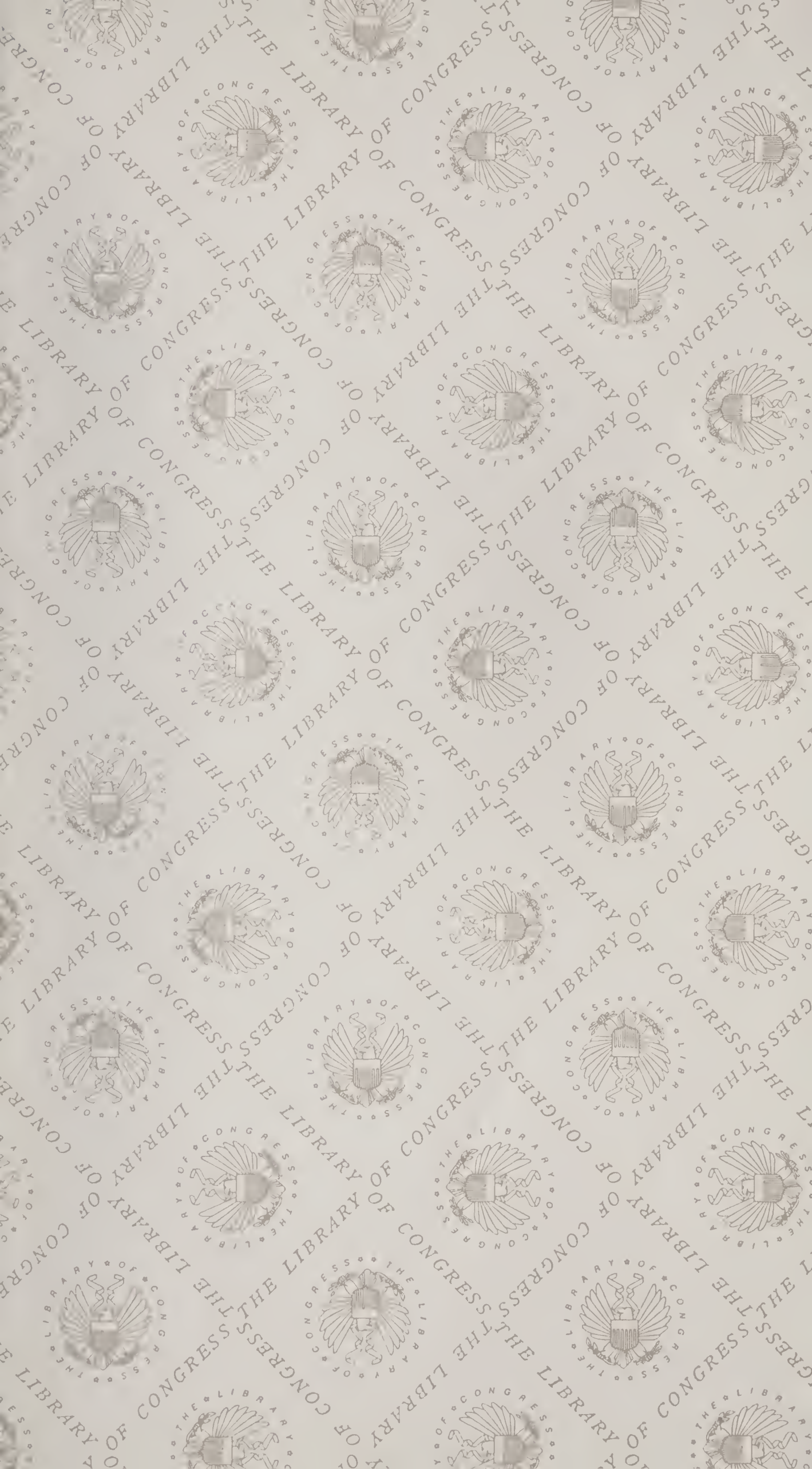


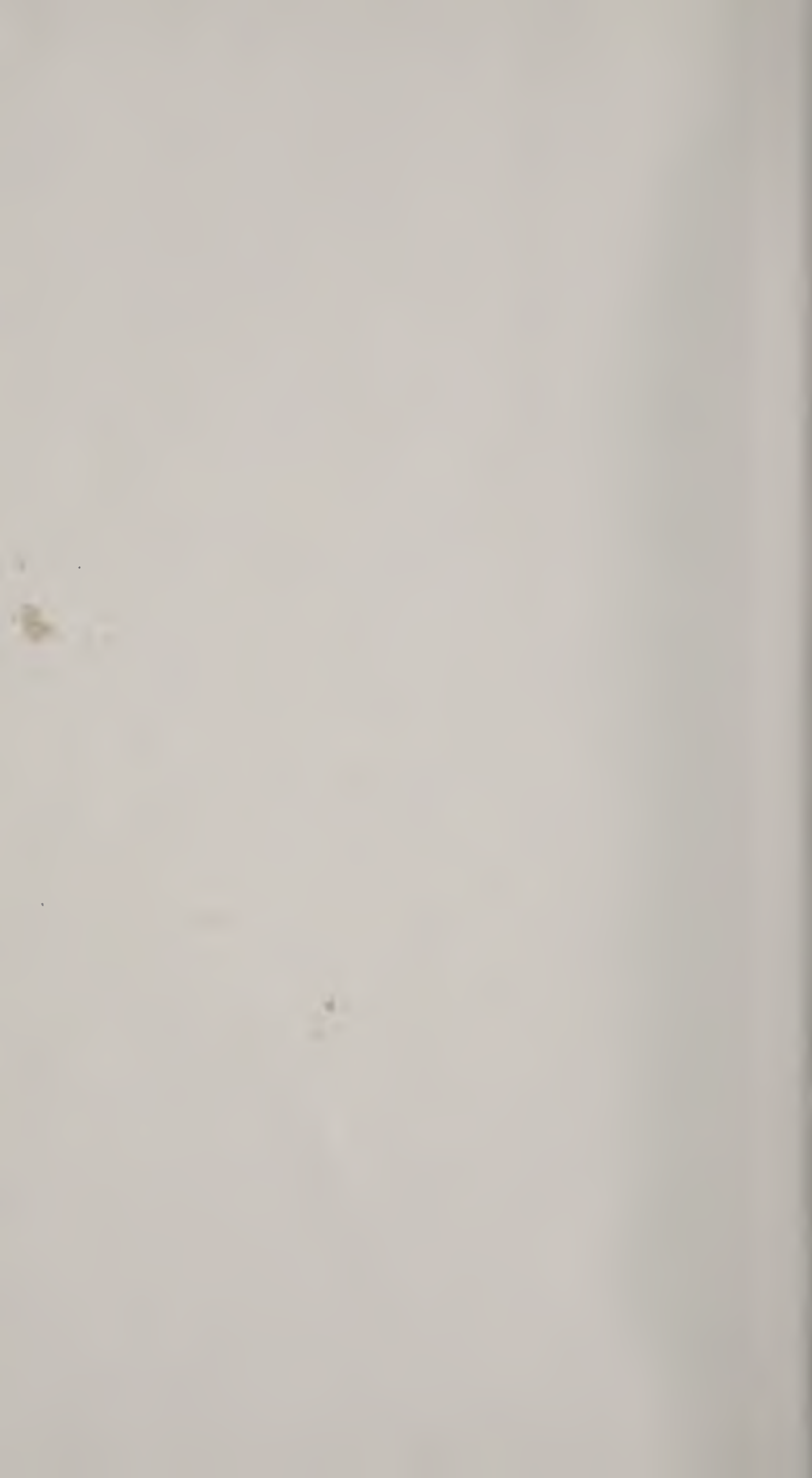
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1870
The first of the year was a very dry one
and the crops were much injured
by the drought. The wheat was
very poor and the corn was
also much injured. The
cattle and sheep were
also much injured by the
drought. The people were
very poor and many
died of starvation. The
government was very
kind and gave them
money to buy food.
The people were very
grateful to the government.
The drought was very
severe and the people
were very poor. The
government was very
kind and gave them
money to buy food.
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The people were very
grateful to the government.



HAMPDEN.

Published by W^m Mason, 21, Clerkenwell Green. July 22, 1819.

SKETCH
OF THE
Life & Character
OF
JOHN HAMPDEN,
A TRUE & FAITHFUL
Representative of the People in Parliament,
A STAUNCH AND ABLE
OPPOSER OF TYRANNY,
AND A
Reformer both in Theory and Practice,
WHO LOST HIS LIFE
WHILE
Fighting for the Liberty of his Country.

—◆—
“THE CAUSE FOR WHICH HAMPDEN FELL IN THE FIELD,
AND SYDNEY DIED ON THE SCAFFOLD.”
—◆—



London:

Printed & Published by WILLIAM MASON,
21, CLERKENWELL GREEN;

Sold by DAVISON, 10, Duke Street, Smithfield; HOWARD, 33, Gray's Inn Lane;
LIMBERD, Holywell Street, Strand; WROE, Manchester; and all Booksellers,

—◆—
1819.

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1871

TO

SIR C. WOLSELEY, BART.

A noble Imitator of **HAMPDEN,**

THIS SMALL WORK,

Illustrative of the Character and Worth

OF A

True Patriot,

Is humbly dedicated,

Without Permission,

By

THE EDITOR.

THE
REV. H. O. G. ...

...

...

...

...

Sketch
OF THE
LIFE AND CHARACTER
OF
HAMPDEN.

IT has hitherto been the fate of the human race to be obliged to maintain a perpetual struggle against the encroachments of their rulers. Sometimes, indeed, the contest has apparently been decided, and a complete victory obtained. But the calm has ever proved deceitful: new occasions of conquest have arisen; the old despotism has been revived, or those who successfully laboured for its destruction, have established another equally inimical to happiness, and equally fatal to liberty.

With such events, the page both of ancient and modern history is pregnant. Revolution succeeds revolution, but the reign of despotism continues; tyrant after tyrant is hurled to destruction, but tyranny remains triumphant; one order of men overcomes another, only to exercise its authority. Indeed it appears that the possession of a great degree of power naturally tends to corrupt the mind; and this is remarkably proved, by the conduct of those men who opposed the unconstitutional measures of Charles I. What improvements may in future be made in the science of legislation, it is impossible to anticipate; but the experience of every age and every nation justifies this position,

that there has hitherto existed no government which might safely be entrusted with unqualified confidence. This being the case, those men who have stood forward in the list of patriots, to awaken a nation from the supineness of slavery, have a claim to the esteem of their contemporaries, and to the gratitude of posterity : and few men have enjoyed a greater share of both, than John Hampden. His influence was great during his life, and his memory has ever been dear to his country. His character has been a theme for the orator, the poet, and the historian.

It is the intention of this short history to collect the accounts of his life and actions, which are scattered in different voluminous works, and to sketch a portrait of his character, without intermingling the false colours of partiality, or darkening it with the shades of prejudice. But, as the life of Hampden was chiefly spent in a public situation, it will be necessary to notice some of the principal events of the time in which he lived, without entering, however, into all the details, which a regular history of that period would require.

No part of the English history affords more interesting and instructive lessons, to every order of men in society, than the period alluded to. Governors may learn from it, that tyranny necessarily ensures its own destruction : that the throne, which is not founded on the affections of the people, is insecure, though it be bound about with prerogative, guarded by the sword, propped by the mitre, and enwrapped in the mysterious veil of divine right. Subjects, on the other hand, may see the fatal consequences of breaking down all the pillars of authority, and loosing the bands of society ; which generally serve only to enable some factious

demagogue, or military leader, to mount, by the assistance of a deluded people, to the seat of tyranny.

Though the family estate of John Hampden was at Great Hampden, in Buckinghamshire, yet he was born in London, in 1594. His family was both ancient and respectable, His father (whose name was also John) married a daughter of Sir Henry Cromwell, grandfather to Oliver Cromwell. History affords no information respecting his youthful employment; except that at the age of fifteen, he was admitted a gentleman commoner of Magdalen College, Oxford, where he continued about three years, but without taking any degree. From Oxford he removed to one of the inns of court in London, where he made considerable progress in the study of common law; but having the misfortune to lose his parents, and to become master of an ample fortune, before his principles were fixed, or his judgment matured, he plunged with eagerness into all the dissipations and follies of the age. He soon, however, retired from his early connections, to a society consisting of men of solid understandings and austerity of manners; but his natural cheerfulness and vivacity did not forsake him.

He made his first appearance in public life, in the second parliament of Charles I. and immediately commenced that career of opposition to the arbitrary measures of the court, which he continued till his death. The testimony which is given by Lord Clarendon of his abilities, and of the influence he possessed in parliament, justifies the tracing the history of his life, in the principal measures which were adopted by those patriotic assemblies, of which he was a leading member. But previous to entering upon this part of the history, it will be

necessary to take a general view of the system of government which was established, and of the characters of the principal persons in power and office, at the accession of Charles to the throne.

During the reigns of Henry VIII., Mary, Elizabeth; and James, the most fatal inroads had been made on the liberties of the people. The parliaments, servile and abject, dared not even whisper the miseries of their constituents; and if an individual member, bolder than the rest, ventured to mention the public grievances, a long and arbitrary imprisonment taught him a lesson of prudence and submission. But the authority both of the parliament, and of the courts of Westminster, was lost in that of three courts, which were admirably adapted to all the purposes of oppression. Of these, the first was the *Council Table*. This court had usurped the office of legislation; for although it made few laws, yet it issued innumerable proclamations, to which obedience was enforced by the severest penalties. This was the darling court of all the advocates of arbitrary power; its orders superseded the established laws of the kingdom, and ruled the decrees of chancery; and it acted with that promptitude and submission which were not always found in a House of Commons.

The next instrument of tyranny was the *Court of High Commission*, which was established soon after the government of the church had been transferred from the popes to the kings of England. Its establishment was unjust and impolitic, subversive of liberty, and the rights of conscience, and since the time of its institution, which was in the reign of Elizabeth, it had been carried beyond the intentions even of its founders. 'It was intended to be, and really was,' says Lord Clarendon, 'an excellent

means to preserve the peace and dignity of the church.' That is, to enforce uniformity of opinion, to suppress all publications which tore off the mask of priestcraft, and to endeavour to spread that blind submission to authority, and that profound ignorance, which had been so happily effected by its great model the *inquisition*. This court was equally despotic, in the affairs of which it took cognizance, the means of obtaining conviction, and in the punishments it inflicted. Every thing that was supposed to be connected with religion or morality, came under its jurisdiction. The layman and the clergyman, the papist and the puritan, were alike obnoxious to its vengeance. Not only did it act upon the informations of those miscreants denominated Spies and Informers, but rumours, suspicions, or personal resentments, were sufficient to procure an arrest. To avoid the trouble of procuring evidence, the prisoner was obliged by oath to turn his own accuser, and to answer all the ensnaring questions that the malice or ingenuity of priests could put to him. And whether he was convicted of the imaginary crimes imputed to him, or refused to take an oath destructive of the fundamental principles of law and justice; in either case, he was subjected to the punishments of deprivation, fine, confiscation, or imprisonment, inflicted according to what was called the discretion of the court.

The *Star Chamber* is so notorious, in the annals of despotism, that it will be only necessary to observe concerning it, that it consisted of the same persons who constituted the *Council Table*, who, in one capacity, issued arbitrary decrees, and in the other, punished, with the utmost severity, those who disobeyed them.

Bad as was this system of government, it might have been borne, had it been administered with lenity or steadiness; but, on the contrary, the king and his ministers were not only influenced by the most arbitrary principles, but alternately swayed by ambition, caprice, anger, and fear. Educated by a father who carried his notions of kingly prerogative to the highest extent, Charles early imbibed those fatal maxims which not only rendered ineffectual the excellencies of his private character, but embittered the whole of his reign, and brought him to a violent death. But if he was unfortunate in his education he was not less so in his ministers and favorites. The ambitious and haughty Buckingham continually prompted him to arbitrary measures; nor were the private suggestions of the queen less fatal to his peace and reputation. The superstitious and despotic Laud ruled the church with a rod of iron, and had, or pretended to have, the concurrence of his sovereign in all his measures. Thus was the king continually plunged into difficulties and disgrace, at one time, by attempting to bend the minds of the puritans to uniformity; at another, by forcing episcopacy and a liturgy upon the Scotch. The judges were ever ready to strengthen the power of the court, by sanctioning, with legal opinions, the most illegal acts.

Such was the government, and such were the characters, who administered it; a government, in which the arbitrary measures of whole ages of tyranny were condensed into a system of oppression. But the system and its abettors were soon to be overthrown. The murmur of indignation was heard throughout the land; a system of toleration, a government by law, were loudly demanded; and happy had it been for all parties, if these demands

had been early complied with. But the groan of misery reached not the recesses of the palace. The first rolling of the thunder was disregarded. The approach of the tempest was viewed with a sullen indifference, till at length it broke out with a fury, which involved, in one common destruction, the altar and the throne.

However repugnant the controul of parliaments might be to the arbitrary principles of Charles, many reasons induced him to call one soon after his accession to the throne: the treasury was exhausted, the nation involved in a considerable debt, and though the crown had several sources of revenue, there were none so certain as raising it by means of a parliament; besides, Charles confided in his popularity, being engaged in a war undertaken at the request of the last parliament, and if the commons should prove refractory, and exceed the bounds of duty, he believed himself possessed of an effectual remedy in his power of prorogation and dissolution; he therefore summoned one, and trusting to the good will of the people, used no influence over the choice of its members. In his speech, (June 1625) he stated himself to be engaged in an expensive war, without the means of carrying it on. The commons, after much altercation, voted two subsidies, amounting to about £112,000. which was esteemed to be a sum very inadequate to the necessities of the crown. Various have been the conjectures of historians to account for this parsimonious conduct, but those who have attended to the account of the government in the preceding pages, will be at no loss for the true motives. It is obvious that the commons had already formed a design to circumscribe the exorbitant power of the king, and they well knew that they could only effect this by keeping him dependant upon them.

London being now exposed to the dreadful devastations of the plague, Charles, for the safety of its members, removed the parliament to Oxford: he followed them, and, in a more urgent manner than before, represented his necessities, and demanded supplies; but finding in the commons no symptoms of compliance, he dissolved the parliament (August 1625) in disgust; assigning however, as the motive, his fear of the plague, the evil consequences of which might have been as well avoided by a prorogation. So short a session had only allowed the commons time to manifest their purposes, without being able to effect any of them; and as they certainly discovered a strong opposition to the measures of government, this discovery, had the king been capable of receiving instruction, might, by shewing the temper of the people, have shown him the path of safety and happiness.

Charles, or his minister Buckingham, had formed two plans for raising that supply which could not be obtained from parliament: one was to extort money from individuals by means of a loan; the other, to take some of the rich Spanish fleets. Money enough was procured by the loan to equip a fleet, which was dispatched against the Spaniards, but, from the mismanagement of those in command, the expedition totally failed. Thus baffled in all his projects, disappointed in all his expectations, unable to fill his coffers by the plunder of his enemies, or of his own subjects, the king was obliged to have recourse to another parliament.

If it be true, that he suffered his first parliament to be chosen without any exertion of court influence, he now at least saw sufficient reason to change his mode of conduct. He caused some of the popular leaders to be named for sheriffs, in order to inea-

pacitate them for being elected ; but he found by the insufficiency of the measure, that an arbitrary administration will always meet with opposition, and that the indignation of a whole people is not to be repressed by depriving them of a few leaders.

About this time Mr. Hampden married a daughter of Thomas Foley, Esq. (great grandfather of the first Lord Foley) and was elected to this parliament as representative for Buckinghamshire : he had no sooner taken his seat than he entered vigorously into all the measures of the patriots, and from his great talents became a very important acquisition ; but as he had not yet obtained such celebrity as to cause his name to be particularly distinguished, we shall follow the proceedings of parliament till we come to those events in his life which held him up to the admiration of his country and of all Europe.

The parliament being assembled (Feb. 1626) a supply of three subsidies and three fifteenths was voted by the commons, but with the mortifying restriction, that they would not pass it into a law till the end of the session ; and a committee was then appointed to inquire into grievances. Irritated as was the king at this conduct, he was obliged to wait with patience the result of their inquiry.

But the commons thought it in vain to lop off a few branches from the tree of oppression, whilst the prolific stem remained : they therefore determined to make a bold stroke at this, by impeaching the Duke of Buckingham, whom they regarded as the author of their private as well as public calamities. This step was not more unexpected than it was displeasing to the king, who, at all hazards, resolved to support his favourite, and accordingly sent lord keeper Finch to command them not to meddle with

his minister and servant: and by another message they were told, that if they would not furnish his majesty with supplies, he should be forced to take *other resolutions*. Undisturbed by the messages, and unawed by the threats of the crown, the commons were proceeding with the impeachment, and had presented a long catalogue of charges against Buckingham; when Sir Dudley Digges and Sir John Elliot, two principal managers of the impeachment, were by the king's authority committed to the tower. The commons, irritated at this measure, determined to stop all proceedings, till their members were discharged, and the king, in releasing them, was obliged to acknowledge his precipitance, or his weakness. The lords also, stimulated by the success of the commons, demanded and obtained the release of some of their members.

After a formal answer from the duke to the charges brought against him, the prosecution insensibly fell to the ground. Perhaps defective as was his character, and great as were the evils he had brought upon his country, there was no legal ground for such an accusation. But the commons took a stronger ground; they presented a firm and temperate remonstrance to the king, in which they describe the wickedness of Buckingham's administration, and his invasions of the rights of the people: and they conjure the king, in the name of all the commons of England, for the honour of God, and the love he bears to his people, to dismiss him from his counsels. In the most unequivocal manner, they avow their loyalty and their determination to exalt him above any of his ancestors; but they declare, "We protest to your majesty, and to the whole world, that until this great person be removed from intermeddling with the affairs of state, we

are out of hope of any good success ; and do fear that any money we shall or can give, will, through his misemployment, be turned rather to the hurt and prejudice of this your kingdom, than otherwise, as by lamentable experience we have found, in those large supplies we have formerly and lately given.”

Had Charles listened to this constitutional interposition,—had he dismissed a justly obnoxious minister, and manifested any kindness for the rising spirit of liberty,—had he unbosomed himself to his people, and given security for the frequent sittings of parliament, and for his governing according to law,—all the succeeding miseries might have been averted. The parliament would not have withheld supplies from a king, who did not wish to rule without them, and the existing abuses might have been gradually removed, and the accumulation of new ones prevented.

The commons now attempted a measure, which, had it succeeded, might have given efficacy to their petition for the removal of Buckingham. They began to prepare a remonstrance against the levying of tonnage and poundage, without the consent of parliament. But the king, who had sufficiently resented the attack upon his favourite, could not bear this new blow. He determined to dissolve a parliament, from which he received nothing but repeated insults, and he chose rather to forfeit the bill for the subsidies, than to purchase it at the expense of his minister and his prerogative. So determined was he upon this measure, that, to the solicitations of the house of peers for a little longer time, he imperiously answered, “Not a moment longer!” and soon after dissolved the parliament.

This the commons foresaw, and before their dissolution they took care to print and disperse their remonstrance. To counteract the effect this had upon the minds of the people, another was published by the court. These papers were the sources of argument for the two parties throughout the nation; but Hume acknowledges, that “all impartial men judged that the commons, though they had not as yet violated any law, yet, by their unpliableness and independence, were insensibly changing, perhaps *improving*, the spirit and genius, while they preserved the forms of the constitution; and that the king was acting altogether without any plan, running on in a road surrounded on all sides with the most dangerous precipices, and concerting no proper measures either for submitting to the obstinacy of the commons, or for subduing it.”

The dissolution of this parliament not only defeated all the purposes for which it had been called, but served greatly to widen the breach between the king and the people. Charles became confirmed in his opinion, that the commons had formed a plan to weaken his prerogative; and the people in theirs, that the king wished to establish despotic authority. Nor was he much wronged by these suspicions; for had he possessed a military power, there is every reason to believe he would now have thrown off the mask, and renounced popular assemblies. But not being possessed of these resources, he was obliged to ransack the annals of tyranny for precedents, and, under whatever circumstances he found them, he applied them without scruple to his own purposes. The following are a few of the plans he had recourse to for raising money:—He published a proclamation, declaring his intention to make his revenue certain, by granting his lands,

both copyhold and others, to be holden in fee-farm. The laws against Roman Catholics were dispensed with for sums of money. To the nobles, he sent a particular request for a large contribution, reminding them of the former demands of his ancestors, and of the generosity of theirs. A loan of £100,000. was demanded of the city of London, from which they endeavoured to excuse themselves; but they were finally obliged to furnish twenty ships, and to alleviate the burden, they were allowed to nominate all the officers, except the captains. Orders were sent to the different sea-ports, to provide ships for his majesty's navy; and though many of the inhabitants, indignant at this tyranny, fled from their habitations to avoid it, they were ordered back by proclamation, and compelled to a compliance. To complete the system, the kingdom was placed under martial law. Under pretence of invasions and insurrections, the lord-lieutenants were commanded to assemble a body of military, to be ready to suppress every tumult by the most prompt and efficacious measures. The intencion of this undoubtedly was, to crush the first appearance of a justly dreaded rebellion; - to substitute fear for affection; and to silence the murmurs of the people, by rendering (to adopt a modern phrase) *terror the order of the day*.

Arbitrary as were the measures pursued by the king, they were submitted to with some degree of patience, till his ally and relation the king of Denmark, having been defeated in Germany, a large sum of money was wanted to restore his affairs. To obtain this, recourse was had to a general loan, enforced by the sole authority of t' e council, and the collection of it was regulated by the rate, at which individuals had been assessed for the last subsidy. The demand for this loan was accompanied with many flattering protestations, calculated to soften the public indignation; but the

reader who consults the records of the whole transaction, will be convinced that it was a mandate, which could only be issued by a despot, and could only be obeyed by slaves. Could such a precedent have been established without resistance, the use of parliaments would have been superseded, the rights of the people annihilated, and all the property of the nation would have depended on an order of council. Happily this measure was seen in its proper colours, and a bold and determined resistance was made to it. Many patriots (for they well deserve that name) though they knew that imprisonment was the certain consequences of a refusal, chose rather to incur the indignation of the court, and to languish in a distant prison, than, by a base compliance, to surrender all their rights, and to forge a chain which might bind their latest posterity.

In this honorable list of sufferers, Hampden is enrolled; he was removed from his own county to a prison in Hampshire, where he remained till the summons was issued for a parliament. Those in the lower ranks of society, who refused to pay their quota, were either compelled to serve in the army, or had soldiers billeted upon them. The misery and distress occasioned by this measure, is indescribable. The peace and happiness of families were destroyed: crimes of all kinds were committed: the roads were untrodden, and the markets unfrequented. But all these stretches of power were insufficient; the discontent of the people increased, but the treasury was still empty. No resource remained, but to call a parliament; and to gain a momentary popularity, Buckingham was the *appointed* proposer of this measure. As soon as it was determined upon, orders were given for the release of all the imprisoned patriots; who were received by the people with respect due to suffering virtue; and in every place they were first chosen

as representatives. The king addressed the parliament (March 17, 1628) in a tone of the highest authority. He hinted that the reason of his calling them must be universally known, and that if they did not perform their duty "in contributing what the state at that time needed, he must use those *other means* which God had put into his hands." This threat appears to have been well understood by the commons, and by dutiful addresses, they endeavoured to amuse the king, till they could somewhat establish themselves; whilst he, alternately by threats and flatteries, laboured to obtain a supply, without a redress of grievances. But the commons, smarting under the arbitrary discipline they had received, determined that reform and supply should be inseparably connected; and for this end, at the same time that they prepared a money-bill, they appointed a committee to frame a *petition of right*.

This famous petition contains a full and affecting relation of the tyranny under which they had groaned, and points out the laws and charters which had been violated. It particularly protests against the following measures:—

1st. Against loans and other requisitions, without consent of parliament.

2dly. Unlawful imprisonment and denial of bail.

3dly. Billetting of soldiers in private families.

4thly. The establishment of martial law.

The greater part of the sitting of parliament was employed in framing this petition, which the king had promised to sanction by his acceptance: but when he discovered the purport of it, he repented himself, and employed every possible artifice to evade it. At one time a counter-remonstrance was prepared in the House of Peers, carefully accompanied with a saving clause, which rendered the whole ineffectual; at other times the king endeavoured to satisfy the jealous commons with pro-

mises and protestations to act according to law. But they, too keen to be deceived, and too bold to be intimidated, kept steadily to their determination, to have their liberties secured by a solemn act, ratified by the king. Charles finding that they were inflexible in their resolution, and that he was unable to avoid complying with it, at last received the petition; but in the acceptance of it, he departed from the accustomed mode of passing bills, and in a speech of studied ambiguity, he attempted to leave an opening for a renewal of his former tyranny. This last manœuvre was detected and properly resented; and he found himself compelled to sanction the petition, in the old and simple form of acceptance. But by the reluctance and artifice he displayed, he lessened the value of the act in the eyes of the people, who viewed it only as a temporary sacrifice, and not a renunciation of his arbitrary principles. During the recess of parliament two great events took place. Buckingham, who had long braved the justice and indignation of his country, fell by the hand of an assassin; and Rochelle, the last refuge of the Huguenots, was obliged to submit to the king of France. But though the death of Buckingham freed Charles from one pernicious counsellor, yet it made little change in his conduct. He continued, with renewed obstinacy, his career of tyranny and folly; and seemed to be impelled by some fatal delusion, with accelerated speed, to the abyss of destruction that awaited him.

The commons, at their meeting, proceeded in their investigation of grievances, and, amongst other things, they took into consideration tonnage and poundage, which had not hitherto been sanctioned by them, consequently the collection of it was contrary to the *petition of right*. But the crown-officers continued to levy it, as usual; and whilst the commons were preparing a bill to legalize it,

several merchants who refused payment, till this bill had passed the two houses, had their goods seized and their warehouses locked up. One of them was fined £2000. besides the loss of his goods; and he suffered six years imprisonment. Another, who was a member of the House of Commons, was imprisoned, and his warehouses locked. The house, irritated at this procedure, instituted an enquiry; but the king avowed the measure, and declared that the officers had acted by his express command. Shackled by the maxim, that the king can do no wrong, the commons were embarrassed at this declaration; but it was proposed, notwithstanding, to proceed against the officers. The speaker, on this, refused to put the question. They adjourned. They met again, and again the speaker refused, and ordered them in the king's name to adjourn. He was proceeding to leave the chair, but several members held him in it, whilst the following protest was drawn up, and passed by acclamation:—

1st. “Whosoever shall, by favour or countenance, seem to extend or introduce popery or arminianism, shall be reputed a capital enemy of the kingdom.”

2d. “Whosoever shall advise the levying the subsidies of tonnage and poundage, shall be reputed a capital enemy.”

3d. “If any merchant shall voluntarily pay those duties, he shall be reputed a betrayer of the liberties of England, and an enemy of the same.”

The next day, warrants were issued out against several of the principal members. Hollis, Elliott, Coriton, and Valentine, appeared, but refusing to answer for their parliamentary conduct, they were committed to the tower. The studies of the others who were summoned, were locked up, and a proclamation issued for apprehending them, though, as the parliament was not dissolved, they were

actually members of it. But the king soon after came to the House of Peers, and, without sending for the commons, or passing a single act, dissolved the parliament, with bitter invectives against the opposition members, whom he termed *vipers*, and who, he declared, “ must look for their reward of punishment.” Accordingly, the first employment of the court, when released from the yoke of parliament, was to find out a punishment for those of the *vipers* who were in custody. Hollis was fined 1000 marks; Sir John Elliott, £2000.; Valentine, £500.; and Long, 2000 marks. They were also sentenced to imprisonment during the king’s pleasure, were many years confined, and Elliott actually died an imprisoned martyr to the liberties of his country!

In tracing the history of the civil war, most writers have dated it from the first taking up of arms. But if the king’s conduct be estimated by the English constitution, or by the rules of equity and justice, this last action will be found to amount to a declaration of war. A contest of patriotism against prerogative had been long maintained, in which two parliaments had fallen; but the third, in passing the petition of right, had obtained a victory, which promised to secure the liberties of the nation. Yet immediately after this petition had been solemnly ratified, the people saw, with indignation and sorrow, every principle of it violated. The collection of duties, unsanctioned by parliament, was continued; personal freedom was destroyed; parliamentary privileges disregarded; and the faithful representatives of the people suffered fines and imprisonments, for having performed their duty, and for disdaining to make a degrading submission to a tyrannic king, and an abandoned ministry.

As Charles dissolved this parliament with a determination to call no more, England was now

to be governed by the courts of law and of justice, formerly described. Accordingly, acts of parliament were superseded by proclamations of the council; and the decisions of justice by the fiat of despotism. The puritans were oppressed with unrelenting severity. Arbitrary fines and cruel punishments were inflicted upon those who incurred the resentment of the court. Pilloryings, cutting off ears, slitting of noses, whippings, and brandings, were amongst the means made use of for enforcing political obedience, and ecclesiastical uniformity.

Wearied with tyranny, and seeing no prospect of the revival of liberty, Hampden determined to seek for freedom and independence in the wilds of America; and for this purpose, with Pym and Cromwell, he had actually embarked on board a ship laying in the Thames: but an order of the council had prohibited emigration; and in consequence of this order, they were obliged to return, and share the fate of their country.

Although the king, to lessen the state expenses, had made peace with his external enemies, yet he was obliged, for the common demands of government, to have recourse to all his old plans, and to as many more as his creatures could invent. Amongst others, the evil genius of Attorney-General Noy, at last prompted him to the project of ship-money; of which, as it forms an epocha in the life of Hampden, we shall give a short account.

The first writs for ship-money were issued out in 1634, to sea-port towns, commanding them, on the pretence of preserving our naval superiority, to fit out and man a certain number of vessels. But when the inland countries soon after received orders to furnish their supply in money, the sheriffs were commanded to gather by assessment, the sum fixed by government; and they were empowered to seize and sell the goods of those who

refused payment. The court was so determined upon this measure, that Sir Richard Chambers having brought an action for false imprisonment against Sir Edward Bromfield, for refusing to pay ship-money, the judges would not suffer the point of legality to be argued, but one of them decided it, by a distinction between a rule of *law* and a rule of *government*. However, a warm opposition having excited some fears in the ministry, a letter was sent to the judges, proposing this question: Whether the king might not, whenever he judged that the necessities of the state required, enjoin upon his subjects the providing of a number of ships for the defence of the kingdom, and by law compel the doing of it in case of refusal? The majority of the judges readily answered in the affirmative, and those few who felt some scruple at basely surrendering the rights of the people, were by the threats and promises of lord-keeper Finch, at last brought to compliance. Armed, as he fancied, by this decision, against all opposition, the king triumphantly proceeded to levy, under the name of *ship-money*, a general tax upon the kingdom.

Hampden was assessed the sum of twenty shillings for ship-money, but notwithstanding it had been formerly sanctioned by the opinions of the judges, he determined to contest the right of levying it. In taking this resolution, he could be influenced only by the purest motives: his fortune could not suffer from the greatness of the assessment, nor was there much probability of gaining the suit; he was certain of rendering himself obnoxious to a court which spared no pains to crush its adversaries; and naked and unarmed, he was entering the lists with an opponent who wielded that terrible weapon, a corrupted jurisprudence: but he saw that the measure was pregnant with ruin, and that, unless some patriot undertook to

display its evil consequences to the nation it would gain strength by its progress, till, in the issue, an accumulated mass of tyrannic precedents would constitute a pillar of law.

The cause was argued during twelve days, before all the judges. On the part of the crown, the grand pleas were *necessity* and *precedent*. To prove the first, a very summary mode was adopted by the Attorney-General, who asserted that the king's word was sufficient to determine it; 'the king of England,' he says 'is an *absolute monarch*, and holdeth his kingdom under none but God himself:' he argues in another place, 'where the law trusts we ought not to distrust; the king is the fountain of justice and piety; *he can do no wrong*; his power is *de jure divino*;' and to complete the climax, he asserts, that 'God is the God of hosts, and the king is a model of God himself.' To maintain the cause by precedents, all the tyrannic reigns before and after the conquest were quoted: but these precedents were proved by the opposite council to be totally inapplicable; the revenues given to the crown for defending the kingdom, were, they maintained, intended to prevent the necessity of any such tax upon the people; the plea of necessity was proved to be groundless; charters and laws were shewn to be violated by the measure, particularly the *petition of right*; and it was strongly argued, that if the king might by his own authority demand of a subject twenty shillings, he had an equal right to all his property. The subject was afterwards debated by the judges, when only four of them gave their opinions for Hampden. Crooke, one of the number, after fluctuating some time between the dictates of conscience and interest, was finally determined to the side of justice by the heroic exhortations of his wife.

Although the decision of this cause in favour of the crown gave a momentary triumph to despotism, yet the most important ends were answered by the trial. The attention of the people had been directed to it, and the arguments by which the imposition of the tax was supported, became the objects of universal detestation; whilst the firmness, dignity, and modesty, displayed by Hampden during the whole of this trying scene, obtained him the love and confidence of his fellow-citizens, and the admiration even of his enemies.

Some years now elapsed of insufferable oppression on the part of the court, and useless murmurs on that of the people, till the king, who had undertaken to model the Scotch church by introducing his beloved episcopacy, met with so much opposition, that he was obliged to have recourse to arms; but the expense attending an army was too great for the exhausted state of his treasury; he, therefore, urged by his necessities, and allured by the hope of making the war popular, ventured, after an interval of near twelve years, to call a parliament.

Every possible precaution was taken to hinder the commons from falling into the old track, of searching for grievances, and the most urgent messages were sent to them for speedy supplies; but during so long a cessation of legal government, such a multitude of evils had arisen, that they found themselves obliged to institute an immediate inquiry into them. The conduct of the speaker at the conclusion of the preceding parliament was examined, and declared to be a breach of privilege; the unjust imprisonment and prosecution of Elliott, Hollis, and Valentine, were inquired into; the cause of ship-money met with early and earnest attention;—the king, finding this tax to be more unpopular than profitable, offered to relinquish it, upon condition of the commons granting him a supply adequate to his necessities; but they were

equally averse from sanctioning oppression by purchasing ship-money, and from assisting the king in his design of subduing Scotland. They could not see the propriety of compelling a nation to any particular form of religion, and they much feared that Scotland, enslaved, would be a powerful instrument for enslaving England. Influenced by all these motives, the commons were so slow with their supplies, that the king, finding himself unable to mould them to his will, adopted the desperate resolution of dissolving the parliament. The tools of despotism, and the advocates for republicanism, triumphed in this measure ; but the lovers of the constitution, and the friends of peace and order, lamented the obstinacy of their king, and trembled for the fate of their country.

This dissolution, like the last, was followed by the arrest of several members ; who were examined as to their conduct, and, refusing to answer, were committed to prison. The chairman of a committee, having refused to deliver up the petitions and other papers with which he had been entrusted, was sent to the tower. The studies of two noble-men were broken open, and even their pockets were searched, for treasonable papers. In short, nothing was omitted, which could mark the king's hatred of parliament, and contempt for their rights.

Thus disappointed of parliamentary aid, Charles was obliged to recur to some of his former expedients ; but the spirit of the people rendering the enforcing loans dangerous, if not impracticable, he threw himself upon his clergy, from whom, as it was a war of religion, he received a considerable sum. His ministers and courtiers lent him £300,000. and these contributions, with some duties upon different articles of merchandize, enabled him to collect an army, on the success of which he placed all his hopes.

The courage and enthusiasm of the Scots, guided by able generals, proved, however, more than a match for the dispirited bands which Charles brought into the field. Their generals were bad, their discipline worse, and their disaffection to the cause was great. In this situation, some trifling disasters occasioned a universal panic. They fled with precipitation, and abandoned Newcastle without a battle.

The die on which the king had staked his fortune, having proved unfavourable, he now saw himself in a labyrinth, from whence he knew not how to escape. To resist his enemies was impossible. To return home was degrading and dangerous. The universal cry of the nation was for a parliament, and he knew that in the present juncture, he must meet a parliament under the most humiliating circumstances. But the impracticability of continuing the war, or of resisting the demands of his people, at last determined him to make a truce with the Scotch; and having deferred the settlement of the dispute till his arrival in London, he issued the writs for a parliament.

Here for a moment let us pause, and consider the situation to which Charles had reduced himself. Fifteen years before he had ascended the throne of England, the most absolute of monarchs; ministers, bishops, state-officers of every description, were ready to yield the most prompt obedience to his commands, and to suggest new plans of tyranny. The parliaments alone contested his will, and in the plenitude of his power, he fancied that he could either compel them to submission, or govern without them. He had tried the experiment, and received from it only disappointment and disgrace; and now behold him, baffled by his enemies, detested and distrusted by his subjects, upon the point of being abandoned by those minions who had infested his prosperity, and reduced to the

necessity of calling an assembly which he foresaw would wrest from him the scepter of prerogative, and drive from his councils those who had assisted him in swaying it.

The parliament met Nov. 3d, 1640, and the commons immediately began the Herculean task of redressing grievances. Four grand committees were appointed, which were broken into a great number of subdivisions. The acts of the council were examined; the imprisonment of members of parliament censured; the victims of tyranny and superstition were released from their dungeons, and indemnified as much as possible for their sufferings; ship-money was by lords and commons declared illegal; and Hampden obtained, in the cancelling of the sentence which compelled him to pay it, a triumph which recompensed him for his efforts: the judges who had given this sentence were prosecuted; the sheriffs and other officers who had collected it were fined; and the severest measures were adopted against all the agents of the court. A degree of injustice at first sight appears in this conduct, but it vanishes when we consider, that the constitution shields the person of the monarch, and that the commands of their superiors can never justify the officers of the crown in violating the laws of their country.

The commons, anxious to secure as well as to obtain their rights, now framed a bill for triennial parliaments, which passed easily through the lords, and was finally ratified by the king. Charles, surprised at the powerful and rapid progress of the commons, made an attempt to weaken the opposition, by forming a new ministry from amongst their leaders. In this arrangement Hampden was to have been tutor to the prince. Some of the patriots were actually called into office, but their incorruptible integrity overturned the plan; however, by accepting places under the crown, it was clearly manifested by Hampden and his colleagues, that their design was to purify the government, but not to overturn it.

The next important object which engaged the attention of the parliament, was the trial of the Earl of Strafford. When only Sir Thomas Wentworth, he had enlisted himself under the banners of opposition; but his patriotism not being proof against the allurements of rank and office, from an ardent enemy to the court he suddenly became a zealous friend. The support

received from him by the king, was repaid by the accumulation of honors. At the meeting of the parliament, he was regarded by the patriots as the great enemy of freedom; for the zeal and animosity of an apostate were in him combined with a native haughtiness; and the extent of his abilities was only equalled by his undaunted courage. The first day of his appearance in the House of Lords, an impeachment was presented against him, and after some months confinement he was brought to trial in Westminster-hall; the commons appearing as accusers, and the lords as judges. Hampden, Pym, and several other members of the commons, managed the impeachment; the substance of which was, that he was accused of a design to subvert the fundamental laws of the realm, and to introduce an absolute government.

The commons accomplished their design of bringing him to punishment, by passing a bill of attainder, declaring his crimes to amount to high treason; and this was done upon the authority of a clause in the act of Edward III. empowering the parliament to declare and explain what might be omitted in the act. After a long opposition, the king was partly persuaded and partly compelled to assent to the bill of attainder, and Strafford was beheaded.

With the attainder of Strafford, the commons sent up a bill still more injurious in its consequences. Knowing that all the alterations they had made in the government were extorted from the king, and fearing they would be abolished at the dissolution of parliament, they endeavoured to avert this evil by vesting the power of dissolution in the two houses. Experience has sufficiently evinced the danger of representative bodies rendering themselves perpetual; and the mistake was the more fatal, as an opportunity was here lost, perhaps never to be regained, of giving stability to liberty, by making parliaments annual. But whilst truth and justice demand a censure upon these actions of the commons, their next measure entitles their memory to the veneration of every Englishman. The courts of the *Star Chamber*, *High Commission*, *Council of York*, and many other arbitrary offices and privileges, were abolished by act of parliament. We have now followed Hampden through his parliamentary and personal opposition to the court, and are fast approaching to that most dreadful of all situations, *a civil war*.

By his wife, and some of the most rash of his ministers, Charles was persuaded to impeach Hampden and five other members of both houses, for holding a correspondence with the Scots, and other acts of treason, in which, supposing them criminal, the majority of both houses were involved. They were first impeached by the king's order in the House of Peers, and afterward demanded of the commons by a messenger; but this demand not being complied with, the king suddenly entered the house, attended by an armed force, which waited at the door: he marched to the speaker's chair, which he ascended, but when upon looking round, he found the members had withdrawn, he retired, burning with indignation and covered with shame. The confusion excited in the city by this attack upon the commons is inconceivable. The cause of the accused members became the cause of the people. The metropolis resounded with execrations, till at last the king, unable to bear the hatred of his subjects and the triumph of the commons, retired to Hampton-Court.

Both parties insensibly prepared for war, before an open rupture took place; but when Hampden found that the liberty for which he had so long contended must be defended by the sword, he took the command of a regiment of militia. His extensive knowledge, and tried integrity, induced the commons to make him also a member of the committee of public safety. He first began the war by a skirmish at a place called Brill, about five miles from Oxford, and in every situation his valour in the field was as conspicuous as his eloquence and wisdom in council.

After several battles and many reverses of fortune, the army commanded by Essex, laying near Reading, was, through the treachery of a Scotch officer, suddenly attacked by Prince Rupert; and the surprise occasioning the defeat of several regiments, the prince obtained considerable booty. With this he was making off, when Hampden, as a volunteer, joined a party of horse to pursue the enemy. He overtook them upon Chalgrove field, and plunged into the thickest of the battle; *but receiving a brace of bullets in his shoulder, he was soon obliged to quit the field. The wound was fatal, he languished a few days, and expired.* The battle was fought June 18th, and Hampden died June 24th, 1643, aged 49 years.

Thus terminated the life of Hampden. His character is best learned from his actions, which have been faithfully, though briefly, related. As a representative of

the people, he has been seen the constant asserter of their rights, and in those gloomy periods, when parliaments were annihilated, we have found him ready to act and to suffer for the cause of freedom. His fall inspired the royal party with the highest joy, and the tottering temple of liberty lost its chief column. Had he lived, he would probably soon have obtained the chief command, and Cromwell would never have aspired to the *Protectorate*. Amidst the bustle of politics, and the confusion of war, the virtues of private life are often despised or disregarded; but the friends and the enemies of Hampden join in their ascriptions of justice, goodness, and benevolence, to his character. Hume, the great advocate of the Stewarts, allows this, and even praises his first opposition to the court; but he withholds the appellation of a good citizen, because 'through all the horrors of civil war, he sought the destruction of monarchy.' The horrors of civil war are to be deprecated by every good citizen. But if the principles of Charles were arbitrary, if his government was despotic, if the limits put to it by the parliament were justifiable—the conduct of Hampden, in drawing the sword, remains unimpeachable. The crime rests upon that man, who, after having by every exertion of fraud, force, and perfidy, attempted to enslave his subjects; after having resisted every constitutional reform, and manifested such duplicity as made his concessions of no value, at last dared to resist the representatives of a people, and deluged a nation with blood to recover his lost prerogative.

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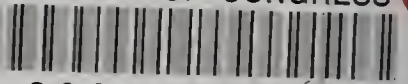


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