charles looked on with delight at the possibility of a breach. The Puritan leaders were quick to realize that procrastination had been used to its uttermost and, in the last weeks of May, they took up the Scotch Treaty with the intention of culminating it. The separate articles were discussed at length in the House. Conferences were held with the Lords, at one of which on June seventh when Hampden reported, the cessation of arms was voted to be continued for another fortnight in hopes that the treaty would be completed by that date.¹ But the matter was not to be settled soon. On the tenth a large committee of which Hampden is the first in the Journals was appointed "to consider the best and readiest way for disbanding of the armies".² They were ordered to meet on that very afternoon (Thursday) and were given Saturday morning as their latest to report. This time limit together with the decision contained in their report to send £25,000 (pounds) to the Scots shows clearly the determination of the Parliament to hasten through the negotiations and secure disbandment. The question continued foremost in debates and upon the presentation of reports of the monies due both armies, the House voted to levy monies upon the people of the Kingdom varying from 5s on every man that can dispend twenty pounds per annum³ up to one hundred pounds on all Dukes that inhabited the Kingdom. Hampden was placed on a committee to draw up a Bill for levying the monies according to the votes of the House.³ The Scots were not elated over the necessary delay in their payment but finally consented to agree to the terms of the Treaty and trust Parliament to pay on the days appointed. They desired however, to know to what particular persons they were to address themselves for receiving the money. A committee of eight Lords and sixteen Commons, including John Hampden, were appointed to be at the Chamber of London for that purpose.⁴ On the same day, June twenty-second, the Bill for the speedy Provision of the armies was debated and on the

1-C. J. II. p. 170.

2-C. J. II. p. 172.

3-C. J. II. p. 180.

4-C. J. II. p. 182.

following day, it was ordered that the Committee of Seven which had acted in the
¹ Army Plot were to draw up Heads for a conference with the Lords. Hampden was act-
² ing on this committee but it was left to Pym to bring in Ten Propositions which
the Commons accepted with out one dissenting voice. The first head arranged for
the disbanding of five regiments of the King's army at once and the rest as soon
as money could be provided; part of the Scottish army, moreover, was to retire. There
were other important Heads on the King's proposed journey to Scotland and the pe-
titioning^{of} the King to surround himself with Counsellors agreeable to Parliament.
The Lords agreed to these Heads and on the twenty-fifth joined with a committee
of the House (on which Hampden served) in voting the cessation of arms to last
³ fourteen days longer. After this conference the House appointed Hampden, Selden, Pym,
and others to draw up directions to be sent to the Lord General for use in dis-
banding the five regiments. Essex had written that he feared disorders upon dis-
bandment and asked for a Commission to exercise martial law. Hampden was appoint-
⁴ ed to go to the Lords with a message on the point. Accordingly he went up on the
following morning, and, as a result, it was resolved to petition the King for a pro-
clamation threatening punishment to any who should disobey the Lord General. On
the twenty-eighth Committees of the two Houses again conferred on the ten propo-
⁵ sitions. A committee of forty-eight including Hampden, Pym, Fiennes, Holles, Earle rep-
⁶ resented the House and was given power to meet at all times that they should
think fit. On the twenty-ninth the Act for the speedy provision of monies for dis-
banding the armies was passed in the House and sent to the Lords. Upon the Peers
desiring a conference over it, Hampden and six others^{were} appointed to be reporters
⁷ and managers. The Lords suggested several minute amendments and another conference,
⁸ at which Hampden acted as manager, was held upon the second of July. The House ac-
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1- cf. Supra. p. 37.
2- C. J. II. 184-5.
3- C. J. II. p. 187.
4- C. J. II. p. 187.
5- C. J. II. p. 188.
6- C. J. II. p. 189.

6- C. J. II. p. 190.
7- C. J. II. p. 192.
8- C. J. II. p. 193.
9- C. J. II. p. 196.

cepted the amendment and on the following day a large committee including Hampden was appointed to consider what and to whom allowances shall be made for pains employed in collecting monies under the act for speedy provision of money. On this day the Act, ^{having} passed the Lords, ^{received} the Royal assent. Its effect was to substitute a poll tax for the subsidies which had been so easy to evade and hence so hard to raise. The royal assent had now been given, to ^{the} Bill for raising money and to that of disbandment of the army; but nevertheless both questions dragged along in Parliamentary discussions for another month, and Hampden still remained active in their solutions. ² Toward the end of July the two questions occupied his chief attention. On the twenty-eighth he served on a committee for a new Act to explain the ambiguities and correct the defects of the Act for the speedy provision of monies. He ³ worked with a number of others at adjusting the accounts of the cash on hand and the monies due to the armies and succeeded in working out an itemized account for presentation to the House. ⁴ On the twenty-ninth he was appointed to go to the Lords requesting a conference concerning disbandment, and, on August sixth, he helped prepare heads for another conference on the same question. ⁵ As a result of this conference ⁶ it was decided that the last of the Troops of Horse were to be disbanded, and the duty was given to Hampden ⁷ to write to the Lord-General requesting the immediate fulfillment of the order. Thus was the last step toward disbandment taken.

1-C. J. II. p. 197-8.

2-During the summer months Hampden busied himself in other capacities. He served on various committees: one to take into consideration the distribution of monies paid by members of the House to officers and servants (C. J. II. p. 196); another to look into the Journals of the House for the twenty-first year of James and the tenth year of Charles for matters relating to the restoration of the Elector Palatine to his rights and possessions, (C. J. II. p. 199). Charles was favoring the restoration of the Elector, and Hampden was one of the twenty-four Commons who, with twelve Peers, considered the King's manifesto on the subject. (C. J. II. p. 207). A few weeks later Hampden brought a message from the Earl of Essex telling of the letter from the Queen of Bohemia thanking Parliament for their affection to her son. (Peyton f. 145).

3-Along with the general consideration of finance a source of useless expenditure was brought to the notice of the House and action was taken to prohibit it. This was the custom of the sheriffs throughout England of entertaining the visiting judges. A declaration was drawn up prohibiting the giving of presents and luxurious entertainments. Hampden aided in drawing up the order. C. J. II. 238.

en just before the King set out through the regions so lately occupied by the troops.

4-C.J.II.229.

5-c. z. Ibid.

6-C.J. II.p.240.

7-C.J. II.p.243.

THE KING'S JOURNEY TO SCOTLAND.

The King's proposed trip to Scotland had been a subject of conversation in Parliamentary circles since the middle of the summer. As early as the twenty-fourth of June it had been a subject of a Head in the ten famous propositions¹ sent to the Lords. The Commons were not at all anxious to have Charles leave the Kingdom under any circumstances, but they were exceedingly desirous that he should not take the journey until the northern armies had been disbanded,^{and} if possible, the Treaty of Peace with Scotland concluded. The leaders were convinced that the object of Charles' trip was not, as he stated to settle the distractions there, but to win over that country to himself, and very possibly to make questionable use of the armed forces so conveniently^{ly} gathered in the North. With this in view, the Commons proceeded to act. On the twenty-ninth Hampden with Pym, Holles, and others managed and reported a conference at which it was decided that his Majesty should not leave before the fourteenth of August, by which time they hoped to have accomplished disbandment.² But Charles had determined on the tenth as the day of departure. The displeasure of the House was evidenced by the passage of the Tonnage and Poundage Bill granting duties only until the tenth of August. Hampden carried the bill to the Lords.³ They readily agreed to the time limitation: it looked very much indeed as if Parliament was saying to Charles, "you may be able to leave the Kingdom against our own wishes, but remember, we control the money supply without which you are powerless."⁴ Displeased with the proposed journey as they were, the House, nevertheless, accepted it as inevitable and proceeded accordingly. They appointed a committee, among whom was Hampden, to consider the many bills which were

1-C. J. II. p. 184.

2-C. J. II. p. 192.

3-C. J. II. p. 206.

4- In June the Commons had granted Tonnage and Poundage duties until July fifteenth. By limiting the time in this way, Parliament was keeping a close finger on the purse strings and forcing Charles to realize that the money raising power ~~was~~ forever passed from his hands.

had

pending and to present to the House those of most public concernment in order that they might be rushed through for the royal assent. The fear of the Commons that the King's journey purported some future military intervention was further increased when the Queen proposed a journey to Spa. She gave as her reasons ill health, but in view of the rumors that she was taking the crown jewels and plate it was feared that she was contemplating the aid of France and Holland to support Charles. Hampden aided in the preparation of Heads for a conference with the Lords on the matter,² and Henrietta Maria was finally persuaded to give up her trip.

About this time rumours became current that the King was going to yield to the wishes of Parliament and appoint some of the leaders to positions of counsellors.³ Pym and Holles figured in the story, and Hampden, it was whispered, was to be Secretary of State or Chancellor of the Duchy of Lancaster.⁴ We can feel pretty sure that ^{these} schemes were probably more than mere rumors when we find Sir Edward Nicholas, clerk of the Crown and confident of many of the King's counsels, referring to them in his letters. However, it is very probable that the King never went so far as to offer these tempting positions to the Parliamentary leaders, and to receive refusals from them. It is more likely Charles simply gave up the plan as unfeasible, and thus left Hampden, Pym, and their associates to be leaders of the opposition in the House, while he continued to prepare for the opposed journey. Altho⁵ both Houses agreed in desiring the King not to leave the country, they differed in their desires as to how business should be carried on in his absence.

1-C. J. II. pp. 207-8.

2-C. J. II. p. 210.

3-It had been rumored before as early as February that the leaders of ^{the} opposition were to be offered tempting official positions as baits to give up the proceedings against Strafford and restore him to his former power. In these tales Hampden was to have been made tutor to the Prince, (Whitlocke I. p. 120.) in which position, says Warwick (I. p. 242), he could have marvelous influence in shaping the principles of the young Prince on constitutional lines.

4-Nicholas to Pennington. July 15,
Cal. St. P. Dom. 1641-3 p. 53.

5-Nicholas to Pennington July 29,
Cal. St. P. Dom. 1641-3 p. 63.

On July twenty-eighth Hampden was appointed one of a committee to consider what was fit to be presented to the House while the King was away.¹ The Lords desired that there be appointed commissioners who should have the power to pass only certain specified bills but the Commons desired that the King would appoint some one person who could give the royal assent to any bill and who would be empowered to do such other things as the King might do. On the twenty-ninth Hampden with others managed a conference with the Lords over this divergence of opinion.² The two Houses were as one, however, in their opposition to the journey: as the day of departure, August tenth, approached they dropped all differences and concentrated on a request for delay. On Saturday the seventh the question was debated at length: Hampden went to the Lords just before noon to tell them that the House would sit in the afternoon and desired them to do likewise.³ Conferences, the Heads of which Hampden had aided in preparing,⁴ expressed the combined wishes of the Houses, for the postponement of the journey, but all to no avail; the King was bound to go. In desperation the House resolved to meet on the following morning, although it was Sunday, and to make one last appeal to his Majesty. The Lords joined the House in this unusual sitting and they conferred again. Hampden assisted in drawing up the Heads of the Conference and in managing and reporting it.⁵ The Houses even joined in sending to the Scotch Commissioners to request them to oppose the King's journey, but all ways failed and they succeeded only in winning a one's days postponement of the trip. The Commons had spent most of its time in debating some way to stay the King' and now that had failed, they were confronted by a number of bills which must be put through to gain the royal assent: The Treaty with the Scots, the Bill for the payment of the Remainder of Brotherly Assistance to the Scots etc. The Lords sent down urging haste in the passage, but Hampden was sent back with a nes-

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- 1- C. J. II. p. 227.
 2- C. J. II. p. 230.
 3- C. J. II. p. 244.
 4- C. J. II. p. 243.
 5- C. J. II. p. 245.

sage that it was too late to do anything that night, but on the morrow they would hurry them through so that the King might sign them before his departure. This was accordingly done. On the morning of August tenth the Lords sent down to the House a commission by which the royal assent was to be given ¹ through the medium of appointed Commissioners. The House was not willing to pass this, as they desired that the Commissioners should have the power to assent to all Bills which might come up during the King's absence. The commission was turned over to a committee of which Hampden was one. ² The Committee made alterations to this effect in the Bill, and a conference with the Lords resulted. Urgent request was sent to the King, asking to postpone his journey until the matter was settled. But Charles remained obdurate and insisted on departing that day, leaving behind a body of commissioners who could only pass certain specified Bills, and a thoroughly dissatisfied lower House.

1- C. J. II. p. 245.

2- C. J. II. p. 249.

HAMPDEN IN SCOTLAND.

The House feared Charles' trip to Scotland more than it had feared anything since the days when the Army Plot was first coming to light. Once more the dread of military intervention was uppermost in their minds. They had become alienated from the Scots in the last few months due to various causes: the procrastination in negotiations, the Scotch demands for uniformity of religion in both countries and a commission for free trade. Moreover, after Parliament declined to yield to these demands the Scottish Commissioners in England had seemed slowly to turn over to the King's side. The climax came when, after Parliament had petitioned them to disapprove of the King's proposed visit, they stood out openly in support of Charles.² The English Parliament thus seemingly defeated, resorted to the only means left to them to check the evils of the King's trip. They decided to send some of their own members to attend Charles in Scotland. The Peers joined³ the Commons in this decision and together they petitioned the King to warrant the Commission authorizing Lord Howard of Escrick, Sir Philip Stapleton, and John Hampden to attend his Majesty. The King, however, departed without consenting to the Commission. For several days the matter rested. It appears from the absence of any reference in the Journals,⁴ ^{that} the idea of a committee to attend the King was given up, and also by Hampden's being appointed one of the eight members on the new committee for the Grand Remonstrance which was to report on Saturday the fourteenth;⁵ it would seem that there was no plan for his absence from the Kingdom. But suddenly on Saturday we find a resolution passed sending Hampden and Sir Philip Stapleton into Scotland as Commissioners to accompany the Earl of Bedford from the Upper⁶ House. A committee was likewise appointed to draw up their instructions "upon the general Head of taking care to see the Treaty performed there."⁷

1- Mathieson II. pp. 23-4.

2- Gard. IX. p. 415.

3- C. J. II. p. 249.

4- Verney p. 116-7; C. J. II. p. 249.

5- C. J. II. p. 253.

6- C. J. II. p. 256.

7- Ibid.

This committee met in the afternoon and again on Monday morning when they reported to the House (through Pym) that it was doubtful whether they could obtain a Commission to give power to the Commissioners now that the King was away. A conference was held in the afternoon in which the Lords also expressed doubt as to the possibility of obtaining a Commission and suggested that a message be sent in to Scotland to secure the King's warrant. In the meantime they agreed to consider the instructions drawn up by the House Committee. On the eighteenth Sir William Armys went to the Lords again, and returned with the suggestion that the Commission and instructions be prepared together with a petition to his Majesty which was to be sent away speedily. Meantime, he said it was the opinion of the Lords that the Commissioners might start out on the journey, and let the Commission meet them on the way. The House acted promptly; a conference was held with the Lords, and a petition to the King with instructions was drawn up. On the nineteenth the Lords assented to the petition and instructions, whereupon Anthony Nicholls was despatched in haste to the King. The matter seemed apparently settled: it was only a question of waiting until Nicholls returned with the King's signature to the Commission. What is our surprise, then, on finding recorded in the Journals for the following day, August twentieth, an ordinance passed by both Houses of Parliament appointing the two Lords and four Commons as agents for Parliament to attend the King under certain specified instructions attached. The Journal with its usual briefness gives no reason for the sudden change in tactics. Gardiner, who uses D'Ewes maintains that the idea of going by ordinance was proposed by D'Ewes as early as the sixteenth when it was learned that they could not obtain a commission under the

1- C. J. II. 258-9 Instructions reported in eight heads by Pym on Monday morning.

2- The Petitions and Instructions given in C. J. II. 262-3. Earl of Beauford, ^{and} Edward, Lord Howard were named from the Lords, Sir Philip Stapleton and John Hampden from the Commons. Later in the day the names of Nathaniel Fiennes and Sir Wm. Armys were inserted in case any of the others might be sick.

3- C. J. II. 264.

4- C. J. II. pp. 265-6.

5- Gard. X. pp. 34, using Harl. .164 f. 32 b.

Great Seal from the Lord Keeper without the King's consent. He omits any reference to the plan of sending to the King, and infers that the ordinance was the only means thought of from the sixteenth until its passage on the seventeenth. This scarcely seems possible for then the proceedings of drawing up the petition, and Commission and the sending off of Nicholls would all have been a farce with no object. It is possible, of course that the Commons had been discussing the possibility of going by ordinance, but that they yielded for a short time to the desire of the Lords to consult the King, and that later they again brought up the ordinance, pushed it through, and even succeeded in gaining the assent of the Lords. But whatever may have been the circumstances, Parliament did appoint its commissioners to Scotland by means of its first Ordinance: and it is interesting that this first step toward executive initiative should so closely concern John Hampden. Clarendon in describing the commissioners paints Hampden as the dominant member controlling the other commissioners, a man of great parts of understanding, and of great dexterity in nature and manners, and he must upon all occasions still be mentioned as a person of great ability, and equal to any employment of trust, good, or bad, which he was inclined to undertake.

Exactly what were to be the employments of Hampden and his colleagues during their Scottish Sojourn? If we take the Journals of the House as sole judge their duty was simply to see the execution of the Treaty between the two countries and so preserve good correspondency between the two nations. On the other hand if we take Clarendon's word for it, they were to spy on Charles and "to lay the scheme how the next year should be spent, and to bespeak new laws for this Kingdom by the copies of what should be consented to for that." I think there can be no doubt that the committee was not sent to the northlands simply to witness the transaction of the Act of Pacification in the Scottish Parliament. Smaller men than Hampden and Fiennes would have been spared from the Puritan Party if their duty was-

1- Clar. IV. pp17-19.
2- C. J. II. p.266.

3- Clar. III. p.254.

to be only a formal one. Whether one cares to use as a strong a word as "spy" or not is a matter of personal taste, but the truth of the matter was, Parliament was going to be on the safe side. They suspected Charles' motives strongly, and they meant to have someone on the spot to keep them informed of exactly what was taking place. They did not wholly conceal their real motive in sending the Commission^{from}ers, for the fifth head of their instructions reads "you shall ^{at} time to time certify both Houses of Parliament such accidents and occurrences as may concern the ¹ good of this Kingdom."

With these instructions the Committee arrived in Edinburgh on August thirtieth after stopping on the way to ^{Essex} exhort ² to execute speedily the order of both Houses for disbanding the Horse. ³ On the very day of their arrival a letter dated August twenty-fifth, from the King to the Lord Keeper carried by Anthony Nicholls, was read in the House of Lords. In this letter the King refused to sign the Commission, ⁴ thereby depriving the Commissioners ^{of} the right to treat with the Scottish Parliament, but he gave them the right to attend him in Scotland. Thus the five representatives found themselves in Edinburgh with nothing to do but fulfill the policy of watchful waiting. They found the King apparently on very good terms with the Scots and confident that he would meet with no difficulties. They watched him spend the flying weeks in attempts to ingratiate himself with the Covenanters, and they saw, on the other hand, much to their joy that the sailing was not going to be all smooth. Early in the day the Hamilton-Argyle faction in

1- C. J. II. p. 266.

2- With the exception of the Earl of Bedford who had declined to go.

3- Hampden had carried a message to the Lords on August eleventh asking for a conference on disbandment. He had reported this conference in the House and served on another the following day. (C. J. II. 252). On the twentieth before the departure of the Committee, they were authorized to go to the Lord General on their way and impress him with the necessity of enforcing the order for disbandment which had resulted from the conferences. (C. J. II. p. 266) Hampden, Arny, and Stapleton wrote an account of their call on Essex to the Speaker on Aug. 22. The letter was read in the House on the twenty-fourth (C. J. II. p. 269).

4- Letter printed in full. (L. J. IV. p. 382).

the Parliament began demanding that Parliament be consulted on the appointment of the officers of State. Charles had come to win Scotland, for his own interest but the watchful committee saw him forced to spend all the time looking to the interest of the Scotch. Good news, indeed, had they to write home as they watched Charles first coquetting with the Parliamentary-Presbyterians and then with the nobles opposed to both Parliament and Covenanters with a sure and steady decline of the possibility of a Scotland united against England. It is very probable that they never let an opportunity slip to repair any injury done by Charles' attempt to arouse ill feeling against the English Parliament. Their work of close watching, quick apprehension, and subtle influence was one for which Hampden was by nature primarily fitted. The Commissioners were never called on in Parliament; there was no oratory, no display, required, but it was a wonderful opportunity to make use of diplomatic skill and tact; two qualities which Hampden undoubtedly possessed in a large degree. Another duty exercised by the Commissioners was keeping the English Parliament informed. This, no doubt, they were careful about performing, although only one letter remains extant, various references prove that numerous others were written. On Sept. ninth when Parliament was adjourned for a five weeks recess a joint committee was appointed to receive and answer the letters coming from the Commissioners. During the recess something really exciting was to happen in Scotland for the Commissioners to report to the Committee in London. The affair is buried in obscurity and is called by the enigmatical name of The Incident. In brief, it was a supposed plot to assassinate Argyle, Earl of Lanerick, and the Marquis

1- Another service of the Committee is given by Balfour (III. p. 92) when he relates that on Oct. 8th the Commissioners presented a Remonstrance to the Scotch Committee for the Army showing that money was now come for disbanding the garrisons at Berwick and Carlyle, upon which the Parliament ordered that the Remonstrance be satisfied.

2- Correspondence was carried on over the subject of the Spanish Ambassador's complaint against the stay of 4,000 men raised in the British Dominions for foreign military service. C. J. II. p. 256.

of Hamilton. The plot was revealed on October eleventh and the three nobles fled twelve miles south of the city to Hamilton's residence at Kenil. Montrose was obviously at the head of it, but hints were thrown out that the King was privy to the plot. No proof was produced in the investigation which followed to substantiate an accusation of the King's complicity. But the very rumor was enough to arouse the English Parliament. The letter³ telling of the event written by the Committee to Pym and others was read in the House on October twentieth. Instant alarm was felt; a resolution was quickly passed for a conference with the Lords about the safety of the Kingdom. The heads of the conference reported shortly by Pym indicate the interpretation put on The Incident by the Commons: a similar attempt might be made in the English Parliament and hence they desired guard of the trained bands to protect Westminster and London. As Clarendon says "immediately as if Edinburgh had been London.....it was concluded there was some desperate design on foot, and some other practices of the same nature to be executed upon the good patriots of this kingdom, and therefore without any pause till another despatch might come from Scotland...the Commons issued their warrants to the sheriffs of London and Middlesex.....to appoint strong guards in arms to watch about London and Westminster,"⁶ The Incident in itself amounted to little as the three nobles were soon back in the Scottish Parliament and all went on as

1- Balfour III. pp. 81-117

2- Hardwicke St. Papers II, 299-303; Balfour III, p. 94-130; Baillie I, p. 392-3; H. MSS. Com. 4th. Rep. 163 et. seq.

3- Letter given in full Hist. MSS. Com. 4th, 102.

4- C. J. II. p. 290.

5- Ibid.

6- Clarendon 15 f.n. 2; Baillie I. p. 393 also evidences the reception of the letter by the English Parliament. "The Parliament in England fell in great feares at the same tyme of some mischeivous plotts for the lives of their prime men."

usual but the psychological effect on the English House was tremendous. After this big scare they were all primed for the Incident which was to happen shortly in their own Parliament.

1- The Houses did confer on the twenty-first and a letter with instructions was sent to the committee on the twenty-second. They were thanked for their timely information on Scotch affairs, and were authorized to notify the King of the guard placed about the House and to call his attention to the fact that the regiments at Burwick were not yet disbanded. (L. J. IV. pp. 400-401) On the twenty-fifth of October a Scottish proclamation of disbandment sent by the Committee was read in Parliament. (L. J. IV. 403. C. J. p. 249.)

THE GRAND REMONSTRANCE

The exact date of Hampden's return to London cannot be ascertained but we can be assured, contrary to Clarendon's inference, that it was not before the first week in November. On the second of November a letter from Hampden and Sir William Arnyne was read in the House. It was dated October twenty-seventh and sent from Norpeth, these two men were then enroute for London, leaving Nathaniel Fiennes behind in Edinburgh to receive the further letters and instructions from the House. We may safely assume that soon after reaching home, Hampden rushed into the Parliamentary work: on November twelfth we find his name first mentioned in connection with the Irish Rebellion which was occupying the minds of all. The Catholics in Ireland had risen against their religious opponents, and it was rumored, were going to slaughter every Protestant in the country. There turned out to be no general massacre, but northern Ireland suffered greatly from violence and outrage. News of the ravage had reached England on November eleventh. It was immediately voted to send English and Scotch troops over to save the Island for Protestantism. Money was needed for the enterprise, and as usual, the Commons turned to the City of London to supply it. On the twelfth a committee was appointed to interview the Lords of the Council. The two newly returned Scotch Commissioners, Hampden and Arnyne, with Sir Benjamin Rudyerd were joined with the members from the city to

1- Clarendon would infer that Hampden was in the House on October twenty-third and spoke thus about Falkland who had now reversed his position of the previous Spring and was rigidly opposing the Second Bishops Bill: "I am sorry to find a noble lord has changed his opinion since the time the last bill to this purpose had passed the House, for he then thought it a good bill, but now he thought it an ill one." Clar. IV. p. 94 f.n.1.

2- C. J. II. p. 301.

3- Letters and Instructions were sent on November fourth, sixth, and eighth. C. J. II. p. 305, 307, 308. On the thirteenth Hampden himself helped manage a conference with the Lords at which it was decided to instruct the Scots Commissioners to accept only 1,000 men from the Scots to be sent into Ireland. C. J. II. p. 314.

¹
 serve in this capacity. Hampden was stepping back into his usual routine of Parliamentary work, exactly as if he had not been out of the Kingdom for a day. We have seen him occupied frequently during the months preceding his journey in mediating with the city, and we therefore, are not surprised to find him called on now to solicit money from the Londoners in so worthy a cause. ² Coming hot on the heels of the Irish Rebellion, were rumors of the Popish plots against Protestantism inside England itself. One Thomas Beale had overheard some plan to murder numerous members of the House. He was called up and examined by a special Committee. Hampden was then sent to the Lords to acquaint them that the House had been informed of matters concerning the Peace of the Kingdom. ³ The Lords consented to ⁴ examine Beale and on the sixteenth Hampden managed a conference on the subject. The House was wary and was determined to preclude any plot by securing the persons of the Papists, and by putting the custody of the Isle of Wight into other hands. The Lords were fearful of encroaching on the King's prerogative and had to be convinced of the necessity of the measures. The House voted to prepare reasons for their actions to be presented to the Lords at a conference. Hampden aided in ⁵ drawing up the reasons, and assisted as reporter at the conference. ⁶ Still another was necessary before the Lords were willing to agree to the securing of Popishly

1- C. J. II. p. 312.

2- The city used this chance to demand relief from the grievance, now grown to such proportions, of the members of Parliament protecting their servants against their creditors. The Committee to the city was instructed to acquaint the Lords of the Council of the action of the House to remedy this evil in the present Bill of Protections.

3- C. J. II. p. 316.

4- Ibid. The fact that the Lords, where there was no Puritan majority, took up Beale's examination is proof in itself of the widespread fear of a Popish Insurrection.

5- C. J. II. p. 315.

6- C. J. II. 321.

affected persons, and on this also, Hampden served, acting as reporter for the House.¹

But towering over all the great thing which during November was demanding the attention of the House and filling the minds of its leaders, Pym and Hampden, was the Great Remonstrance. It will be remembered that a committee of twenty-four, including Hampden, had been appointed in the earliest days of the Parliament (November tenth to be exact) to draw up a "faithful representation of the state of the Kingdom. On August the third this committee was supplanted by one of only eight members with Pym as its head and Hampden as his right hand man.² On the twelfth the Remonstrance fell into two parts: Hampden, Pym, Strode, and Culpepper were ordered to work on the state of the Kingdom while Fiennes and Vane were to prepare the part relating to the Church.³ The committee started to work immediately, and on the fourteenth were ordered to bring in the Remonstrances with all convenient speed.⁴ Meantime the King had reached Scotland and was quietly settling down to a lengthy negotiation without any apparent intention of immediately attacking the English Parliament. The present necessity thus removed the Remonstrance was allowed to drop and was not renewed until the fears of the Commons were aroused by The Incident.⁵ On the twenty-fifth of October, it was ordered that the Declaration on the State of the Kingdom should be presented on November first and in the Declaration the two former Remonstrances were united.⁶⁷

1- C. J. II. p. 327. Hampden served also at the time on a committee to examine some Irish Catholics who had been taken up on suspicion by order of the House. C. J. II p. 324.

2- C. J. II. p. 252.

3- C. J. II. p. 234.

4- C. J. II. p. 253.

5- C. J. II. p. 257.

6- The day was first set for October twenty-ninth (C. J. II. 294) and then postponed until the first. (C. J. II. p. 298).

7- For a discussion of the Genesis of the Grand Remonstrance see Thesis by H. L. Schoolcraft in University of Illinois Studies. Vol. I. no. 4.

The Commons were not yet free to devote their whole attention to the document: for the Irish Rebellion intervened and succeeded in postponing the full discussion of the Remonstrance until the fifteenth. During the days of November fifteenth, sixteenth, and nineteenth the Declaration was taken up and its various paragraphs debated. On the twentieth it was engrossed, and on Monday the twenty-second it came up for ^{the} final discussion which lasted from noon until midnight. In the long debate the two parties, Royalist-Episcopalian and Parliamentary-Puritans, were lined up against each other in clear distinction: Hyde, Falkland, Dering, Culpepper opposed by Pym and Hampden. But it is noteworthy to observe that the member from Buckinghamshire, still following his old custom of allowing the opposition first to beat itself into fatigue, did not rise to add his quiet, forceful arguments to the passionate debate until the candles had long been throwing their flickering light over the angry members. Then he began by taking up the extravagant allusion of Dering who, in enforcing his arguments against using the power and revenues of the bishops in any attempt to strengthen the church by giving influence to the body of the clergy, had remarked that "if any man could cut the moon out of all into little stars: although we might still have the same moon or as much in small pieces: yet we shall want both light and influence." Hampden cleverly making use of Biblical knowledge, referred the House to a verse in Revelations bearing witness that the moon is not as useful to the church as the stars. The scriptural passage pictures the church as "a woman clothed with the sun, and the moon under her feet, and upon her head a crown of twelve stars."

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- 1- The House did take up the Declaration on November eighth and discussed numerous paragraphs on that and next few days following but further news from Ireland deferred the debate again. C. J. II. p.309-311.
 - 2- During these days also the House was occupied in sifting evidence of another Catholic plot. For Hampden's services in the examination of Beale. cf. Supra. p.58.
 - 3- C. J. II. p.321.
 - 4- A collection of Speeches made by Sir Edward Dering. p.112.
 - 5- Revelations XII.1.

In this way, Hampden destroyed Dering's illustration and scored a success for his side. Not satisfied with dexterous illustrations only, Hampden proceeded to constructive argument: "when we find ill counsels, said he, "we may say there are, and may complain of ill counsellors. Any man when he is accused, may say he hath done his endeavor and we say no more in this. The party is prevalent against us and therefore, we may say it openly, 'we have given our best advice.' No counter remembrance can come against us, being 'tis wholly true." Thus with calm, and clear outlegio he stated the strongest position which his party could take. The debate continued on for some time after Hampden resumed his seat, but nothing of consequence was put forward by either party, and when the vote was finally taken Hampden's side was the winner by a majority of eleven. The troublesome question was apparently settled, and to all appearance the only proper thing to do at that hour of the night was to adjourn and go home to calm their turbulent passions. But before adjournment could be voted, Peard, the Puritan member from Barnstable, made a motion for the present printing of the Remonstrance, and thus precipitated a greater frenzy in debate than any thing previous in the day. The royalist party had been defeated in the passage of a Remonstrance which was in form a petition to the King, but they were not willing to admit so soon that they were defeated in the question of appealing to the people against the King, for this was virtually what an order for printing would mean. Hyde and Culpepper both asked that if the House insisted on printing the Remonstrance without the Lords' consent they might be allowed to enter their protests. They were told that, that could not be done without the consent of the House: the dispute was adjourned for the time being by

1- We are indebted to Sir Ralph Verney for this record of one of the few speeches of Hampden recorded by contemporaries. Verney Notes. p. 124.

2- C. J. II. p. 322. 159 Ayes and 145 Noes.

3- Clarendon (IV. p. 52) makes Hampden the one to offer this motion. Clarendon is evidently in error on this point, as well as, many others concerning the exciting events of this day. He wrote the account up from memory in later years during his exile and cannot be expected to be as accurate as Verney or D'Ewes who took down notes during the proceedings.

waiving the question of printing. But before an order to adjourn was passed Geoffrey Palmer rose to insist that a protest be entered in the name of himself and all the rest. Loud cries of "All, All," came from every side and chaos ensued. "Some waved their hats," says D'Ewes, "and others took their swords in their scabbards out of their belts, and held them by their pommels in their hands; setting the lower part on the ground." Sir Philip Warwick, an eye-witness, picturesquely describes the unparalleled scene thus: "I thought we had all sat in the valley of the shadow of death; for we, like Joabs and Abner's young men, had caught at each others looks and sheathed our swords in each others bowels, had not the sagacity and great calmness of Mr. Hampden by a short speech prevented it, and led us to defer our angry debate until the next morning." With his usual calm presence of mind Hampden had risen to ask Palmer "how he could know other men's minds," and thus in a typically characteristic way, Hampden exerted his powerful influence over the whole House and preventing what might ^{have} been a catastrophe. It took presence of mind to remain calm in the midst of such excitement; it took keen insight to see just how the difficulty might be avoided; it took courage to indicate the way while swords were flashing in the air, but, above all, it took a man with a powerful personality whose few quiet, practical words could do more to still an angry mob than the logic of King. Pym and whose very presence could send waves of magnetic control over the inflamed passions. Such a man was John Hampden; and it was to his credit that at the unheard of hour of three o'clock in the morning the

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- 1- Gard. (X.p.77) quotes D'Ewes (Harl. 162.f.150) but it must be remembered that D'Ewes having left the House in the afternoon was not an eye witness of this strange scene, but wrote up his account later from the stories of other members who had remained.
- 2- Warwick, Memoirs p.202. When we consider Warwick's political affiliations, for he was a Straffordian and later a member of the King's Parliament at Oxford, we realize how fully we can credit Hampden for his work in quieting the maddened House.
- 3- Gard. (X.p.77) quoting D'Ewes.
- 4- Warwick, 202; Clar. IV. 77f.n.1; Thomas Wiseman to Pennington, C.S.P. Dom. 1641-3 p.158; Forster in The Grand Remonstrance (p.327) quoting D'Ewes says 2'o'clock in the morning, but as Gardiner (X.p.75) using the same diary says 4o'clock there must be some mistake. As mentioned before, D'Ewes was not himself present, It is safe to assume adjournment came about 3o'clock.

the House postponed the discussion until another day and adjourned. Following this exciting session, numerous things arose to occupy the House and employ Hampden. On November twenty-fifth the King returned from Scotland and was received in the City with great demonstration. But his first political actions brought forth the criticism of the Parliament, now grown secure in its independence from the Sovereign. On Friday the twenty-sixth, the day following the homecoming celebration in London, Charles ordered the immediate dismissal of the guard which had surrounded the house since the news of the Scotch Incident. This could scarcely be expected to please the distrusting and fearful house. Their distrust of the act was only increased on the following morning when Hampden revealed the case of one Adam Courtney, a Buckinghamshire papist, who was implicated in a plot of the King's officers to bring up the army to overawe Parliament. He produced fragments of certain letters which Courtney had torn upon his arrest and desired that they should be deciphered by the army committee, by whom also the delinquent should be examined. This was ordered accordingly; it is interesting to note that in the debate which followed, the embryo of the future Militia Bill, which was to divide the House into two irrevocable parts, was born. On the thirtieth the Commons gained the consent of the Lords to the dismissal of the trained bands under the Earl of Dorset, which the King had constituted in place of the Parliament's guard. They ordered also that the high constable should provide a sufficient guard for the house. Parliament was, indeed, asserting by deed its utter independence of the King. Nor was this all, the house was quite ready to go one step farther. The Lords had been refusing to pass numerous bills sent to them from the Lower House;

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- 1- On November twenty-fifth Palmer was committed to the tower by a vote of 169 to 128, and not discharged until December eighth. (C. J. 11. pp. 324-335.) On the fifteenth the printing of the Remonstrance was carried by a vote of 135 to 83, (C.J. 11. p. 344.) although these 83 protested as strenuously as they dared with Palmer's penalty still fresh in their mind. Captain Slingsby to Pennington, C. St. P. Dom. 1641-3. pp. 202-3.
- 2- I am depending on Forster's Grand Remonstrance (pp. 356-357.) for this account, as he was in possession of the part of D'Ewes' diary on these days, to which I have no access.
- 3- C. J. 11. p. 325.
- 4- C. J. 11. p. 328.

on December third, therefore, the House appointed a committee to prepare heads of warning for a conference with the Lords. Amongst the members who were delegated for this work are found the leaders of both the radical and conservative factions of the ruling party: Marten, Strode, and Hollis beside Pym, Stapleton, and Hampden. This cooperation in service indicates that the two factions were gradually merging, and a study of the heads prepared by this joint committee leaves one in no doubt as to which policy was being adopted by the whole. The Lords were informed that since the House being the representative body of the whole kingdom, and their Lordships being but as particular persons and coming to Parliament in a particular capacity that if it did not please them to consent to acts that the Commons were perfectly capable to pass the same without their consent. The time for moderation was passed: the path lay straight before the Parliamentary party, and if they could not free it from obstacles by the old established methods they were using, they were ^{now} ready, one and all, to use unprecedented and, if necessary, ultra-radical measures. This, then, was the logical outcome of the many-rumoured plots against Parliament and the actions of an unwise king in alienating their trust and hope. Meanwhile during the early weeks of December while the House was occupied with the Impressment Bill and the Militia Bill, and the daily debates were widening the chasm between the Royalist-Episcopalian and the Parliamentary-Puritan, Hampden was kept busy with Scotch affairs. On December third, he with Sir William Armin and Sir Philip Stapleton had been appointed by the house as commissioners to treat with the Scotch committee concerning the business of Scotch assistance for Ireland. This reappointment of the old committee which had resided in Scotland during the

1- C.J. II. p. 330.

2- Hampden served as manager twice in the matter of the Impressment Bill. These both occurred on December fourteenth when the house was conferring with the Lords. The question at issue was the breach of parliamentary privilege made by the King in considering a bill which had not been formally presented to him by Parliament.

C.J. 11. pp. 342-343.

3- C.J. 11. p. 331.

King's sojourn was in itself an acknowledgment of the satisfaction felt by the House in their former activities. On December eighth,¹ Hampden aided in managing a conference with the Lords in which it was agreed that his Committee was to be instructed to expedite the raising and sending over of 5,000 men from Scotland into Ireland.² On December thirteenth and seventeenth the Commons sought in a conference to persuade the Lords to agree to raising this number of Scots to 10,000. Hampden managed both these conferences. On the twenty-second Hampden managed another on the same subject, but this time with successful results.

1- The Lords had reappointed the Earl of Bedford and Lord Howard of Eserig.

2- C. J. II.p.336.

EVENTS LEADING UP TO JANUARY THIRD

In the meantime events were rushing on to a crisis in which the King was to commit the blunder that made civil war inevitable. Charles had replaced the Parliamentary guard by one of his own, he put forth a proclamation on religion¹ against the wishes of the Puritans, he had interfered in the discussion of the Impressment Bill,² and finally on the twenty-second of December he aroused the anger and fear of the Commons by replacing their Governor³ of the Tower by one of his own choosing. The Tower commanded the city and was therefore the key to the military situation. The former Governor, William Balfour was trusted because he had proven himself faithful to Parliament when Strafford's escape had been attempted. Colonel Thomas Lunsford, the King's appointee,⁴ was on the other hand, a man given to drinking and quarreling, and capable of any villany. For days it had been the common talk⁵ that the King was contemplating the execution of some of the Parliamentary leaders, and with this in mind, it is not surprising that the Commons thought they saw in the appointment of Lunsford the first link in the chain that was to hang their leaders. And, certain it is, that although Charles was persuaded⁶ to remove Lunsford in a few days, the feeling of pending danger which his action

1- Rush. IV. p. 456.

2- C. J. II. p. 342.

3- The King's warrant for his appointment is among the State Papers. Cal. St. Dom. 1641-3 p. 210.

4- Forster "Arrest of the Five Members" p. 34 using D'Ewes, Harl. 162 f. 272 b.

5- "On ne parloit il y a quatre jours que de faire couper la tête à plusieurs de Parlement."

16
L4 Ferté's despatch, Dec. 26, Archives des Affaires Etrangères XLVIII f 440. quoted in Gardiner Vol. X, Page 100.

6- Lunsford was not replaced by Sir John Byron until after the Commons had been furthered insulted by the King's dismissal of the Earl of Newport whom the Commons had commanded to take the Tower in his capacity as Constable, and until after blood was shed in the tumults of those who cried out against the debauched Governor. Bere to Penington C. St. P. Dom. 1641-3 p. 216.

had aroused, was a permanent factor in the events of the next week. Nor was the fear confined to Parliament only: the trained bands of Middlesex were set to watch everywhere, the courtiers all wore swords and a corps de garde was built within the very rails of Whitehall "all which fills every one with fears and apprehensions of greater evils." The Commons feared the remnants of the late disbanded army which now kept close attendance on the King: the Lords objected to the mobs which surrounded Westminster keeping Bishops and Cavaliers from attending the Upper House. The streets teemed with restless, discontented citizens; Whitehall clanked with swords of the hundreds of gentlemen who came to offer their services to the King; maddened crowds even attacked the Abbey of Westminster, tearing down the organs and alters; in all it was hardly "a very Merry Christmas, but the maddest one that ever I saw." Inside the walls of the Parliament House confusion prevailed as well. The Lords refused to join the Commons in asking for a guard but on the thirtieth, after the Bishop's protest against the legality of all that had occurred in Parliament since their absence, they willingly accepted the Impeachment of the twelve bishops and sent them to the Tower. The House returned to its place after this successful conference with great rejoicing, but as soon as they were seated Pym moved that the doors of the House be closed and none be allowed to go out. This had a serious aspect, and the House listened expectantly while Pym told them there was a rumor afloat that some design was on foot against Parliament and that it would be wise to ask the city to furnish them the protection of the trained bands at once.

1- C. St.P. Dom. 1641-3 p.216,

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It was during these tumultuous days that the two terms Cavalier and Roundhead, which came to be the names of the two great political parties, were coined.

3-Capt. Robt. Slingsley to Pennington,
C. St.P. Dom. 1641-3 p.217.

4- Gard.(X 123) and Forster, Five Members (p.107) both using D'Ewes,
Harl.162.f.295,

Pym did not reveal the source of his information, but his speech carried the impression that he knew far more than he cared to reveal. Another conference with the Lords was ordered in a hope that might be persuaded to consent to request a guard on the basis of Pym's implied knowledge. Pym himself, Hampden, Fiennes, and others were managers, but the result was discouraging enough. They were willing now to consent to a petition for a guard but they would not specify who its commander was to be, thus leaving the choice in the King's control. The Commons decided to act without the cooperation of the Lords: on the last day of the year they sent an independent request to his Majesty for a City guard under the command of the Earl of Essex. The King to gain time asked for the request in writing. The House consented, then, not desiring to do any further business until the matter was settled, adjourned till January third after ordering the committee of the whole to meet in Guildhall in the interim with powers to receive the King's answer.

1- C. J. II.p.363.

2- Gard.(X.p.126) refers to the House of Lords Minute Book for his authority⁰⁷ this statement. Qui salt?

3- C. J. II.p.365.

THE ARREST OF THE FIVE MEMBERS

On Monday, January third the Commons received the answer of the King to the demand of the House for a guard: it was a virtual denial with the promise that "if this general assurance shall not suffice to remove your apprehensions we will command such a guard to wait upon you as we will be responsible to Him who hath charged us with the safety and protection of our subjects." This was exactly what the Commons did not want: an armed force responsible to the King watching over them. They immediately ordered that the City should "be put in readiness for the safety of the King's person, the city, and the commonwealth, and that, in the meantime, there may be strong guards set at all places convenient about the city." Surely the tenor of this order is such as to lead us to suppose that rumors had already reached the Commons of what was happening in the Upper House. Immediately after prayers, The Attorney-General, Sir Edward Herbert had appeared at the Bar of the Lords with the Articles of Impeachment against Lord Kimbolten, and five members of the House: viz. Hampden, Pym, Holles, Haslerigg, and Stride. Herbert was commanded to read the Articles and did so. In general the charge was the "endeavor to subvert the fundamental laws and Government of England", the very charge which these accused men had brought against Strafford and the one on which they had succeeded in convicting him. The particular charges were the authorship of the Grand Remonstrance, tampering with the army, inviting the Scots to enter England, fostering tumults, and finally levying war against the King. The question of the guilt of Hampden and his associates is a difficult one: they were surely originators of the Grand Remonstrance, but was this high treason?; they had certainly tampered with the army in disclosing the va-

1-Rush. pp. 471-2.

2- C .J. II. p. 366.

3- This was sometimes in the afternoon, for the Parliament had adjourned on Friday not to meet until 1 P.M. on Monday.

4-The exact Articles are given in (L.J. IV. p. 501).

rious plots in its midst against Parliament; their connections with the Scottish
 army has already been justified; they could scarcely be proved not even today
 with all the supply of information then obtainable by the King, to have fostered
 the tumults, although they would not exert themselves to quell them; as for the
 last if they could be said to have levied war on the King by means of voting
 their armed guard, the King was guilty of a similar fault. Their real guilt lay in
 the first general accusation of subverting the fundamental laws of England, that
 is, the old established governmental system. In this they were as guilty of treason
 as Strafford had been. "If he had done his best to reduce parliaments to a cipher,
 they had done their best to reduce royal authority to a cipher." But the Lords
 did not take time to consider the question of guilt; they were in no mood to con-
 sider such an accusation; even Clarendon admitted that they were somewhat appalled.
 Before Herbert departed he had asked for the arrest of the accused and the appoint-
 ment of a committee to examine into their accusation, but the Lords, instead, appoint-
 ed a committee to consider whether the Attorney's actions had been according to
 law.

Meanwhile, Pym was amazing the House by informing them that his trunks,
 study, and chamber, as well as those of Denzil Holles had been sealed up by some one
 sent from his Majesty. The House instantly voted this a breach of privilege and
 resolved to confer with the Lords. Before an answer could be returned, Mr. Francis,

1- cf. Supra.p.....(24.)

2- See Thesis on The Mob already cited above.

3- Gard. X. p.129.

4- Clar. IV.p.150.

5- Sanford, 459 using D'Ewes, Harl.162 ff 300-1.

Forster, Five Members, 120 quoting D'Ewes includes Hampden's name in with
 Pym and Holles as having had their chambers sealed.

In case of difference between Sanford and Forster it is always safe to rely on
 the former, as Forster is very prone to mistakes in details.

6- C. J. II. p.366.

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Sergeant at arms, appeared at the Bar with the message of arrest from the King. After the Sergeant departed the House proceeded without a word of debate to appoint a committee to acquaint the King that the demand concerned their privilege, that the House would send an answer after they had taken it into consideration and, in the meantime, that they should take care that the accused should be ready to answer and legal charge laid against them. In accordance with this, the speaker commanded¹ the five members particularly one by one, to give their attendance on the House....till...further orders¹ The content of the charge was not even brought up for discussion, but it was ordered that the message of the King would be considered at a Grand Committee on the following morning. Meanwhile, the conference was held with the Lords in which the Upper House, aroused by Charles manner of ignoring them in the arrest of impeached persons, expressed itself as willing to petition for the desired guard. Thus by Charles' own injudicious and hasty action had he alienated the Peers who until this time had been still in the majority for him. The afternoon was waning, adjournment was in order, but as one last protest the Commons voted that Sir William Fleming and others, delinquents who had sealed the studies, should be kept in the Sergeants custody. Thus they departed for the night awaiting the next day's proceedings with some little anxiety. But at Whitehall other things that were waiting were happening. Falkland with the other three members of the House delivered their message to the King, who asked them whether the House expected an answer. They replied that they had no commission to say, but upon being urged to give their opinion as private persons¹ they admitted they thought a reply was expected. The King then said he would send an answer early on the following morning. If this was Charles' real intention on the eve of January fourth, something must have occurred to change it. Exactly how this change of plan was brought about, and by whom we shall probably never be informed, but that it occurred in the night of January

1- C. J. II. p. 367.

2- Lord Falkland's report in the House on January fourth, C. J. II. p. 367.

third, and that the Queen, at least, had a share in the work: of this we may feel assured. Which, if any, of the Privy Counsellors help^d make the ill-fated decision that force was the only way, is unknown. Culpepper, Falkland, Doering were all in a few days to argue in justification of the King's action, and it is very possible their arguments were based on the evening consultation at Whitehall. Although it is highly probable that Charles consulted with some of these trusty advisers, yet no direct proof can be furnished except in the case of one, Sir Edward Nicholas, Secretary of State. There remains in the State Paper office to this day a rough draft of a warrant corrected by Nicholas to the Lord Mayor of London commanding him to be ready to put down any tumults in the city on the following day. This message was dispatched from Whitehall so late at night that it found Gurney, Lord Mayor in bed. He, having been won over previously by the Queen, although the warrant provided for the extreme measure of firing on the unarmed mob to restore quiet, willingly consented to put the order into execution on the following morning. Another significant message was sent from Whitehall that night. It, like the one sent Gurney, was a clear foreboding of the coming events: Sir Wm. Fleming and Killigrew were sent around to the Inns of Courts, with a copy of the charges against the members and verbal instructions for the lawyer supporters of the King to keep within doors on the following day and to be "ready at a moment's warning."

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- 1- Whiteleock (I.p.154) says, some say "it was the woman's counsel and irritation of the King (telling him if he were King of England he would not suffer himself to be baffled about these persons) provoked him to go to the House himself, and fetch them out". Madame de Motteville, Lady in waiting to the Queen, in her Memoirs (I.p.213 ff) infers that the Queen was cognizant of the attempt on Parliament. She even infers that the plan of a "bold stroke -- to make himself master of three or four persons who were the heads of all the factions" had been in the King's mind since his return from Scotland. We must remember that Madame de Motteville's Memoirs was written at a much later day than the actual deeds it portrays and that, plus her fondness of a good story, makes it untrustworthy.
 - 2- Warrant of the King to the Lord Mayor (St. P. Dem. 1641-3 p. 235).
 - 3- Letters from John Latche, the messenger sent to Gurney, to Sir Edward Nicholas. (St. P. Dem. 1641-3 p. 237).
 - 4- De Motteville I. p. 212.
 - 5- Gardiner (X p. 134) using D'Eves, Harl. 162 f. 305 b. Sanford (460) quoting D'Eves says various gentlemen of all four Inns of Court testified early on January fourth that these two men had visited their Court with the above message on the night before.

It will be remembered that many of these were the men who with swords clanking had been surrounding Whitehall in the past few exciting days. With these preparations for the morrow, Charles retired to sleep peacefully, confident as ever that his half-hearted measures would bring him success, little guessing that there were traitors in his own household.

When the House met on the following morning it was first of all informed of the King's messages to the Inns of Court. Killigrew was immediately sent for and a message was forthwith despatched to the lawyers warning them from participating in any practices against Parliament. It was then generally declared that there was "a great confluence of armed men about Whitehall, and that between thirty and forty cannons went yesternight into the Tower, at ten of the clock." Upon this information, the House, now keenly acute to some impending danger, sent three city members to inform the Council what danger the Parliament, the Kingdom, and the city is in.³ A conference was moved with the Lords desiring them to join in some way for the safety of the Kingdom and Parliament and the removing of the danger. But before this could be accomplished noon came and the House adjourned.⁴ Meanwhile what was Charles doing? Had he given up his apparent design? No message had come from him, and no violent blow had been struck. In the answer to these questions lies the keynote to Charles' failures as a King. Without these two habits: precastination and vacillation he might either have won the trust of Parliament and played the part of monarch or have struck boldly and ruled as a despot.

1- C.J. 11. p. 367.

2- Sanford using D'Eves.

3- C.J. 11. p. 368.

4- The supposed speeches of Pym and Hampden protesting their innocency are forgeries, although Forster, Wood, Nugent, and others accept them at face value. A copy of Hampden's supposed speech is in the British Museum Collection of Speeches Vol. 1641. No. 54. It is also printed in small quarto by J.W. at London. On January twenty-fourth Sir Edward Dering wrote to his wife, "you write of a speech of Mr. Hampden's, but no word of it was said here". (Proceedings in Kent, XLIII.) This item plus Gardiner's note (X, 135), on the impossibility of

The account of what was happening at Whitehall has for its basis two not uncontested sources.¹ The general facts however, although the details may be in error are without a doubt correct. The King consulted the Queen on the morning of the fourth probably with the intention of giving up his design of the night before, and this would be quite in keeping with his character. Henriette Maria, however, was made of sterner stuff, and violently cried out "Allez, peitron, Go pull these rogues out by the ears, ou ne me revoyez jamais," The King left the room without replying, stung by the rebuke to unusual determination in action. But delay again ensued, caused this time, explains Madame de Mattevillle, by his stopping to hear some few poor creatures supplicating him by petitions. Whatever the cause, his delay was made the very source of his failure and this, by the Queen herself who had driven him on. Henrietta Maria after Charles' departure waited anxiously about an hour then thinking that ^{the} business must be done said to Lady Carlisle, one of her favorites, "Rejoice and be glad, for by this time I hope the King is Master in his own Dominions, and such and such persons are undoubtedly arrested". Little did Henrietta think that by those words she had undone all that her passion had accomplished earlier in the day.

Sometime during the noon hour, we are told the Five Members learned of the King's design. Accounts differ as to who was the person that carried this startling news to them. D'Eves accredits it to Essex, Lord Chamberlain;² Clarendon lays the blame on William Murray of the bed chamber;³ William Lilly would have us believe that it was one of his company of friends who were dining at Whitehall that day in the very room where the halberts newly brought from the Towers lodged;⁴

the speeches based on the internal criticism, are quite enough to prove that this speech of Hampden's was only one of the many fictitious ones published at this time to feed the curiosity of the man about town.

1- The first is a manuscript note published by Echard (II 520) which had been left by Sir William Coke to Mr. Anchetil Grey. The other is the Memoirs of Madame de Motteville already discussed. cf. Supra p....n.

2- cf. p 75.

but the person who is most¹ generally blamed, or praised in accordance with one's prejudices, is Lady Carlisle. Even Sir Arthur Haslerigg, one of the accused members² attributed to her in later years the kindness of giving the timely notice.² It is, therefore, most probable that whatever warning the five men did receive during the luncheon hour on January fourth came from the confidant of the Queen.³ Whether the source seemed unreliable to them, or whether they would not be frightened, we do not know, but at any rate they appeared in the House when it met again at 1 o'clock⁴ etc- For a time matters went on in their customary way without the slightest ripple. Replies were given by the men sent to the Inns^{of} Court. A message was received from the Lords saying that the King had sent them word that "by reason of some weighty matter" he could not give them a present answer concerning the guard, but that he should be ready to do so tomorrow. The "reason of the weighty matter" would have been quite evident could the Commons have seen what was occurring at Whitehall. About three o'clock the King with the Elector Palatine hurried down the stairs, calling out, "Let my faithful subjects and soldiers follow me." Throwing himself in

2- Forster, Five Members p.175 using D'Ewes. Harl. 162 f.306 b.

3- Clar. IV. p.154.

4- William Lylly, "Several Observations on the Life and Death of King Charles I. Maserd's Tracts I. p.171.

1- Warwicks Memoirs p.204; Madame de Motteville I. p.214.
Rush. IV. p.477

B- Hasleriggs Speech on Feb. 7, 1658 Burton's Diary III. p.93.

3- Who was a sister of the Earl of Northumberland lately returned Parliamentarian.

4- The clerk made an entry of their presence in the Journal book as had been ordered by the House. C. J. II. p.368.

to a coach which happened to be near the door, he drove off, followed by some three
¹
 or four hundred men. Probably about one hundred of the number were his own ser-
 vants whereas the rest were desperadoes, broken down captains, and lawyers from the
²
 Inns of Court. Such a cavalcade could scarcely pass from Whitehall to Westminster
 without having swift winged rumour reach the goal before hand; and such was the
 case. "About three of the clock we had notice that his Majesty was coming..with a
 great company of armed men," says D'Eves, who continues to relate that notice was
 given by one Mr. Langress, a Frenchman who after the King had taken his coach and
 was coming toward us, he got through the multitude, of these soldiers and ruffians
 and coming to the House, acquainted Mr. Fiennes with the King's resolution; whereup-
 on Mr. Helles, Sir Arthur Haslerigg, Hampden, Mr. Pym, who had notice also formerly
 given them that there was such a design, did presently withdraw. But Mr. William
 Strode, the last of the five being a young man, and unmarried, could not be persuad-
 ed by his friends for a pretty while to go out; but said that, knowing himself to be
 innocent he would stay in the House, though he sealed his innocency with his blood
 at the door; so as not being at last overcome by the impertunate advices and en-
 treaties of friends, when the van or forefront of these ruffians marched into
 Westminster Hall, nay when no persuasions could prevail with the said Mr Strode.
 Sir Walter Earle his entire friend was fain to take him by the cloak and pull him
 out of the House. 'Tis very true indeed, that the Langress, Mandeville and these gen-
 tlemen had notice not only yesternight of this intended design but were likewise
 sent to this day by the Earl of Essex, that the King intended to come to House of
³
 Commons to seize upon them there, and that they should absent themselves."

- 1- Giustinian's despatch Jan. 7 Ven. Transcripts. R. O. Accounts of the numbers who
 followed the King vary. 17 Rush. (III. 447), Ludlow (I 24), Hutchinson (16), D'Eves
 (Harl. 162 f. 306a) all estimate the number to be about 400. Verney (138) makes it
 as low as two or three hundred, and Clarendon (IV. 152). obviously coloring the in-
 cident to suit his prejudice "says, The King's guard and some few gentlemen."
 2- Dillingham to Lord Montague. Hist. MSS Com. V. 55 p. 140. Many of these men had partic-
 ipated in the Westminster Tumults in the last days of December, as shown by one
 Pemberton's confession before the committee in Guildhall that he was one of
 those who had been with the King on the 4th and that previously he had been
 commanded forty men at the Abbey of Westminster on Dec. 25th.
 3- Sanford 464 quoting D'Eves.

Thus in D'Ewes graphic style he pictures the scene; Haslerigg in his speech of later years completes the picture "Away we went," says he, "The King immediately came in, and was in the House before we got to the water¹." Thus narrowly did Hampden and his friends escape the violence of four hundred men, armed with swords and pistols, and crowding the lobby forcibly keeping the door of the House open. Meanwhile as the members were being borne down the river to a House in Red Lyon Court in Watlingstreet,² the King had crossed the threshold of the House and by that breach of privilege alienated himself forever from the Commons. As he walked across to the bar he looked out over the uncovered heads of the ominously silent House searching for the accused members. Then standing in front of the Speaker's chair he delivered a speech only the first of which is given in the journal but lies in its entirety in the British Museum in a tract printed in the following April, thus:³

"Gentlemen, I am sorry for this occasion of coming into you: yesterday I sent a sergeant at armes upon a very important occasion, to apprehend some that by my commands were accused of High Treason, whereunto I did expect obedience and not a message. And I must declare unto you here, that albeit no King, that ever was in England shall be more careful of your privileges to maintain them to the uttermost of his power than I shall be, yet you must know that in cases of treason no person hath a privilege, and therefore I am come to know if any of those persons that were accused are here, for I must tell you, gentlemen, that so long as these persons, that I have accused for no slight crime but for treason are here, I cannot expect that this House can be in the right way that I do heartily wish it: Therefore I am come to tell you that I must have them wheresoever I find them."

1- Burton's Diary III. p. 93.

2- Baxter, p. 28.

3- Printed in Rush. IV. pp. 477-8.

Then casting his eyes around the room, he called out for Mr. Pym, and Mr. Holles by name. Only silence greeted him. Then he asked Mr. Speaker where they were. Lenthall fell on his knees and said, "May it please your Majesty, I have neither eyes to see, nor tongue to speak in this place but as this House is pleased to direct me, whose servant I am here; and I humbly beg your Majesty's pardon that I cannot give another answer then this to what your Majesty is pleased to demand of me." After a silence the King replied that, he thought his own eyes were as good as his, and then said, "I see the birds are all flown," but I do expect from you that you will send them unto me as soon as they return. . . . otherwise I must take my own course to find them." Before leaving he assured them that he was so sorry he had been forced to come and that on his word as King (how tremendously this assurance must have impressed the Commons) that he ["]did never intend to use force but to proceed against the accused members by the ordinary forms of justice.¹ These words were meant by the poor ill-guided King as conciliatory but to the Commons they were worse than a mockery. After Charles and the motly^o crowd had left the Parliament House, the Speaker asked if he should report the King's speech, but as Sir John Hotham dryly remarked, ["]they had all heard it and there needed no report to be made.["] Cries for adjournment were heard "and so, the speaker having adjourned, the House . . . we rose about half an hour after three of the clock in the afternoon, little imagining for the present. . . at least a greater part of us -- the extreme danger we had escaped through God's wonderful providence." D'Ewes goes on to say that the design was to have taken the five members by force. Of this there can be no doubt. Even that great royalist, Clarendon, does not deny it, and only bewails the failure through the revelation of the plan

1- This account of the King's action and words in the House is based on Verney p.138-9; Ludlow I.p.26, Rush.IV.473ff. and Gard.X.pp.139-41 and Gard. using D'Ewes.

to the members of the House. The King had violated the sacred privilege of the Lower House in crossing the threshold : this every member down to the most insignificant knew; and if as D'Ewes infers they did not all know that they had barely escaped armed assault it was not many hours before they became aware of it.

The King may have recognized that his step was an ill-fated one, and doubly so because of its failure to accomplish its desired ends. But true to his old habits he would not admit it. On the contrary he obstinately insisted in pushing the matter, which had been begun too late, had been bungled in the execution, and which should now have been dropped. Upon reaching Whitehall he sent for Rushworth, the clerk's assistant, whom he had seen taking notes during his speech. He forced Rushworth to transcribe the speech, and had it published broadcast on the following morning. On the same night he issued a proclamation recharging the members of treason, and ordering the ports to be closed. About nine o'clock on the following morning with only four peers he set out for the city to demand the bodies of the five members from the Common Council. The only reply he received at the end of his speech were cries of "Privilege, Privilege," with answering shouts and replies of "God Bless the King." Amid a volley of shouts and replies from the two parties, the King passed out of Guildhall and to Alderman Garet's home where he had invited himself to dine. The Lord Mayor waited upon the King during the meal and after Charles had gone, "the citizens wives fell upon the Lord Mayor and pulled his chain from his neck and called him traitor to the city....and have liked to have torn him and the Recorder in pieces." The King had the worst day

1- Rush. IV. p. 478

2- Proclamation given in toto. Hist. MSS. Com. 5th. Rep. p. 334.

3- Accounts of the day's excitement at Guildhall and in the city are given in Rush. IV, 479 and in various letters St. P. 1641-3 pp. 240-3.

in London that ever he had ; the people crying privilege of Parliament by the thousands and praying God to turn the heart of the King, shutting up all their shops and standing at their doors with swords and halber¹ts." The city of London with all its wealth and power thus declared itself against the King and in favor of Parliament. The House meeting at Westminster while Charles was still receiving the insults of the City, showed their trust of London by putting themselves into its protection. They voted a vindication of their privilege, and then adjourned till the eleventh, appointing a committee for investigation of the broken² privileges. The first step this committee took was to vote the impeachment itself illegal, but the real point on which they made their stand, and wisely was the outrage of the attempted arrest. This fitted in with all the past fears and rumors of armed intervention, which had, since the early days of November, scared Parliament; sometimes from the Catholics, again from the Irish, and even from the Scotch when in August the King went northward. The fears and forbodings of fourteen months had not been empty. The attempted arrest of the Five Members is the great turning point in the history of Charles' reign. From now on compromise was impossible and ultimate war, inevitable. Both the city and country were in a panic which would subside in a short while, it is true, but the lull could only be ephemeral. The volcano might sleep for weeks or months, possibly years, but the eruption was bound to come as the clear sighted on both sides well knew. Meanwhile, the vast majority of the people were choosing their sides in the rift which, although they knew it not, was to widen into civil war. The city continued to support the Parliament: On the seventh when the King ordered the Lord Mayor to proclaim the six members traitors, Gurney could not do as he would; the force of opinion was against him because of this and perhaps^{for} fear of the citizens^{, wives}, he wisely yielded and replied, that the proclamation was against the law. The city

1- Dillingham to Lord Montague. Hist MSS. Com. V. 85 p. 140.

2- C. J. II. pp. 368-9.

The city seriously abused the royal official sent to arrest the hiding members and upon a mere rumor that the King intended to secure them by force they one¹ and all took arms and closed the gates. They sent a petition in favor of the² members to the King, and rejoiced when the Committee at Guildhall demanded the trained bands, as a guard, under Philip Skippon. The tenth of January was a momentous day for both sides. In the Committee, the offer of seamen to join in the defense of the House was accepted; the five members were welcomed in Guildhall, and Hampden announced that his constituents of Buckinghamshire were on the way to London with a monster petition. While current opinion was thus surging to the support of the accused,³ Charles was setting out from the City, which although he knew it not, he was never to see again until as a doomed prisoner he awaited his end. On the following day while facing the desolation of Hampton Court where no reception for the royal personage had been prepared, the five members were being triumphantly transported from London to Westminster by water, a great number of citizens and seamen in barges with booming guns and waving flags accompanying.⁴ The city was in gala day attire and rejoicings filled the air. A little later in the day another spectacular event tossed the wave of enthusiasm for Parliament higher. Four thousand gentlemen and freeholders of the County of Buckinghamshire rode into London "every one with a printed copy of the Protestation lately taken in his hat."

1-Smith to Pennington. C. St.P. 1641-3 p.245.

2. Rush.IV. 480-2; Whitelocke I.p.156.

3- It had been whispered about that the five members had been secretly attending the Committee and fashioning its actions all the time. The current belief of this is shown in a verse of the political satire referred to above.(p.26). Where Hampden speaks of himself,-

"So many nights spent in the city
In that invisible committee,
The wheel that governs all
From thence the change in Church and State
And all the mischief bear the date
From Haberdasher's Hall."

6
Thomson Tracts 669f 122.

4-St. P. 1641-3 Bere to Pennington.p.252-3.

1

They appeared at Westminster and delivered a petition supporting their representative Hampden and demanding in the name of their country that he be allowed to enjoy his just privilege. Hampden as we have seen, had knowledge of this strange expedition before its arrival: he may even have been at the root of it.

Whitelocke infers as much,² and a verse in a political poem of the time corroborates it- "Did I for this my country bring

To keep their knight against their King

And raise the first sedition;

Though I the business did decline,

Yet I conceived the whole design,

And sent them their Petition."³

In view of Hampden's retiring nature, we can scarcely credit him with the accusation of his political rivals. He might easily have sent them the petition with the idea that it might help to win the minority in Parliament and perhaps, although highly doubtful, with the hopes of influencing Charles. But the great demonstration of the thousands of mounted petitioners was in all probability the scheme of some other mind, more prone to ostentatious show than was the reticent Hampden's. However that may be, the effect was the same: the five accused members were restored to their full power and their glory was trebled. Pym was now King Pym, in truth, and Hampden was his minister premier. Charles had virtually abdi-

1- Some doubt has been raised as to the possibility of so many men riding to London. (Notes and Queries. 2nd.S. XII.p.232) - By a use of the Journal of the Statistical Society (XX 328) it has been shown by Mr. Workard. (Notes and Queries 2nd.S.XII,272) that according to the number of voters in that county it would be possible for 4,000 to have participated in this remarkable march. Even Clarendon (II.p.381) admits there were several thousand attendant and adds that the members who delivered the petition in the House say it was brought to town by about 6,000 men.

2- Whitelocke I. p.156.

3- Thomason Tracts 669.f.122⁶ - Referred to above.

cated from the seat of Government; the helm of the Ship of State had now been taken by the two great restored members of the Lower House, and neither of them were made of that weaker sort of stuff which would allow them give up the ship even if the billows rose in roaring surges of a civil war. Neither Pym nor Hampden had, at the beginning of the struggle, desired the abolition of monarchy (even their most rabid opponents admit that) but the trend of events, hastened on by the mistake of an unwise King, had so fashioned their course that the fall of Kingship seemed inevitable if the subjects' liberty, which was there all in all, should be preserved. After the attempted arrest of the Five Members, the fight took on the aspect of a life and death struggle, for to live stripped of the great fundamental liberty of a free Parliament was worse than death to Hampden and his fellow worker, Pym. Necessity became their plea, and necessity, as of old, knew no law.

APPENDIX

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