JOHN HAMPDEN IN THE SHORT PARLIAMENT

INTRODUCTION.

When the Short Parliament (as it came to be known) met on the 13th April 1640 by order of King Charles I it was because he needed money with which to prosecute the war against the Scots. The members however, after 11 years without a Parliament, had many grievances to redress and they were determined that before money could be supplied these grievances should be redressed.

Among the members was John Hampden, the member for the County of Buckingham. Clarendon, who was also a member, observed of him: “He was of that rare affability and temper in debate and of that seeming humility and submission of judgement as if he brought no opinion of his own 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 those opinions to be fixed in him with which they could not comply, he always left the character of an ingenious and conscientious person.”

It is this remarkable person whose Parliamentary career we shall investigate, and explain as far as we can how he influenced the activities of the Short and Long Parliaments. But this is not easy, Hampden seldom spoke in the House; most of his work was in committee and behind other closed doors, (by the time the Parliament was ten days old he had been appointed to nine committees). As S. R. Gardiner remarked, “It is remarkable how little can be discovered about Hampden. All that is known is to his credit, but his greatness appears from the impression he created upon others.”

Furthermore, the provenance of recorded speeches is often uncertain. I had a good example of this when working in the Isle of Wight Record Office; I came across in the Oglander papers a file headed ‘Parliamentary speeches’ and there amongst them was ‘Mr Hampden’s Speech’. Wonderful! But Dr Maija Jansson quickly disillusioned me; there were several candidates for this speech including the younger Sir John Eliot, and it is recorded in full in ‘Proceedings of the Short Parliament’ in the Camden series under his name.

On 17th April John Pym, the member for Tavistock, made a speech of two hours outlining the grievances of the nation under three heads:

1) Against the liberties of Parliament.
2) In matters of Religion.
3) In affairs of state and matters of property (taxation)

THE LIBERTIES OF PARLIAMENT

On April 18th it was ‘ordered that the Records and Proceedings of the Star Chamber and Court of Kings Bench that concern several members of this House in the last Parliament (Sir John Eliot, Strode, Valentine, Hollis & Hayman) that were questioned after the last Parliament shall be sent for immediately’. At the same time a select committee was appointed ‘for stating the matter of fact touching the violation of the privilege of Parliament the last day of the last session and the opinion of the committee to be reported to the House’. Hampden was on this committee of 16. On the 20th the House debated the dissolution of the last Parliament in 1629, and the issue was raised whether the Speaker could dissolve the House on the King’s verbal command without the approbation of the House (see above). Hampden asked “Whether after a verbal command (from the King) to adjourn the House and the House be not adjourned it be a breach of privilege (by the Speaker Finch) to deny to put the question”. He thereby accused Finch, now the Keeper of the Great Seal, of a serious offence. The Committee was ordered to prepare an address to the King regarding the privileges of the House. By this time petitions had been flooding in from all parts of the country, from counties and boroughs with lists of grievances accumulating during the eleven years of personal rule. It was the custom of the House to take
note of these individually, but there were so many. So Hampden stood up and advised against addressing ‘too
too many things at once lest we lose our ends. Let us begin with first liberty of speaking and send to the House of
Lords to meet in the afternoon’ to discuss liberty of speech about which there had been a debate on the floor’.
Hopton tried to divert this by bringing up the matter of religion, but Hampden was supported by Falkland. As
he said on 2 May, ‘Many remoras [obstructions] lay in order to be first removed; I am sure that till we have
freedom of speech settled we cannot meddle with anything, that being first necessary and I know not but that
we might humbly represent these impediments to the King and yet continue constant to our own way and
order.”

On 21st April a committee of 12 including Hampden was ‘appointed to consider and dispose the material points
of those grievances mentioned in several petitions delivered from several counties, or to be added and all other
grievances of like nature', but Hampden insisted that ‘No committee will determine what the House will
declare to be a grievance’; only the whole House could do that.

The 24th of April was a day of a most important debate. Sir Walter Earle reported to the House the ‘Heads for
conference with the Lords which were agreed on by the Committee as Inducements to Innovation in matter of
Religion, of propriety [ownership] of goods, and of liberty in Parliament’ to present to the Lords the next
day. So the debate was resumed about the grievances concerning Privileges of Parliament of which there were
two main ones: 1) punishing men out of Parliament for things said therein, 2) Dissolving Parliament without its
consent. Pym said ‘We desire that as our ancestors did, we pray that by our petition there may be no dissolution
till the subsidy case is settled’. But Hampden said ‘It is not whether this is a grievance, but whether it is fit to
go to the Lords on this; it should be laid aside for the present’; it was; because as he said later in the day
‘We must not clog the business with more heads. Power must be given to the Committee to undertake this task’
(of sorting out the details of to-morrow’s conference which was mostly about supply) and he was, of course, on
the committee.

On the 25th April, a Saturday, the Conference with the Lords was held in the Painted Chamber. Hampden with
discussed. There was an opening speech by Finch making a further
demand for supplies, ‘the King told the Lords that his affairs would bear no delay, delay being as destructive as
a denial, his honour was at stake’. The Lords voted to advise the Commons ‘to begin by giving the King a
supply and afterwards proceed upon their grievances or anything else they thought fit’. At this the Commons
took umbrage (supply being the prerogative of the Commons) and voted the Lords’ vote a ‘high breach of
privilege …that they could not proceed until they had received satisfaction’. So the conference ended.

On the Monday, 27th April, Herbert, the Solicitor-General, reported Finch’s speech at the conference with the
Lords and the subsequent events: the Commons were still seething about the breach of privilege and a long
debate on the subject took place about a means of redress and it was left to a committee to consider. But
Hampden said ‘(There are) some differences among us (and we must see) how to resolve them. There is no
need of a committee. That the Lords meddled with the supply and voting such was a breach. Also, that
confering with us and prescribing us by that advice what shall be first (supply or grievance) are both
grievances’.

But a committee was formed; who should be on it? Sir Walter Earle said ‘It hath been a constant
rule of this house that any man that hath spoken against a Bill or committee shall not be of the committee for
that Bill or business’; i.e. do not appoint Hampden, to which the latter replied ‘There is no rule without an
exception. Instances of matter concerning the City wherein they that spoke against it (a proposition) were in
the committee) and in the discussion would have reference in the report’. Was he elected? He was already
on the Committee of Privileges.

On 28th April Oliver St John proposed sending a message to the Lords for a conference ‘concerning their
trenching on the privilege of the House of Commons’. Hampden ‘observed a general silence which he takes for
a consent. Next we must chose a committee to present this to the Lords, and moves that Mr Pym may do it’. Pym,
‘That it may be Mr Hampden’. Sir John Wray said, ‘One to move and the other to assist’.
On May 1st two judges (the usual messengers from the Lords) came from the Lords to desire a conference ‘about something that fell out in the last’ conference. Hampden replied ‘We lose time in seeking to save it. Let us first despatch the judges and send word that the house being in urgent affairs at present, as soon as they can be ready they will send word by messengers of our own’. (He was standing no nonsense from the Lords).

In the afternoon the conference took place in which the Lords maintained they would never try to invade the Commons’ privileges and denied that they had done so. ‘Wherefore having thus justified themselves their Lords said they must return to their first counsell, viz, their desires that the King’s supply should have priority’. Thus this disagreement remained unresolved and was soon overtaken by other matters. By this time and within nine days after the start of the session Hampden had been appointed to eight committees; quite a considerable work load in addition to his attendance in the chamber.

MATTERS OF RELIGION

While Parliament sat the Convocation of the Church of England also sat and was able to make new canons, and Parliament was fearful as to what new innovations Archbishop Laud might introduce. On 21st April a committee of 14 including Hampden was appointed to ‘Take a view of the commission lately granted to the Convocation and to report the effect of it to the House to-morrow and prepare heads for a conference’ Pym maintained that measures passed by Convocation while binding on the clergy did not affect the laity without the consent of Parliament. When three days later, it was pointed out that a similar commission had been given to Convocation in the second year of King James’ reign, Hampden stated ‘that First though a like commission was granted in the second year of king James’ reign yet (there was) not any before in 60 years. We should consider the practice of the men to whom it was granted and the largeness of the commission extending to alter and amend, and also make new canons [church regulations]. If new canons (are made) why not enquire (into their authority). Their authority is too large. The canons already caused suits (at law); if new (ones are made they will cause) more inconveniences. Second, the extent that it includes all persons that may lawfully be concerned; this cannot be otherwise understood than to bind the laity, as the clergy were before named. Thirdly, the Limitation served to make it fair in point of law. (How) the rubrics, liturgy, articles and all other things lawfully established might be interpreted was he danger. (I move) that this may be considered an Inducement to Innovation’. Pym went in to show that King James’ commission was complained of at the time, “our ancestors protested then that they would not subject themselves to the clergy more than their ancestors had done and I hope we are of the same mind”. On 21 April a petition had been presented by Peter Smart, Prebend of Durham Cathedral under Bishop Neile. The Bishop had introduced certain ‘popish ceremonies’ against which Smart had preached a sermon in July 1628, for which ‘he was convented before the High Commission houlden at Durham, and before any articles exhibited against him, suspended and his living sequestered’, and he was thrown into jail where he still lay. The next day a committee was appointed including Hampden ‘to consider Mr Smart’s petition, send for witnesses, view orders and decrees that may conduce to the proof’, and ‘to report at 5 o’clock’. The matter was then debated in the chamber and Pym moved that the petition should be approved while Hampden asked “that we might send to enquire by what authority he lies in restraint”; thereby questioning the authority of the Star Chamber.

William Dell was M.P. for St Ives and secretary to the Archbishop of Canterbury. During a debate about Convocation, Dell said he ‘perceived the house very jealous of innovations in Religion, but they had no great cause for it, he wondered to hear a member of the house say that the churches beyond the sea were about to forsake us because we did forsake our Religion’; Pym said the words were foul and wanted to know who he was quoting; when Dell said he was quoting Pym himself the house was in uproar and was ‘inclined to have Mr Dell called to the Bar and make his recognition’. Said Hampden: ‘The words are not to be conceived by him alone but by some man else. If explained he may excuse himself, but it lies still on the members……in respect he was never here before. If he by the vote of the House be satisfied in his judgement that he was mistaken, he may declare so and ask for forgiveness”. So Dell was saved by Hampden ‘who stood by his friend’; he made
his apology from the floor of the house and Pym ‘took his acknowledgement of sorrow’.

On 29th April Sir Walter Earle listed the grievances relating to Religion, such as the position of the altar and bowing to it, setting up of images and crucifixes, and a lack of competent preachers. Sir Robert Harley said, ‘All our ancestors suffered for these words ‘Hoc est Corpus Meum’ and are we not brought almost to idolatry in bowing to that?’ Hampden said ‘These complaints arise not from ourselves but from petitions from all parts. Many have scruples (about attending Laudian services), many go to churches other than their parish church; (as Hampden did) it is fit to complain (about this, but we should) never assent to decline (going to the parish church). We should not dispute it by what authority it is done, but as (it is) done (it should be) put to the question’. 26 Mr Pym hereupon advised the House not to be afraid to call Crimes Crimes if they were so: and further that the House may proceed against any person hereafter if any be found guilty or criminal; And added that ‘if we were faint in this place, we should discourage all others’. 27

SHIP MONEY

In 1637 Hampden was brought before the Court of Exchequer for refusing to pay 20 shillings in Ship Money for which he was assessed on his Buckinghamshire estates; he lost by just two votes of the twelve judges. As Clarendon wrote, ‘He was rather of reputation in his own country than of public discourse or fame in the kingdom before the business of Ship-Money: but then he grew the arguments of all tongues, every man enquiring who and what he was that durst at his own charge support the Liberty and Property of the Kingdom, and rescue his Country as he thought, from being made a prey to the court. His carriage throughout this agitation was with that rare temper and modesty that they who watched him narrowly to find some advantage against his person to make him less resolute in his cause were compelled to give him a just testimony. And the judgement that was given against him infinitely more advanced him than the service for which it was given.” 1

When Parliament met, Ship Money was one of the principal grievances which they wished to redress, and on 18th April it was ‘ordered that the judgement in Mr Hampden’s case may be brought in’ and ‘proceedings in the Exchequer and other Courts concerning Ship Money shalbe brought in’. 29

On 24th April the House drew up ‘Heads for a conference with the Lords’ which included the ‘propriety [ownership] of goods’, monopolies and ship money. Those imprisoned for non-payment of taxes and their petitions for release were mentioned. Hampden asked ‘Wether in conference with the Lords about ship money these petitions may not be taken into consideration; that if it appears that they are only imprisoned for this and nothing else they may be released”. 30 Pym said “This house is tender of monopolies and of particular monopolies complained of and voted, but now we go upon generalities.” Hotham then said ‘We suffer much in ship money, but let every man that is a housekeeper consider what he suffers; (monopolies on) soap, salt, fruit etc. We shall find much more cause than ship money”. Hampden then said “That it is not intended that all monopolies shall be particularly treated with the Lords but the general grievance may draw us onto particulars”. 31 Hampden was the last to speak in this debate and when the question was put it was agreed that the generalities would be discussed with the Lords.

On 30th April following a conference with the Lords about privileges, back in the chamber the house dissolved into Grand Committee to discuss Ship Money, and it was put to the question:-

1) whether ship Money were not unlawful, and

2) whether the goods and safety of the kingdom are not in danger and may without consent of Parliament (be taxed).

Hampden said ‘(We should) not lose time. First (we should press) for freedom of debate, then to resolve those that may be the questions. I understood we should first debate the legality (of ship money). It has been excepted against, and it is not yet resolved whether to hear the king’s counsel or to declare by a vote of the house that we are resolved to debate the legality of it.‘ 32
Hotham; “Therefore (we should) have the legality voted first by the house and then hear the kings counsel”.

Pym “We should hear the kings counsel first and then express an opinion”.

It was then ordered that someone should fetch the records from the judges; Hampden “desires to be excused from fetching the records from the judges, as not proper for him”; Pym “desires that Mr Hampden be excused and the Long Roabe to fetch them”. 33

But the matter of Ship Money was soon subsumed by the much more urgent business of SUPPLY.

On 21st April the King had summoned the Lords and Commons to the Banqueting House to hear a speech by Lord Keeper Finch in the King’s behalf. Hampden considered this a distraction and moved that “the committees attend their course after the King’s message is heard”; i.e. get on with the real business. Finch emphasised the urgent need for subsidies in order to subdue the unruly Scots, that the purpose of Ship Money was to guard our shores and shipping as neighbouring princes were ‘preparing great fleets’ and the Algerians ‘have 60 ships to sea to infest our merchants’, and that ‘his intention was to make no private benefit of it to himself’.

On the 23rd April the House dissolved into Grand Committee to discuss supply and Finch’s speech on the 21st. During the debate Mr Peard, M.P. for Barnstable and a lawyer, made some stringent comments on the Government, called Ship Money an abomination, that the judges had gone beyond their commission in giving judgement, and that it was hard to obtain a Habeus Corpus. Herbert and Jermyn took exception to these remarks. Thereupon Hampden said “It is the custom of the House that any words spoken in committee and taken offence at must be reported by the chair to the whole House and there sentenced”; i.e. it cannot be further discussed. During the debate Henry Marten suggested that they should “return nothing but a subsidy” and make a bargain with the King, but Hampden replied “That way was not parliamentary by making conditions. Religion was just as important, and propriety [ownership] was taxed by military impositions, (we are taxed as much by) monopolies etc as by ship money”.

He was widening the debate from ship money to all taxation.

Taxation and Ship Money were again discussed on 24th, 25th, and 30th April, and also their disagreement with the Lords about their prerogative of supply (see above) and at their conference on 1st May.

The next day, 2nd May, a report of that conference was made to the House; this done, the Treasurer (Vane) came with a message that the King wanted an immediate answer to his demands, whereupon the house dissolved into Grand Committee. Some were for granting an immediate supply, others against. Hampden rose and said “Many remoras [impediments] lay, which must be first removed; I am sure that till we have freedom of speech settled we cannot meddle with anything, that being first necessary and I know not but that we might represent these impediments to the King and yet continue constant to our own way and order”.

Herbert wished the question to be put “whether we should give the King a supply or not”. The house declined the suggestion and Hampden would “have the question put whether the committee (of the whole house) was as yet ripe to give their full resolution to the matter of the King’s supply, but much debating hinders the putting of any questions till it is too late; that the house thinks fit to defer the resolution to another day”, and again “(I would ask if) it were convenient to put such a question as might be answered ‘aye’ or ‘no’, I would have it whether we are now ripe for a full answer”. This was the last speech before the question was put and must have influenced the outcome, for the full house voted to defer the decision till Monday 4th May.

This is a good example of Hampden if he was not sure of getting the desired result could postpone the matter till a later date when he might persuade the house to his opinion. ‘Mr Hampden was a man of much greater cunning and it may be of the most discerning spirit, and of the greatest address and insinuation to bring
anything to pass which he desired of any man at that time and who laid the design deepest......He was not a man of many words and rarely began the discourse, or made the first entrance upon any business that was assumed; but 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 and shortly and clearly and craftily so stated it that he commonly conducted it to the conclusion he desired; and if he found he could not do that he was never without the dexterity to divert the debate to another time, and to prevent the determining any thing in the negative which might prove inconvenient in the future.” 40

May 4th was a Monday and the crisis day; (one can well imagine the plotting and consultations that went on over the week-end). At first, Vane, the Treasurer, brought a message from the King ‘whereby his Majesty promised upon 12 subsidies to be paid in three years presently [immediately] passed, would part with ship money in regard that he perceived that to be the main stop in our passage to his supply’. The House resolved into Grand Committee with Lenthall again in the chair and a heated debate ensued; many wanted the question ‘that the legality or illegality of ship money be first debated and voted before we give an answer to the King’s business’.

Many thought 12 subsidies too great a sum, others pointed out that some counties paid as much in other taxes such as coat-and-conduct money and monopolies which amounted to more than the 12 subsidies. Said Hampden; ‘We are come to present a supply and a great supply. Other things are pressing upon us such as religion, (we should) consider the consequences (of innovations in religion); great burdens were imposed upon counties by ecclesiastical officers. The liberties of Parliament (must be safeguarded). Propriety of goods is of great consequence. (That the King could levy taxes without the consent of Parliament) is such an opinion abroad, and could not be laid down by any act, (and we must see that it is) not laid down or we shall do ourselves more hurt that ever than ever we did good. I move that this house, taking notice, of this opinion may declare something in Parliament to damn such opinion.” 41 Others argued strongly for a supply, ‘Parliament must not be too strong, too high; we must give in a Parliamentary way’. Hampden felt ‘that argument was mistaken; as he (the King) conceives it, that in case of necessity he might lay an imposition upon his people’ 41 (without consulting Parliament).

St John questioned ‘whether it is legal to lay aside Ship Money at the sacrifice of 12 subsidies; to barter ship money for subsidies means acknowledging the legality of ship-money’. As the debate raged on it grew late till at last Hampden rose and moved that the question be put ‘Whether the house would consent to the proposition made by the King as it was contained in the message’, 42 ‘I would have such a question (put) to which we might give ‘aye’ or ‘no’ clearly; to the end we may give a clear answer to His Majesty’. 43 This was clever, because it was clear that many in the house thought 12 subsidies was too great, or were not pleased that it should be ‘bartered’ for Ship Money, and it would be voted in the negative. This was immediately countered by Hyde who rose to move ‘That the question should not be put; it was a captious question to which only one sort of men could clearly give their vote; therefore, that every man might clearly give his Yea or No, that the question be put whether the King should receive a supply or no’.

Whereupon for a long time nothing was said, but a confused clamour and call: ‘Mr Hampden’s question’; ‘Mr Hyde’s question’. Matters were made worse when Vane the Treasurer rose and informed the house that he knew that if the House ‘should pass a vote for giving the King a supply which was not in the proportion and manner proposed in the message it would not be accepted by him’. So ‘the business was no more pressed; but it being near five of the clock in the afternoon and every body weary, it was willingly consented to, that the House should be adjourned till the next morning’ and no vote was taken.

On 5th May the House quickly dissolved into a Grand Committee to continue the debate but before long a message to attend the King in the Lords where they heard that Parliament was dissolved.

On 6th May the ‘Earl of Warwick, Lords Saye and Brooke, Walter Earle, Mr Pym and Mr Hampden, all Parliament men, were arrested and all their papers taken from them as well those they had in their pockets as
those they had in their studies and chambers’. In Mr Hampden’s pocket there was a letter or two from Bishop Williams of Lincoln written to him lately to induce him to move in the House of Commons that he might have his writ to come to Parliament. Mr Hampden’s answer to this letter was also taken away which was dissuasive that the Bishop should not stir in it by any means for diverse reasons, but yet left it to his better judgement to think better on it, desiring him to consult with some of his friends and not rely upon his (Hampden’s) judgement in so weighty a business.

So the Short Parliament achieved little. The King got no subsidies; no grievances were re-dressed, but it was the occasion when men of varying opinions and from all parts of the country were able to meet and discuss, and lay the foundations for the far more radical Long Parliament.

One of the features that becomes apparent on perusing these proceedings is Hampden’s repeated attempts to keep the House concentrating on the main issues and not to be side-tracked into irrelevant ones. Perhaps it was because of this that when the Long Parliament met in the following November ‘the eyes of all men were fixed upon him as their Patriae Pater.’

**BRIEF LIVES**

**Clarendon, Earl of; Edward Hyde.** (1609-1674) M.P. for Wootton Bassett. Originally a supporter of Hampden, but changed over to the King in 1641. Became Chancellor of Exchequer, which position he held after the restoration. In 1667 dismissed and exiled to France where he died.

**Oglander, Sir John.** (1585-1655) Of Nunwell, Isle of Wight. Local Royalist and author of important diary.

**Pym, John.** (1584-1643) M.P. for Tavistock. Leader of the Parliamentary opposition to the King, colleague of Hampden. One of the ‘Five Members’ impeached by King 1642.


**Valentine, Benjamin.** (died 1652?) M.P. for St Germans. Opposed King. Joined Holles in forcing the Speaker into his seat to allow Eliot to read his resolutions against Charles, March 1629. Imprisoned 1629-1640.


**Finch, Sir John.** (1584-1660) Speaker of House of Commons 1629. Supported King. Lord Keeper 1640. Fled abroad in 1640. Thought to be a Roman Catholic.

**Hopton, Ralph.** (1598-1652) M.P. for Somerset. Royalist commander in Civil War.


**Earle, Sir Walter.** M.P. Lyme Regis. Opposed King.

**Herbert, Sir Edward.** (1591-1657) M.P. for Old Sarum. Solicitor-General 1640, Attorney-General 1641,
impeached for his part in the attempted arrest of ‘Five Members’. Fled abroad where he died.

**Dell, William.** M.P. St Ives. Secretary to Archbishop of Canterbury.

**Laud, William. (1573-1645)** Archbishop of Canterbury 1633. Strong advocate of High Church policies which he rigorously imposed. Impeached 1640, beheaded 1645.

**Hotham, Sir John. (died 1645)** M.P. for Beverley. Governor of Hull for the Parliament in 1642 and refused King admission. Changed sides, was arrested for desertion and executed.


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