

## THE CASTLE AND PARLIAMENTS OF NORTHAMPTON.

At the time of the Conqueror's survey the possessions in the town of Northampton lay divided betwixt the crown, some of the abbatial ecclesiastics, and other persons of rank and consequence. Amongst the names of these various proprietors that of Countess Judith, a daughter of Odo earl of Albemarle, by Adeliza, half sister of William I., is not the least remarkable, whether regarded in reference to her dignity and her affinity to the new sovereign, or in connexion with one of his bravest supporters. She had been given in marriage to the Earl Waltheof, a warrior whose prowess greatly assisted her uncle in the arduous subjugation of Yorkshire, and probably out of consideration for this valuable service, as much as with a view of conciliating a noble whose hereditary influence might have been dangerous to his ambitious projects, he loaded him with fresh accessions of territory in various parts of England.

The history of secular dignities at this early time is involved in great obscurity, and it would be foreign to the present enquiry to attempt to elucidate a question so pregnant with difficulty. Waltheof's father was the Saxon earl Siward, unquestionably a name of dignity, both before and after the Norman invasion, and Waltheof himself has been called earl of Northumberland, Northampton, and Huntingdon, but of this no sufficient proof has ever been adduced. Besides this reputed rank, he however inherited large estates; several of the tenants held their lands from him during the time of Edward the Confessor, and the dowry of the countess considerably augmented them. It may be readily imagined that the Conqueror would find himself little at ease in his new kingdom; the people had scarcely had time to become reconciled to their slavery, and a sudden endeavour to liberate themselves from its yoke could hardly have been unsuspected. In this age of darkness and inhumanity, an age when the broad distinction betwixt might and justice was universally confused, the slightest cause, whether

real or apparent, was sufficient to awaken suspicion, and call forth the exercise of tyranny. From some cause, we know not what, history has not however exempted the character of his wife from the perfidy of betraying him; the earl suddenly fell under the displeasure of his royal kinsman, who, after suffering Waltheof to languish by a long confinement in prison, ordered him to be beheaded at Winchester. The Conqueror now desired to bestow the Countess Judith's hand on Simon de St. Liz, a Norman in his confidence, who had come to seek his fortunes in England, but whose bodily deformity caused her to reject him. Indignant at such an unexpected resistance to his wishes, the king seized her possessions, amongst them sixteen houses in Northampton, and part of the revenue of the town, and transferred them, with her eldest daughter Matilda, into the hands of his favourite. It is to this inheritor of Waltheof's united rank and estates that the erection of Northampton castle has been assigned, nor does there seem to exist any strong reason for discrediting the generally-received opinion.

After so great a lapse of time, and considering the distraction and civil war that prevailed within a century after the castle is reported to have been built, such structures being the first to suffer in the general disturbance, it is not surprising that so little of the first edifice should remain. Enough however is still traceable to mark the outline of its bulwarks, to shew where the bastions stood out from the curtain wall, where the moat separated the inner from the outer bailey, whilst the postern gate yet continues. In regarding the general figure of the plan, and judging from the existing mounds of earth, the debris of ancient buildings, the line of decayed and ruinous walls, and then comparing these with other buildings of a similar kind which still remain in a more integral state, for example, with Pevensey or with Pickering, there appears to have been a keep within the inner bailey, probably at the north-east end; in connection with this, the enceinte or boundary wall, which was occasionally flanked with circular towers, the enclosed area being occupied with erections, usually of wood, of a more domestic nature. The Nen flowed in its natural channel to the west, and the waters of the same river filled the moat, and encompassed the fortress on every side, though the moat itself is only visible at present as a dry ditch to the south. The few existing marks of a strictly

architectural kind exhibit features in perfect accordance with the characteristics of the period to which its origin has been already assigned. Before pursuing the history of this building any further, or bringing in review the incidents that have tended to invest it with interest, I will briefly recur to the life of its founder. Under the hope of improving his fortunes, he had with two friends accompanied the Conqueror to England; they indeed returned early to their native country, but the bright prospects of Simon de St. Liz naturalized him on British soil. Within a few years after his marriage he founded the neighbouring priory of St. Andrew, and filled it with Cluniac monks. The order was indeed never numerous in this country, and it is not a little remarkable that most of the endowments arose out of this early Norman intercourse. Simon de St. Liz, towards the close of his life, made the common journey to the Holy Land, and had even entered upon a second, when death arrested his pilgrimage, and he was buried within the walls of the abbey of St. Mary of Charity, in France, upon which his own recent foundation in Northampton was dependant. Were it within the scope of this enquiry, we might here linger to reflect on the contradictory feelings that actuated the sentiments of the age, contrast the early life of the soldier, his ambition, his rapine, his thirst for bloodshed, with the remorse and devotion of his declining years; we might observe how the two extremes of human nature became strangely blended together in the same individual, how the restless and savage warrior, whose hands were stained with violence and crime, became transformed, under a happier impulse, into the humble penitent and the mortified recluse. But for such a retrospect we have not leisure, nor indeed would the present be a fitting opportunity. Yet we may not omit the avowal, that it is by such comparisons history delights to teach her moral lessons, and that a habit of drawing contrasts whilst instituting enquiries of any intellectual kind, will unveil its really philosophical aspect; and thus too, to carry out the idea a little further, in estimating the relative beauties betwixt military and ecclesiastical architecture, we may observe how, in their intentions so discordant, they mutually engage the attention, the one impressing the mind by its stern solidity, its severe simplicity and dignified repose; the other captivating the eye of taste by its elegance, richness and variety of decoration, and awakening the deepest feelings of

emotion by the solemn grandeur, the holy symbols, and the sacred purpose of a pile dedicated to the glory of God.

There is another apparent contradiction betwixt the two styles, namely, that whilst the age of devotional buildings is for the most part wrapt in obscurity, the builder being seldom known, there often existing a wide interval between the date of the foundation and that of its actual erection or consecration, and therefore the date becomes merely conjectural, left to the guess of ingenuity to settle, or to the diligence of induction to establish, or to fix by analogy, from some peculiar resemblance to other religious buildings presumed to be coeval, the mass of information relating to military structures, unhappily themselves too often swept away, is afforded to us in minute and continuous completeness. So that it may be truly asserted we have, on the one hand, Gothic buildings still rearing their lofty heads in pristine magnificence, proclaiming in notes of harmony the duties of men, without any record being left us to indicate whose skill and piety constructed them; and on the other hand there are military remains, mere roofless, tottering walls, crumbling, venerable ruins, whose darkest, dampest nook may be often explained by an entry on an official document, by a record of a genuine and undoubted nature laid up among the national archives. Nor, whilst they furnish every needful illustration, is their value less remarkable for the curious light they frequently throw upon the manners and domestic usages of the period, for the political and statistical information they abound in, for the animated reality and freshness of their facts, as contradistinguished from all other sources of coteremporaneous history.

Before proceeding to adduce a few extracts from these evidences, the attention must be re-directed to the noble family already mentioned. We have seen how there was united in the same person the character of warrior, architect, and devotee, and his son the third earl of Northampton strove with filial enthusiasm to emulate the actions that have transmitted his father's name to posterity. He too in his day became an architect. He assisted in laying a corner-stone to the honour of St. Guthlac at Croyland, and placed thereon a gift of a hundred marks for the workmen: he endowed the abbey of Sawtry in Huntingdonshire, and terminated his labours by erecting a similar religious house to St. Mary de Pratis in the verdant meads of De la Prè near Northampton. It cannot be said

these virtues perished with the first possessors of the earldom of Northampton, since a higher amount of architectural knowledge, a clearer insight into its principles, and a better appreciation of its beauties, attended by more disinterested benevolence, by a self-devotion to the cause of humanity and the progress of social refinement, seem to have descended as the indefeasible attributes of the title.

In returning to the immediate consideration of Northampton castle, I shall not so much restrict myself to an architectural investigation into what it actually was, as I shall endeavour to follow those notices occurring on the rolls relative to its history as the temporary abode of the English monarchs, and the seat of our early legislative assemblies. Architectural notices would indeed be of little comparative value, as the object to which they refer is laid nearly level with the ground. Nor again does it seem easy to settle how the building first came into the hands of the crown, since we find it enumerated as one of the royal possessions in 1174, though the grandson of the founder was still alive. What became of the possessions of this last Earl Simon de St. Liz in Northampton or elsewhere, it is now perhaps quite impossible to ascertain; none of his family succeeded him in his dignity, and the title became extinct after his death. This happened in the year 1184, yet ten years previously the castle was in the hands of Henry II. From this period downwards it is often mentioned on the Pipe Rolls, as the "turris de Northampton." In the Pipe roll of Richard I. it is spoken of thus, "Adam de Sanford renders an account of five marks of Winchester money which had been deposited in the tower of Northampton and lost through bad custody." The date of this extract is in the year 1189. Passing over a few notices of minor importance we reach the reign of King John. Both he and his predecessors on the throne occasionally visited this district for the sake of the hunting if not for weightier reasons of state, and there can be little doubt that at such times they made the castle their residence. In the Chancellor's roll of the third of this king's reign (1201) we meet with an entry conclusive of the assertion, and it is so illustrative of the nature of this description of document, and presents by its ample details so vivid a picture of the business habits, the easy spirit and recreations of the time, that little excuse will be necessary for quoting it.

"In repairing the king's houses in the castle of Northampton

five marks. To serjeants who brought the heads of six outlaws, six shillings<sup>a</sup>. In repairing the aforesaid castle five marks. For four carriers bringing the hunting gear of the king from Northampton to Westminster half a mark. In repairing the houses of the king in the castle of Northampton and Silveston forty shillings. To the chaplain at Geddington fifty shillings of his salary for the past year. The cost of a carriage and harness for the use of the queen twenty-eight shillings and sixpence. For a judge, and doing justice, three shillings and sixpence. In the purchase of hay for feeding the beasts in the park of Northampton thirty-seven shillings; and for the expence of taking six prisoners from Northampton to Stamford, and thence to Nottingham, seventeen shillings and ninepence." Remember you are now entering into the age of feudalism, a time of ignorance, illegitimate force, and moral imperfection, where you will observe every thing in the system discordant to our modern notions, every thing opposed to our general ideas of liberty and civilization; bear this in mind when you examine these facts, and without measuring them by the standard of the present day, contrast them with each other. What is the picture you behold, and what are the results of your reflections? You see from a single extract on the sheriff's accounts the manner in which the revenue was expended, how freely the personal pleasures of the monarch were gratified; and with what singularity do these payments stand in juxtaposition with each other! The head of an outlaw valued at a shilling, whilst the services of the king's confessor, with his salary in arrears, fetched no more than the same price per week<sup>b</sup>: again the keep of the royal deer considered worth an outlay of seven and thirty shillings, whilst the remuneration of an officer of justice fell down to three and sixpence. Any comments of mine would be superfluous, the facts themselves will elicit their proper reflections<sup>c</sup>. Let us pass onwards in search of other information. We are at the

<sup>a</sup> A similar entry exists on the Rotulus Misæ, 14th John. Willielmo homini Ade Crok qui tulit vj. capita Wallensium servientium Cadewallani amputata ad Dominum Regem apud Roffam vj. sol.

<sup>b</sup> It seems to have continued such till the sixth of Edward I. Rot. Claus. m. 6.

<sup>c</sup> An illustration of another character offers itself in a letter of Fulke de Breauté to Hubert de Burgh, in which he states

that a number of poor begging alms at the hospital of St. John in Northampton had been killed by the press of those entering the gate, and several wounded and killed by the blows of the vergers; and he sends William Tilly, mayor of Northampton, to explain the circumstance, and begs to be informed what ought to be done. Rep. Dep. Keeper. V. Append. II. No. 738.



commencement of the reign of King John, a period of pure administrative despotism, when intestine divisions began violently to convulse the realm: when the rising energies of the people sought for some consideration of their natural rights, when they finally freed themselves from political thralldom and obtained a redress of their grievances. The monarch himself became aware that personal activity, a quality he never wanted, was more than ever necessary. We accordingly find him constantly on the alert, seldom a week together in the same place: as a proof of his restlessness he visited Northampton in fourteen different years of his reign. He placed the royal castles in an effectual state of defence, and entrusted their custody only to those persons who were supposed to be attached to his interests, and upon whose faith he could place implicit dependance. The office of castellan or constable of the castle was one of great importance, as it has remained an honour to the present day. It was an office held during the king's pleasure, usually for a year, but among the earliest appointments in connection with Northampton it was retained for three. Four of these officers, Robert de Braybroc, Richard Marshall, Roger de Neville, and Fulke de Breaute, took a prominent part in the transactions of this and the succeeding reign, and will probably again present themselves to the notice. When the king appointed the last of these nobles, and impatiently forced him upon the keeper by a second writ under his private as well as the public seal, he was little aware of the vexation he was destined to awaken in his mind, or that one for whose promotion he evinced such extraordinary solicitude should render him and his son so ungrateful a return.

Pursuing chronological order, the next account we meet with deserving attention is a writ on the Close rolls, (1216,) addressed to the barons of the exchequer, wherein the engineer is ordered to be paid at the rate of ninepence a day, with a grant of thirty shillings for a robe for his wife. Other entries occur authorizing payments for general repairs and the transport of military engines, which may be passed over. In the year 1215 we have another writ addressed to the barons of the exchequer, ordering them to remunerate Henry de Braibroc for forty quarters of grain, and twenty-four hogs, bought for the royal use and placed within the castle, at the rate of two shillings for each quarter of grain and the same

sum for each hog. In the middle of this year the custody of the castle was transferred to Roger de Nevil, and the manor of Thorpe granted him for keeping it in a proper state of defence.

We pass on to the next reign, when during the constableness of Fulke de Breauté (1222) we meet with the first express mention of the gaol in the castle, the order given that the verderers of Salcey should deliver to him materials for its reparation, as well as for the royal houses at Silveston and Brigstock. The troublesome state of public affairs, the successful resistance and growing power of the barons, had become by no means diminished through the accession of Henry III. to the throne. The early age at which he commenced his reign was also in many respects unfavourable for the establishment of domestic peace. The separation of Normandy from the possessions of the English crown, and the consequent loss to the royal revenue, contributed to render him more dependant than his father upon his subjects for aid: whilst the severity of the forest laws, ever a fruitful cause of popular discontentment, though mitigated in some degree by the enactments of the Great Charter, had by no means lost their force. An entry in illustration of this occurs on the Close rolls in an order of release granted to Radulphus de Eyneston from the castle gaol, where he had been confined for merely leading three greyhounds without a leash through the royal forest. It may probably be considered that he underwent an excessive punishment, but when it is known that the most trifling infringements of the law were usually visited by loss of life or bodily mutilation, he seems to have received but gentle correction for his transgression. The king himself was at this time at Northampton, and is stated, in the document referred to, to have exercised this act of clemency at the suit and for love of master Roger Lacoc the physician. The same fondness for the pleasures of the chace pervaded all classes of society alike; peasants and prelates were equally within its influence, and sought together the same excitement; even Richard Poore, bishop of Salisbury, for his trespasses on the royal hunting ground, called forth the severe reprehension of his sovereign, and has left, in this respect, no enviable reputation behind him<sup>d</sup>. During this visit, Henry issued various writs of a local character.

<sup>d</sup> Rot. Claus. 6th Hen. III. p. 517.



As they throw considerable light on the personal habits of the monarch, as well as evidence the minute attention paid to matters of a public and private nature, a few of them shall be brought under review. We have a writ addressed to the barons of the exchequer authorizing them to repay the bailiffs of the town eight shillings which they had laid down for the carriage to London of cloth bought for the royal use at the fair, and for canvass and wrapping to pack it up: one to the bailiffs, bidding them purchase for Nicolas the squire, six ells of bleu at eighteen-pence an ell, and a dressed lamb-skin: one to Hugh de Neville, authorizing him to give the prior of St. Andrews eight poles for making joists for the tower of his church: the king had previously granted thirty rafters from the royal forest, to the abbot of St. James, whose buildings had been burnt down. About two months after this visit, Henry III. again took up his residence in the castle of Northampton. He was then in his eighteenth year, on his way to Bedford, with the intention of crushing the insurrection of Fulke de Breau. It was an arduous undertaking, and the siege of that castle occupied him little less than eight weeks, since we find him there from the 21st of June to the 19th of August, (1224). Immediately he had proceeded on his journey as far as the castle then existing at Newport Pagnell, oppressed perhaps by the heat of the weather, he suddenly recollected having left behind him the royal store of wines, and a mandate was forthwith addressed to the sheriff of the county, desiring him to forward without the least delay the four casks that had been left in his custody at the castle.

Though the legitimate title of Henry III. to the English crown was undoubtedly clear, yet it can hardly be said his pretensions to it were undisputed. He went however through the ceremony of a coronation, though the symbol of royalty itself had been lost, with the rest of the regalia, whilst being transported across the Wash. He was youthful, and inexperienced, but the discretion of his protector the earl of Pembroke, aided by the activity and valour of his high justiciary, Hubert de Burgh, made some amends for these deficiencies, and enabled him to resist for a time the growing power of his barons, as well as permanently to crush the danger menacing his possession of the sovereignty from Louis king of France. A caution has been already dropped against

forming judgments of the past by the standard of the present age. Such modes of thinking will often invest facts with an unreal colouring, and both distort their own features, and the consequences they are intended to produce. The historical enquirer should exercise habitual caution and discretion, duly balancing against each other the events of the period, estimating them by the prevalent opinion of that particular time, not being himself unaware that the march of civilization, and the progress of enlightenment are, as Christian perfection ought to be, daily advancing. Without going into the whole transactions connected with the fall of Bedford castle\*, I will briefly state that exasperated by the dilatory nature of the siege, Hubert de Burgh tarnished the first great victory of his master by hanging eighty of the garrison after it fell into his hands. We shudder upon reading such an act of barbarity, but in our detestation of the deed forget that this was the custom of the age: we forget that the lower as well as the upper classes, true to the degradation of fallen humanity, had their minds alike familiarized with deeds of cruelty, and looked on if not as regardless as exulting spectators. No doubt it was an execrable deed, and the more frightful mockery of justice from being carried into effect under the sanction of the highest legal officer of the realm. Yet modern parallels may readily be found, and to press the subject homewards to the feelings, it can scarcely be a point of dispute how posterity will estimate the humanity and refinement of a nation which with all these offensive examples before it as warnings still enforces the same mode of criminal punishment.

During the blockade just spoken of, the castle of Northampton rendered considerable relief to the king, and the town likewise furnished towards it several carpenters, and other persons whose ingenuity was serviceable. When at length the fortress was taken, several of the engines were dismounted and returned home, whilst the harness of the king was sent by

\* An extract from the Scutage roll in the Tower may serve to shew the nature of the military service performed on this occasion; it is headed *Scutagium exercitus domini Henrici regis de Bedeford* scilicet de scuto duas marcas.—Rex vicecomiti Ebor. salutem, præcipimus tibi quod habere facias R. comiti Cestriæ et Lincolnæ scutagium suum de feodis militum quæ tenet de nobis in capite, et de feodis

militum quæ tenentur in capite de wardis et honoribus quæ sunt in custodia sua in balliva tua scilicet de scuto duas marcas, pro exercitu nostro Bedeford in quo fuit nobiscum per præceptum nostrum.—Episcopus Wigorniensis qui habet milites suos in exercitu habet litteras directas vicecomitibus Wigorn. Glouc. Warw. de feodis militum quæ de domino rege tenet in capite, &c.—Misc. Roll, No. 10. 8th Hen. III.

the sheriff of Bedford to London<sup>f</sup>. Of a building that withstood for so many weeks the most vigorous efforts of Henry to reduce it to subjection, nothing now remains but a conical mound of earth, whose base is washed by the silent waters of the Ouse. On this gentle eminence originally stood the donjeon, within whose massive walls the besieged, inspired with all the hopeless courage of despair, entrusted their last chance of safety. But whoever seeks for these vestiges of its former importance in the modern town, or delights to visit a spot consecrated to liberty by this unavailing struggle, and rendered dear to the lovers of national freedom, vainly seeking for the living monuments of its ancient greatness, will still be gratefully repaid in beholding those stately piles, which are devoted, through the extensive charities of a London citizen, and the purer philanthropy and patriotism of the present noble owner of Woburn, to the social improvement and sanitary wants of the district.

In 1253 Henry directed a survey to be made of the condition of the castle of Northampton, at the time John de Grey received the custody of it: his commissioners found that the park was "decently kept in vert, venison, and pasture," and that new works had been executed in the castle, by the sheriff of the county, as in walls, houses and other matters: that all the houses of the said castle might be maintained at slight cost; that the same sheriff had bestowed much expenditure on the great wall of the castle, which, however, still needed great repairs, and that there were then in the castle hewn and unhewn stone, lime and sand, which might be applied to that work<sup>g</sup>.

Towards the close of this reign the castle and town of Northampton were the scenes of important events, owing to the rebellion of the barons headed by Simon de Montfort. In 1265 the town was invested by the royal army; the castle, which resisted all attempts at assault, was taken by stratagem, and Simon de Montfort the younger and many of his principal adherents were captured<sup>h</sup>. Although the burgesses of Northampton had taken no more active part in the commotions of this period than the inhabitants of other towns in the kingdom, yet in accordance with the custom of the times, they obtained,

<sup>f</sup> The various expenses connected with this memorable siege, an account of the military engines, and the different methods of attack, are given on the Close rolls of the year with the utmost minuteness.

<sup>g</sup> Ancient Letters in the Tower, No. 442 *a* and 442 *b*.

<sup>h</sup> Bridges' Hist. of Northampton, vol. i. p. 425, and the authorities there quoted.

on the final suppression of the rebellion by the king's victory at Evesham, a general pardon for past transgressions, and more especially for having defended the town against the royal army, an act to which they had been compelled by the forcible occupation of it by the adherents of Montfort. Similar letters of grace were granted by Henry to many other towns; the original grant to the men of Northampton, under the great seal, is still preserved among the muniments of the corporation<sup>1</sup>. In the year following the battle of Evesham, 1266, a parliament was held at Northampton, when many of the nobles who had been forfeited for their participation in Montfort's rebellion were restored to their estates; sentence of banishment was pronounced on the younger Simon de Montfort, and the bishops of Worcester, Winchester, and London, were excommunicated by the papal legate for their adherence to the popular party. From this period downwards, the notices occurring relative to the castle of Northampton decrease in value as they descend in the order of time.

It continued however to be, as before, one of their principal residences whenever the English kings visited the county, but improved methods of warfare gradually began to lessen its importance as a fortress. The energies of Edward I. were called into exercise upon a different field; his anxiety was directed towards the northern borders, as well as to subdue the Welsh; he had consequently but little comparative need of military defences in the central districts of England. His successor had enough to do in protecting himself against the incursions of the Scotch, yet the general troubles of his reign rendered it necessary that the royal castles should be restored,

<sup>1</sup> See also Rot. Pat. 52 Hen. III.; the document is as follows:

Henricus dei gratia Rex Angliæ Dominus Hiberniæ et Dux Aquitaniæ omnibus Ballivis et fidelibus suis ad quos presentes littere pervenerint, salutem. Volentes majori et probis hominibus nostris de Norhampt. gratiam facere specialem remisimus et pardonavimus eisdem et toti communitati ville ejusdem omnem indignationem et animi rancorem quos erga ipsos conceperamus occasione detentionis ville nostre Northampton contra nos et captionis ejusdem, et etiam occasione transgressionum et excessuum si quos contra nos fecerunt tempore turbacionis habite in regno nostro et eis transgressionibus et excessibus hujusmodi quantum in nobis est similiter perdonavimus et ipsos ad gratiam

et pacem nostram admisimus, nolentes quos ipsi per nos heredes nostros justiciarios ballivos seu alios ministros nostros occasione predicta decetero graventur in aliquo seu molestentur. Ita tamen quod stent recto in curia nostra si quis de transgressionibus aliquibus versus eos loqui voluerit, et erga nos et heredes nostros bene et fideliter se habeant in futurum. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Windeſ. sexto die Maii anno regni nostri quinquagesimo secundo.—Seal in green wax; broken.

The Jews of Northampton, who had been expelled during the disturbance there, on the restoration of peace are ordered to return to the town and be under the protection of the burgesses.—Patent Rolls, 48 Henry III.

and maintained in an efficient state. In 1323 another survey of the castle of Northampton was taken, from which we learn some most interesting particulars as to its condition and extent in the early part of the fourteenth century. It appears that some time before the date of this document, the great hall, the two principal chambers, and the lower chapel had been destroyed by fire, and the jurors estimated the cost of their restoration at 702*l*. They found also that the chambers of the "new tower" in the said castle, and also six turrets on the circuit of the wall, were for the most part destroyed by Nicholas de Segrave, keeper of the castle, in 1307: among other dilapidations are enumerated ruined walls, a crazy garden-gate, a ruinous barbican, and a certain "old tower called Faukestour, which was begun in the time of King Henry the Elder." This passage seems to indicate that popular opinion attributed the erection of this "old tower" to the celebrated Fulke de Breaute, the terrible "Falkesius" of the monks of St. Alban's, who, as we have seen, was warden of the castle in 1216. Although the times of Fulke and of King Henry the Elder (Henry II.) were not the same, yet some accidental circumstance now unknown, may have led to the association of the name of that redoubted foreign mercenary with a work constructed before his arrival in England. The jurors found that it would require the sum of 395*l*. 6*s*. 8*d*. to repair the defects last named: thus it is evident the castle was in a most decayed state; the estimated outlay necessary for its restoration would have exceeded 12,000*l*. of the present currency\*.

Edward III. was too deeply intent on securing the precarious advantages obtained by his father, and the fairer territories won by his own valour in France, to bestow much of his attention on this quarter of his dominions. The castle remained as a prison until nearly the commencement of the last century, when it fell into private hands. Hitherto we have only mentioned it as a place of defence, as one of those unhappy spots where the wretched felon and suspected violator of the forest laws lay famishing amid the palatial profuseness of the proud Plantagenets, and the Christmas luxuries of de Breaute, or as the occasional abode of the English kings; but henceforth it opens upon the attention with more agreeable as well as more universal interest. We shall now observe it as a place where laws

\* *Inquis. ad Quod Damnum*, 16 Edw. II. No. 119.

became agitated, pregnant with loftier views of responsibility, and where the general mark of humanity was accelerated by wiser provisions for the regulation of commerce and the administration of justice.

Without perplexing ourselves by a long enquiry into the nature of our early legislative assemblies, I will merely state as a reason for passing over by a rapid enumeration the earlier ones convened at Northampton, that it is not until the latter end of the reign of Henry III. that we are able to discover the rudiments of that popular mode of representation existing at present. During the antecedent period, the spiritual and temporal peers were the only persons admitted to the royal councils, and their privileges seem to have been very indefinitely laid down. On some occasions the former outnumbered the latter, on others there was a preponderance on the side of the barons, and as in the instance of the parliament at Shrewsbury during the reign of Edward I., sometimes the bishops were not even summoned. Nor are these deviations from the general system the only ones on record, as we find parallel instances in the Cortes of Castile, to which in 1370 and 1373 neither the nobles nor the clergy were called. Although the title of 'parliament' has been freely given to several of these early conventions, we must not connect them with our modern application of the term, nor suppose that the principle of receiving representatives from the community was fully recognised. Parliaments were not in fact identified with the more ancient forms of the British government. This will enable us at once to pass over, without discussion, the conferences held here between Robert duke of Normandy and his brother Henry I.; the settlement of the succession by the latter prince upon his daughter Maud; the council held both by Stephen and Richard I.; the convention to try the traitorous à Becket, and the ratification of the Constitutions of Clarendon. Each of these, historically interesting, deserves more attention than the present occasion will suffice to afford, but none taken by itself involves any point of sufficient constitutional importance for us to pursue further its examination<sup>1</sup>.

<sup>1</sup> Of the councils held at Northampton, the following are the principal. In 1131, a great curia, placitum, or council, at which were present all the "Principes Angliæ." In 1157, a convention of the Præsules, Principes regni, eight bishops,

twelve abbots, and many other foreign and English nobility, and "inferioris ordinis personæ." In 1164, when Becket was ordered into banishment. In 1176, when the Constitutions of Clarendon were ratified. In 1177, 1190, 1194, 1223, 1224, 1227,



It was not until the forty-ninth of Henry III. (1265), when two knights were first summoned by the sheriffs from the counties, and two burgesses from the cities or towns, that the outline of our actual representative system can be distinctly traced. Before this indeed the spirit of lawless force was predominant; the absolute power of the crown prevented any thing like national development, and the varied elements of political life and freedom had not burst forth into existence. The kingdom was now undergoing all those intestine miseries which sooner or later enforce upon bad governors the necessity of renovation and cure. It was in a sadly distracted state when in the midst of the general distress and confiscation that prevailed, Henry suddenly convoked a great assembly to meet him at Northampton (1268.) But it was not to discuss the wretched condition of his subjects, to adopt remedies for alleviating their wants, or to conciliate the disaffection of his barons, that he issued his writs for the convention. It was not a meeting to be confounded with our ideas of a parliament, but a mere gathering of the upper classes, which should afford the papal legate an opportunity of preaching a crusade; and judging from the result, his exertions were far from being unsuccessful, since the monarch himself, with a large number of the nobility, took up the cross and proposed to accompany his sons to the Holy Land.

We are now arrived at a period when the popular voice was the first time plainly heard in the councils of the state, and amongst the earliest of those towns enjoying the privilege of sending their representatives to parliament, were Northampton and Bedford, a right acquired in all probability from their being attached to the royal demesnes. Although various modifications and successive changes were henceforward perpetually arising, the burgesses appear from the 23rd of Edward I. to the present day, to have been legally considered both as constituent as well as necessary parts of the legislative body. Edward I. died on the 7th of August 1307, at Burgh on Sand, in his last expedition against the Scots, and on the 26th of the same month, his feeble successor summoned a parliament to meet him 'for a special purpose' at Northampton. One of the ostensible reasons for the present convention was to make

1266, 1268, 1283, 1329, 1336, 1338. At abbey of Pipewell, now entirely destroyed, Clipstone in 1290. At Geddington in 1189.  
1188, to consult about a crusade. At the

arrangements for the funeral of his father. Whatever amount of incapacity or moral obloquy may have attached itself to the character of Edward of Caernarvon, it can scarcely be said that filial affection was a virtue in which he was deficient. The performance, however, of the melancholy solemnities so naturally due to the memory of the late king, was not the sole reason for parliament meeting so immediately after his death, since the writs, our chief source of information, (the rolls of its proceedings having, like most of those of the reign, become lost,) further mention, as subjects for discussion, the new sovereign's coronation, and his espousals with Isabella of France. There was another latent motive for its convocation, one involving more important political rights. The active reign just ended had left the young prince surrounded with difficulties, against which he was in every way unequal to contend. The discontentment of his barons, the increasing demands of the pope, the long and expensive wars in which his ancestors had been engaged, now bequeathed as a legacy upon his impoverished exchequer, had to be provided for, not as formerly from the private revenues of the crown, but to be supported by extraordinary grants from the people. The personal resources of the king had gradually become lavished away, and we thus trace the earliest causes of the diminishing power of the royal prerogative, as well as the subsequent influence of the national voice in regulating taxation. The three estates of parliament assembled at Northampton on the 13th of October<sup>m</sup>, four months before the king was actually crowned, and did not entirely separate until the beginning of the following year<sup>n</sup>. It was in the twenty-fifth year of the preceding reign, about twelve years before this time, that the laws exacting pecuniary aids from the subject, first became clearly defined: nevertheless they continued for a length of

<sup>m</sup> The Liberate rolls of this year contain no mention of Northampton whatever, but the Close rolls of the same time have entries recording orders to bailiffs to pay to Nicholas de Segrave the constable, sixty pounds for repairs of walls and buildings of the castle—also to fortify the castle, for better security and safety of the people—also to repair walls and paling of the park. (Rot. Claus. 1 Edw. II.) On the Patent roll 18 John, there is an order for the payment of arrears and wages due to the king's servants in garrison of the castles of Northampton and Rockingham, so that they

might have no reason to leave the king's service.

<sup>n</sup> It was at this period that diplomatic and official relations began to be established betwixt European and Asiatic nations; mongols of distinction visited some of the chief cities of Spain, France, and Italy, and during the present parliament an answer was sent to the king of Tartary in return for his friendly embassy. See Rymer, vol. ii. p. 8. new edition, and *Memoires sur les Relations Politiques des Princes Chretiens avec les Empereurs Mongols*. Vol. ii. Mem., pp. 154—157.

time to press with unequal force upon the rising energies of the people, and in illustration of this, we find in the transactions now under review, that whilst the clergy and the burgesses contributed in this parliament a fifteenth from the towns, the knights granted from the counties a twentieth of their moveables, to prosecute the war against the Scots.

Other important matters were for the first time settled by this parliament; such as the terms of the coronation oath, and the oath tendered to the representatives upon taking their seats. By the general tenor of the latter, more especially in its fourth and sixth clauses, every precaution seems to have been taken to support and strengthen the royal prerogative, whilst the provisions of the former not only recognised the limitation of the royal power by existing laws, but that the power of altering those laws and enacting others, could only be exercised with the consent of the 'communaute,' or the lords and commons assembled in parliament. On the present occasion, then, we witness the conflicting elements of the English government balanced against each other with the nicest appreciation of their relative value, those mighty parts formerly brought together in such discordant and hostile collision, now firmly cemented in peaceful union, and the entire fabric laid on so wide a basis, that not only may it be said, the constitution was for the first time securely established, but that however much corruption in the elective franchise, municipal abuses, or natural decay, may have deformed its fair proportions in the lapse of succeeding ages, a reformation and cure has always been found for them by recurring to the pure spirit of these early principles.

The parliament again assembled at Northampton in the second year of the succeeding reign (1328), meeting immediately after the one summoned to York, in consequence of several of the representatives being absent on that occasion. No constitutional questions came under review; these, indeed, had been pretty generally fixed in the preceding reigns as they now stand, but much business of a momentous character occupied attention. In the first place, the writs of summons prohibited tournaments, and the appearance of that tumultuous retinue of armed men which had usually attended upon these occasions. The representatives were thus enabled to carry on their deliberations without distraction, personal fear, or restraint. Here both the origin and authority is

found for that resolution of the Long Parliament (1645) forbidding the appearance of the military at an election, 'as a high infringement of the liberties of the subject, and an open defiance of the laws and constitutions of this kingdom ;' a resolution subsequently established by act of parliament. (8th George II.) The Scottish convention and a treaty of peace were confirmed at the present meeting, the preliminary of a commercial intercourse with Flanders settled, the first annual payment made of Queen Philippa's dowry, and power given to the bishops of Worcester and Chester to demand and ask for, in the king's name, the right and possession of the kingdom of France. Amongst other business also now transacted was the custody of the great seal, which was transferred from the keeping of Master Henry de Clyf and William de Herlaston, to Henry de Burghersh, bishop of Lincoln. This transfer was publicly made by the king himself, in the presence of several of the nobility, immediately after the celebration of mass, in a certain chapel of the priory of St. Andrew, and the same document states that the keeper used it in sealing briefs the next day. It appears from a subsequent document, printed in the *Fœdera*, that the custody of the great seal was again changed by the king taking it himself on Sunday the 15th of January following (1329), in a certain chamber where Queen Isabella was lodged, in the same priory, and he retained it till Thursday, when he restored it to the bishop in the presence of his lords, in the garden of the prior of Newenham, near Bedford. In this parliament was enacted the FIRST STATUTE OF NORTHAMPTON. It commenced by confirming the Great Charter and the Charter of the Forest. By subsequent clauses the pardon of felons was placed on a better system, and the administration of justice carried on under less restraint, since all persons were forbidden to present themselves armed before the royal ministers. Sundry provisions were made relative to the delivery of writs to the sheriffs ; legal officers were appointed to enquire into robberies, manslaughter, theft, oppressions, conspiracies and grievances, as well by the servants of the crown as by others ; justice was not to be delayed at the bidding of the great or little seal ; the county cess was put on an improved footing, and all staples were to cease. In the various provisions of this admirable statute of Northampton, there is the highest regard evinced for individual liberty ; the

crown itself is limited in its interference with the equal course of justice, its powers being confined, by the terms of the royal oath, to granting charters of pardon for offenders. The criminal law was much amended by these and other regulations; aristocratic influence in gaol-deliveries was checked; the common rights of the people were carefully respected. Nor is it undeserving observation that in abolishing those mercantile monopolies which had sprung up in the late reigns, how clearly the parliament understood their injurious tendency, whilst, to shew how repugnant it thought them to be to the earlier theory of the constitution, the present statute allowed "merchants, strangers, and others to go and come with their merchandise into England after the tenor of the Great Charter" of the 17th of John. So jealously watched and guarded indeed was the freedom of commerce during Edward III.'s reign, that, independently of the present statute, a full recognition of its unfettered principles was set forth in the preamble and first clause of the tenth parliament held at York, (9th Edward III. 1335.) It would be opening the subject far too wide were I to mention in this enquiry the various occasions when royalty visited the town of Northampton, and I have merely noticed the foregoing incident, amongst many, to shew how frequent those visits formerly were, and to furnish some kind of idea of the business habits of the period, and the simple modes of regal life. The parliament opened its sittings on April 24th, and did not conclude them until the 21st of May, during the whole of which time Edward III. remained here.

In the twelfth year of his reign, when the third parliament assembled at Northampton, we find him actively engaged in prosecuting his claims upon the kingdom of Philip of Valois; and in pursuing this favourite object of his ambition he spent much of the early period of his life on the continent. He was now on the eve of embarking upon one of these expeditions, but previously to his departure he addressed writs to the usual persons, informing them that he had appointed Edward his eldest son keeper of the realm during his absence, and summoned them to attend a great council at Northampton on the morrow after St. James the Apostle, (July 26, 1338.) The writs were tested on the 15th of June, and the parliament was duly convened at the appointed time; the king himself, however, sailed for the continent a few days before

it met. One of the monarch's first acts on reaching Antwerp was to address an order to the great ecclesiastics, revoking the power he had confided to them to treat of peace with Philip of Valois as king of France. Meanwhile his son, the Black Prince, effectually urged the parliament to supply the necessary aids for carrying on the campaign abroad. This, with a few regulations for victualling the royal castles of Scotland, and some acts of minor consequence, brought the session to a close at the end of about ten days.

The last parliament at Northampton was summoned for the 5th of November, in the fourth year of Richard II. Most of the great officers of state assembled at the appointed time, by order of the council, in a chamber of St. Andrew's priory, where they heard read the great charter of English liberties, but after waiting in vain for some time the arrival of the other representatives, who were deterred from attending in consequence of the heavy rain and floods, it was agreed to adjourn the parliament until the following Thursday, the members being permitted to retire in the meanwhile to their hostels for their ease. The roads had been rendered so impassable by the bad weather that it was with considerable difficulty the king reached his manor of Moulton, where he was lodged, in the immediate neighbourhood to the town.

Richard II., now in his fifteenth year, met the parliament in person on the 8th of November. It was not a very numerous convention, as several of the nobility were still detained on business in the marches of Scotland. The chancellor, (Simon de Sudbury, archbishop of Canterbury,) on the part of the king, opened the proceedings by stating the motives that had induced him to call this parliament together, how desirous he felt that the liberties of the Church and the peace of the realm should be maintained and guarded; he next referred to the matter with which he was charged by the king, saying emphatically, "Sirs, it cannot be a thing unknown to you, how that nobleman the earl of Buckingham, with a great number of other great lords, knights, esquires, and other good gentlemen of the realm, whom may God save by His mercy, are now in the service of our lord the king and his realm in the parts of France, upon which enterprise the king has expended as much as you have granted

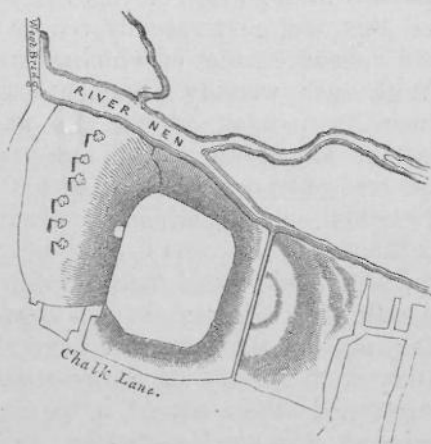
° This speech and the proceedings of the parliament are in Norman French.



him in the last parliament, and beyond this grant, much from his private resources ; and what is more, he has greatly contributed from his own substance for the expedition against Scotland, and for the defence and succour of his lieges in Guienne, and for the last debts due to the earl of March for Ireland, as well as in other ways ; he has pledged the greater part of his jewels, which are at the point of being lost, and you may observe how the subsidy of wool is the cause of the present riot in Flanders ; nothing, in effect, is reserved : the wages of the troops in the marches of Calais, Brest, and Cherbourg are in arrears more than a quarter and a half, in consequence of which the castles and fortresses of the king are in such great peril, that the soldiers are on the point of departing. Be well assured that neither our lord the king, nor any other Christian monarch is able to endure such charges without the aid of the community ; and moreover, consider how deeply the king is indebted, how the crown jewels, as it is said, are at the point of being forfeited, how he is bound by covenant to pay the earl of Buckingham and his companions, what outrageous expenses he will be put to in guarding the sea-coasts nearest France next season, so that the malice of the enemy may be better resisted than it was before, when, as you are well aware, they wrought such grievous damage and villainy against the state. Will you counsel our lord the king, and shew him what better provision can be made to meet these difficulties, and how the kingdom may be defended more securely against its enemies by land and sea. Be pleased to deliberate on this as soon as you are able, to the end that you may speedily render his majesty, these nobles, and yourselves, that effectual assistance which is necessary." With such weighty arguments the chancellor opened the present parliament, adding also, at the close of his speech, that the king both wished and commanded all persons who had any grievance which could not be redressed without the interposition of parliament, that they should present their petitions to the clerks of chancery appointed to receive them, who would hand them over to the prelates for judgment. After this address, they all departed to their respective hostels, and on the morrow consulted together in the new dormitory of the priory, on the business he had propounded. A lengthened debate ensued, in the course of which Sir John Gildersburgh, who was deputed by the commons, declared they were very poor, and unable to bear any further

charge; that the present demands of £160,000 were outrageous and insupportable, and prayed that the prelates and lords would treat by themselves, and set forth the ways by which a reasonable sum, at less distress to the people, might be levied and collected. After considerable discussion and mutual conference, the commons proposed that if the clergy, who occupied one-third of the kingdom, would support one-third of the charge, they would grant £100,000, so that the laity should be rated at 100,000 marks and the clergy at 50,000. Upon this the clergy replied, with less liberality than adherence to legal precedent, that their grant was never made in parliament, neither ought to be; that the laity neither ought nor had the power to bind the clergy, nor the clergy the laity, but that if any ought to be free, it was themselves; praying moreover, that the liberty of Holy Church might be saved to them entirely, and that what the commons deemed fit to perform, they would certainly do the like themselves. The commons then imposed a capitation tax on all the laity, male and female, above fifteen years old, of three groats, very beggars only excepted, which, with the sudden emancipation of the serfs in the following parliament, was the occasion of the insurrection under Wat Tyler and Jack Straw the next year. The same kind of revolt had, from a similar enlargement of their liberties, broken out amongst the French peasantry some time previously.

CHARLES HENRY HARTSHORNE.



PLAN OF THE CASTLE OF NORTHAMPTON.

## APPENDIX.

7 John, 1205. An order to the sheriff of Northampton to expend 40 marks in repairing the castle<sup>a</sup>.

8 John, 1206. Writ tested from Porchester to the barons of the exchequer ordering repayment of the sums paid by Peter de Stoke to Peter the engineer at the rate of ix.d. a day : also xxx.s. for a robe for his wife, and moreover the expenses he was at for the utensils and other necessities for the engines, as well as for repairs at the castle<sup>b</sup>.

By a subsequent entry in a writ addressed to the sheriff of Nottingham, the sum of ix.d. a day seems to have been his usual remuneration.

1207. Payment ordered from the sheriff to the same individual<sup>c</sup>.

15 John, 1213. Writ to the barons of the exchequer, ordering them to settle with Henry de Braybroc his expenditure for repairing and strengthening the castle from the time it was in his custody<sup>d</sup>. Exemption from castle-ward granted to William, the son of Hamon, and his soldiers, and order issued to Henry de Braibroc not to inconvenience them about this service<sup>e</sup>.

16 John, 1215. Order to the forester of Salcey to let Gaufrerus de Marteney, constable of the castle, take materials and brushwood from the forest of Salcey to strengthen the castle of Northampton<sup>f</sup>.

Writ to Gaufrerus de Marteney to deliver up the castle to Roger de Nevil and come to the king with his soldiers and all the garrison of the castle, bringing with him all his harness, and all his own as well as all the royal implements, such as wooden engines and quarells, (the king was then at Marlborough<sup>g</sup>.) The custody of the castle was then transferred to Roger de Nevill, and the manor of Thorp, with all its returns, granted to him for guarding and keeping the fortress in a state of defence<sup>h</sup>.

## CONSTABLES OF NORTHAMPTON CASTLE.

1175. Humphrey de Bohun<sup>i</sup>.

Simon de Pateshull.

1203. P. de Stokes, appointed constable and moneyer, in 1206<sup>j</sup>.

1206. Walter de Preston<sup>k</sup>.

1208. Robert de Braybroc<sup>l</sup>.

1215. Richard Marshall<sup>m</sup>.

1215. Roger de Neville<sup>n</sup>.

1216. Fulke de Breaute<sup>o</sup>. By writ the 2nd of May, and enforced by a second under the private and public seal on the 19th of the same month<sup>p</sup>.

1216. William Aindre<sup>q</sup>.

<sup>a</sup> Rot. Claus. p. 51.

<sup>b</sup> Id. p. 70 *b*.

<sup>c</sup> Id. p. 76.

<sup>d</sup> Id. p. 137.

<sup>e</sup> Id. p. 154.

<sup>f</sup> Id. p. 195.

<sup>g</sup> Id. p. 218.

<sup>h</sup> Id. p. 218.

<sup>i</sup> Rot. Pip. 20 Hen. II.

<sup>j</sup> Rot. Pat. p. 30.

<sup>k</sup> Id. p. 67.

<sup>l</sup> Id. p. 84.

<sup>m</sup> Id. p. 131.

<sup>n</sup> Id. p. 146.

<sup>o</sup> Id. p. 179.

<sup>p</sup> Id. p. 183.

<sup>q</sup> Rot. Claus. p. 267.

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| 1253. John De Grey <sup>r</sup> .   | 1331. Thomas Wake of Blisworth <sup>l</sup> .  |
| 1278. Thomas de Ardern <sup>s</sup> .   | 1333. William Lovel <sup>s</sup> .             |
| 1279. Robert le Band <sup>t</sup> .   | 1335. Thomas de Buckton <sup>h</sup> .         |
| 1307. Pagan Tibetot. Justiciary of<br>the Royal Forests beyond the<br>Trent, and constable <sup>u</sup> . | 1257. Ralph Basset of Sapcote <sup>l</sup> .   |
| 1307. Nicolas de Segrave <sup>v</sup> .   | 1262. John Lovell of Titchmarsh <sup>j</sup> . |
| 1315. John de Ashston <sup>w</sup> .  | 1252. John Grey of Wilton <sup>k</sup> .       |
| 1316. John de Honby <sup>x</sup> .  | 1266. Alan Zouch of Ashby <sup>l</sup> .       |
| 1319. John de Whitelbury <sup>y</sup> .   | 1266. Reginald Grey of Wilton <sup>m</sup> .   |
| 1320. Ralph Basset of Drayton <sup>z</sup> .  | 1268. Nicholas Segrave <sup>n</sup> .          |
| —— Richard de Lemesy <sup>a</sup> .   | 1307. Payn Tibetot <sup>o</sup> .              |
| 1323. John Daundelyn <sup>b</sup> .   | 1320. Ralph Basset of Drayton <sup>p</sup> .   |
| 1331. Thomas de Button <sup>c</sup> .   | 1363. Richard Wydeville <sup>q</sup> .         |
| —— William de Pillarton, vallet<br>of the king's buttery <sup>d</sup> .                                   | 1570.  |
| —— Eustace de Brunneby <sup>e</sup> .   | 1380. John Wydeville <sup>r</sup> .            |
|   | 1405. Richard Wydeville <sup>s</sup> .         |

<sup>r</sup> Lit. Antiq. in Turr. Lond. 442 a.<sup>s</sup> Abbr. Rot. Orig. p. 32.<sup>t</sup> Id. p. 34.<sup>u</sup> Id. p. 154.<sup>v</sup> Id. p. 157.<sup>w</sup> Id. p. 222.<sup>x</sup> Id. p. 233.<sup>y</sup> Id. p. 252.<sup>z</sup> Id. p. 255.<sup>a</sup> Inq. ad Q. D., 16 Ed. II., No. 119.<sup>b</sup> Id. p. 278.<sup>c</sup> Id. ii. p. 4.<sup>d</sup> Id. p. 10.<sup>e</sup> Id. p. 21.<sup>l</sup> Id. p. 30.<sup>s</sup> Id. p. 68.<sup>h</sup> Id. p. 83.<sup>j</sup> Dugdale's Baronetage, p. 382.<sup>k</sup> Id. p. 558.<sup>l</sup> Id. p. 712.<sup>i</sup> Id. p. 689.<sup>m</sup> Id. p. 713.<sup>n</sup> Id. p. 675.<sup>o</sup> Id. p. 39.<sup>p</sup> Id. p. 380.<sup>q</sup> Id. p. 230.<sup>r</sup> Id. p. 230.<sup>s</sup> Id. p. 230.