

**Politics in Leicestershire, c1677 to c1716**

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**Abstract**

This study has two principal aims. The first is to identify the characteristic features of Leicestershire's politics at a time of turbulence in English political history and the second to examine the relationship between political activity at a local level and nationally. For the purpose of this study 'politics' is defined as the way individuals manoeuvred, intrigued and competed with rivals to maintain their personal position and secure political objectives. The focus therefore is on the way men behaved politically in a variety of formal and informal contexts. Five settings are used to examine this behaviour: the role played by the leading aristocrats and gentry, the appointment of local governors, the established church and non-conformity, parliamentary elections and the borough of Leicester.

The opening chapters set the national and local context for the research findings that follow. *Inter alia* the study looks at the local impact of Charles II and James II's policies of re-modelling local offices to ensure that the militia, the commission of the peace and the corporation were composed of men who would support royal policy and also at the course of parliamentary elections throughout the four decades with particular reference to those during 1678-81, 1701-2 and 1710-15. These elections show the divisions which existed within the political community, the extent to which they were influenced by differences over religion and the way that they were exploited for partisan advantage. Although focussed on local politics, this study is predicated on the assumption that local politics can only be fully understood when the national context is taken into account.

## **Acknowledgements**

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Notes on dates and text

All dates are given in the Old Style (unless specified otherwise), though the year is taken to have begun on 1 January.

Modern spellings and punctuation are used in all quotations except where the meaning will be lost by not retaining the original.

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## Principal abbreviations

Place of publication, London unless stated otherwise.

u/d –undated/no date; m/f – microfilm

<i>Amer. Hist. Rev.</i>	<i>American History Review</i>
Add. MSS.	Additional Manuscripts, British Library
<i>Braye MSS</i>	<i>Braye Mss.</i> , in Record Office for Leicestershire, Leicester and Rutland.
<i>B.I.H.R.</i>	<i>Bulletin of the Institute of Historical Research</i>
B.L.	British Library
<i>C.J.</i>	<i>Commons Journals</i>
<i>C.S.P.D.</i>	<i>Calendar of State Papers Domestic</i>
Cobbett, <i>Parl. Hist.</i>	W. Cobbett (ed.), <i>The Parliamentary History of England</i> , 36 vols. (1806-20)
Chinnery, <i>R. B. L</i>	G. A. Chinnery (ed.), <i>Records of the Borough of Leicester</i> vol. V, 1689-1835 (Leicester, 1923)
D.W.L.	Dr. Williams' Library
E.E.B.O.	Early English Books Online
<i>Econ.H.R.</i>	<i>Economic History Review</i>
<i>E.H.R.</i>	<i>English Historical Review</i>
<i>Hall Books/Papers</i>	<i>The Hall Books and Papers for the Corporation of Leicester</i> in the Record Office for Leicestershire, Leicester and Rutland.
<i>Hastings</i> , m/f	<i>The Hastings Collection of MSS.</i> on m/f from the Huntington Library, California; <i>The Aristocracy, the State and the Local Community</i> . (Brighton 1986)
Hatton, <i>Correspondence</i>	E. M. Thompson (ed.), <i>Correspondence of the Family of Hatton ... 1604-1704</i> , Camden Soc. Ns 22-3, 1878

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<i>Hist. Res.</i>	<i>Historical Research</i>
<i>H.o.P. 1660-90</i>	B. D. Henning (ed.), <i>History of Parliament: House of Commons, 1660-1690</i> 3 vols. (1983)
<i>H.o.P. 1690-1715</i>	E. Cruickshanks, S. N. Handley and D. W. Hayton (eds.), <i>History of Parliament: House of Commons, 1690-1715</i> 5 vols. (Cambridge, 2002),
<i>H.o.P. 1715-54</i>	R. R. Sedgwick (ed.), <i>History of Parliament: House of Commons, 1715-1754</i> 2 vols. (1970)
<i>H.J.</i>	<i>Historical Journal</i>
<i>H.L. / H.L.R.O.</i>	House of Lords / House of Lords Record Office
<i>H.M.C.</i>	Historical Manuscripts Commission [followed by name of collection, e. g. <i>H.M.C. Rutland</i> ]
<i>H.L.C.</i>	Huntington Library, California
<i>H.L.Q.</i>	<i>Huntington Library Quarterly</i>
<i>J.B.S.</i>	<i>Journal of British Studies</i>
<i>J.M.H.</i>	<i>Journal of Modern History</i>
<i>L.J.</i>	<i>Lords Journals</i>
<i>Luttrell, Brief Relation</i>	N Luttrell, <i>A Brief Historical Relation of State Affairs</i> , 6 vols. (Oxford. 1859)
<i>Nichols, Hist. Leics.</i>	J. Nichols, <i>History of the Families and Antiquities of the County of Leicestershire</i> (London 1795-1814)
<i>North. Hist.</i>	<i>Northern History</i>
<i>Oxf. D.N.B.</i>	H. C. G. Matthew and B. Harrison (eds.), <i>Oxford Dictionary of National Biography</i> 60 vols. (Oxford, 2004)
<i>Parl. Hist.</i>	<i>Parliamentary History</i>

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<i>P. and P.</i>	<i>Past and Present</i>
P.R.O.	National Archives (formerly Public Record Office)
R.O.L.L.R	Record Office for Leicestershire, Leicester and Rutland
Stocks, <i>R.B L.</i>	H. Stocks (ed.), <i>Records of the Borough of Leicester</i> vol. IV, 1603-1689 (Cambridge, 1923)
<i>T.L.A.H.S.</i>	<i>Transactions of the Leicestershire Archaeological and Historical Society</i>
<i>T.R.H.S.</i>	<i>Transactions of the Royal Historical Society</i>
<i>Verney Letters</i>	M. Verney (ed.), <i>Verney Letters of the Eighteenth Century</i> , 2 vols. (1930)
<i>V.C.H.</i>	<i>Victoria County History of the Counties of England:</i> followed by county name and vol. no.

## **Introduction: Politics in Leicestershire, c1677 to c1716**

The four decades which this study covers were a period of turbulence in English politics. There was a strong perception that the kingdom was threatened by enemies from outside and within, intent on undermining the established order in Church and State. Recurrent domestic political crises added to this general feeling of insecurity. In this febrile atmosphere, a series of intractable and interrelated issues related to religion, war and the succession generated violent passions and conflict. Heated debates in parliament and the use of the pulpit and the press to disseminate partisan propaganda indicated the depth of divisions in the political community in an age characterised as ‘the rage of party’.<sup>1</sup>

Yet it was also, according to Holmes, one ‘of the great periods of fermentation in English history’.<sup>2</sup> The concordat reached by William and the Convention committed the country to a major realignment in foreign policy. This would involve the country in almost twenty-five years of continuous war against France. To maintain this conflict the government had to raise unprecedented levels of taxation, manpower and material resources. In the process, the monarchy and parliament worked out a new constitutional relationship but not without pain. Paradoxically, meeting the demands of war strengthened central administration and extended the reach of the state. These four decades witnessed a remarkable expansion in both internal trade and external commerce with significant implications for the prosperity and future economy of the country.

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<sup>1</sup> J. H. Plumb, *The Growth of Political Stability in England, 1675 -1725* (1967), p.129 and n.1, where he refers to Viscount Bolingbroke’s use of the term in his *Memoirs* (1752), p.280.

<sup>2</sup> G. S. Holmes, *Politics, Religion and Society in England, 1672-1742* (1986), p.182.

The effects of this were already apparent in the continuing growth of London and its increasing importance as a commercial, financial, political, legal and social centre.<sup>3</sup>

During the last fifty years, the politics of this period have been the focus of substantial reappraisal. This research and its outcomes are examined in detail in chapter 1 but it is appropriate here to refer to the salient features.<sup>4</sup> Initially the emphasis was on politics at a national level. It focussed *inter alia* on issues such as the authority, responsibilities and accountability of the monarchy, the role of parliament and its development and the partisan nature of politics driven by fundamentally and often diametrically opposed views about a range of issues covering both policy and practice. This early research showed how regular elections, a politicised Church and a liberated press helped to spread partisan politics beyond Westminster. Religion was recognised as an important factor in secular politics, especially the virulent hostility towards Catholicism, but recent studies have argued that greater weight should be given to personal belief (and its associated moral, ethical and cultural assumptions) and in particular the effect this had on relationships within the Protestant confession.<sup>5</sup> The literature review also refers to complementary studies on England's changing alliances in Europe, the impact of lengthy periods of war on public finance, government

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<sup>3</sup> E. A. Wrigley, 'A simple model of London's importance in changing English society and economy, 1650-1750', in idem (ed.) *People, Cities and Wealth: the transformation of traditional society* (Oxford, 1988), pp.133-56; idem, 'Urban growth and economic change: England and the continent in the early modern period', in P. Borsay (ed.), *The Eighteenth Century Town: A Reader, 1688-1820* (1990), pp.39-82; J. M. Rosenheim, *The Emergence of a Ruling Order* (1998), pp.215-52; S. E. Whyman, *Sociability and Power in Late-Stuart England* (Oxford, 1999), pp.4 and 87-109.

<sup>4</sup> See below, ch. 1 passim; and for an overview, G. Holmes, *The Making of a Great Power: Late Stuart and Early Georgian Britain, 1660-1722* (1993); T. Harris, *Politics under the later Stuarts* (1993); J. Hoppit, *Land of Liberty? England 1689-1727* (Oxford, 2000); T. Harris, *Restoration; Charles II and his Kingdoms* (2005) and idem, *Revolution* (2006).

<sup>5</sup> See below, pp.19-20.

administration and the economy and the effect that war had on the country's standing in Europe and overseas. These studies have contributed to a fuller understanding of the context in which politics operated.

While these initial studies drew on local evidence, generally it was used to illustrate developments at the centre.<sup>6</sup> For some time scholars working on the earlier part of the seventeenth century had recognised the value of taking the locality as a focus for studying social and economic change and its effect on political developments.<sup>7</sup> There was a time lag before similar local studies were published on the latter part of the century but this gap has begun to be filled in the last twenty-five years. In some of these studies the emphasis has been on social and economic structures: in others it has been on the political processes and in particular the interaction between the localities and the centre.<sup>8</sup> This current study belongs to this latter category.

It has been designed to achieve three outcomes. The first is to establish who was in political control in the county and the borough, what matters engaged their attention, how successful they were in achieving their objectives and what opposition they faced. The second is to identify the causes of political conflict in the county and the borough and examine how such conflicts were

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<sup>6</sup> For example, W. A. Speck, *Tory and Whig: the Struggle in the Constituencies* (1970).

<sup>7</sup> R. C. Richardson, *The Debate on the English Revolution* (Manchester, 1999), pp.162-83.

<sup>8</sup> For examples of the former see, P. Jenkins, *The Making of a Ruling Class: the Glamorgan Gentry, 1640-1790* (Cambridge, 1983); P. Roebuck, *Yorkshire Baronets, 1640-1760: families, estates and fortunes* (Oxford, 1980); A. M. Mimardiere, 'The Warwickshire Gentry, 1660-1730' (Univ. of Birmingham, M. A. thesis, 1963): and, of the latter, studies by C. Holmes, *Seventeenth-century Lincolnshire* (Lincoln, 1988), P. R. Brindle, 'Politics and Society in Northants, 1649-1714' (Univ. of Leicester, Ph. D thesis, 1983) and M. J. Short, 'The Political Relationship between central government and the local administration in Yorkshire, 1678-1690' (Univ. of Leeds, Ph. D. thesis, 1999).

managed. The third is to examine the links that existed between the locality and the centre and to identify what influence the centre had on local politics and the extent to which local views influenced political decisions at the centre. For the purpose of this study 'politics' has been interpreted as the way individuals manoeuvred, intrigued and competed with rivals to maintain their personal position and secure their political objectives. The emphasis therefore is on the way that men behaved in a variety of formal and informal contexts. Except for some general observations in chapter 2, which provides a context for the main research findings, no attempt will be made to examine the social structure of the county, its economy or the operation and effectiveness of local administration,

One challenge facing the researcher studying political activity at a county level in this period is the absence of a recognisable institutional framework in the county, comparable say to parliament, in which to observe the political process in operation.<sup>9</sup> The official corporation records are more helpful in this respect but even they have little to say about the substance of politics. As a way around this problem five areas have been identified, which will be used throughout this study as a framework for presenting the research evidence. These five are: - the contribution of the leading aristocratic and gentry families, the appointment of local officials, the established Church and its competitors, the politics of the borough and, fifthly, parliamentary elections. The extent to which these settings are used in each chapter varies according to the available evidence. Chapters 3 to 8, which contain the research findings, are set out chronologically but each chapter has been planned as a unit concentrating on a particular phase in the

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<sup>9</sup> S. and B. Webb, *English Local Government from the Revolution to the Municipal Corporation Act, 1689-1885* 11 vols. (1963 edn.), IV.350-486.

county's politics. The principal focus throughout is on local politics but within each chapter local developments are cross-referenced to what was happening at a national level.

Chapter 3 covers the period from 1677 to 1681. During this time the earl of Huntingdon was hoping to reassert his family's interests in the county but was also actively engaged with those politicians at a national level who were in opposition to the government. The next two chapters cover the 1680s when a repentant Huntingdon worked hard to enhance his standing at court. During this decade he took an active role in the remodelling of Leicester's charter in 1684 (chapter 4) and in 1686-8 gave James II loyal support in effecting sweeping changes in local governance (chapter 5). Prince William's intervention and James II's flight left Huntingdon stranded and his ambitions shattered.

The revolution enabled the earl of Stamford to come out of the political wilderness. For the next decade (chapter 6) he was the dominant influence in Leicestershire's politics while William III was alive. Chapter 7 is concerned with the four elections that took place between 1700 to 1705, a transitional phase in Leicestershire's politics which saw the temporary demise of aristocratic influence and a shift from whig to tory domination in both county and borough elections. Throughout Anne's reign the whigs continued to challenge tory control, culminating in the explosive contest in 1715 (chapter 8).

The correspondence of four local men, Theophilus, earl of Huntingdon, John, earl (later duke) of Rutland, Thomas Coke of Melbourne in Derbyshire and

Sir Thomas Cave of Stanford (and his father-in-law, Lord Fermanagh of Claydon in Buckinghamshire) has been the principal source of evidence in this study.<sup>10</sup> As well as narrative detail, these collections of letters and personal papers have provided the main evidence about what motivated these individuals in their political activities and the relationships they had with friends and opponents.

Huntingdon's correspondence is extensive.<sup>11</sup> Between 1677 and 1689 he spent most of his time in London and therefore conducted much of his local business through his friends and agents in the county. The collection also includes his correspondence with the officers and administrators of the regiment of foot he raised in 1685. Rutland's correspondence is very different, for he rarely moved outside the county. It includes some evidence about his role as Lord Lieutenant and as a patron of prospective parliamentary candidates but otherwise shows little evidence of active engagement with politics.<sup>12</sup> Many of the letters in the archives were from friends or members of the earl's extended family who kept him and his wife informed of what was happening in London society, at court and in the wider world.<sup>13</sup>

As an active politician Thomas Coke divided his time between London and his home at Melbourne in Derbyshire. His correspondence is of interest in

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<sup>10</sup> Other family archives in the Leicestershire Record Office have yielded little evidence directly relevant to this study, H. E. Broughton, *Family and Estate Records in the Leicestershire Record Office* (Leicester, 1991).

<sup>11</sup> H.L.C., *The Hastings Collection of MSS.* [on m/f. by Harvester Press in 1986 under the title *The Aristocracy, the State and the Local Community*: copies in B.L. and in Pilkington Library, Loughborough University; m/f. reels 12-15]; *H.M.C. Reports on the Manuscripts of the late Reginald Rawden Hastings Esq.* 4 vols. (1928-47), vols. II and IV; R.O.L.L.R., DG29-30, *Hastings MSS.* [Broughton, *Family and Estate Records*, pp.16-17].

<sup>12</sup> *H.M.C., The Manuscripts of His Grace the Duke of Rutland at Belvoir Castle* 4 vols. (1888-1905), vol. II.

<sup>13</sup> *H.M.C. Rutland*, vol. II, Introduction.

this study for its detail on political campaigning in Derbyshire and Leicestershire and for his exchanges with political colleagues in London who were active campaigners against the whig administration.<sup>14</sup> His correspondence and papers conclusively demonstrate the partisan character of politics in the two counties and the efforts candidates had to make to secure election. By contrast, Sir Thomas Cave's principal correspondence was the means by which he and his family kept in regular touch with his in-laws, the Verney family of Claydon in Bucks. Politics, country sports and social events intermingle in these letters as part of a rich description of daily living.<sup>15</sup> Sir Thomas' personal papers in the Leicestershire Record Office relate to legal and estate matters but they also provide the main evidence for his election campaigns.<sup>16</sup>

As contemporary accounts, these collections provide an important window into the politics of the period but there are caveats.<sup>17</sup> First these letters represent a personal and often partial (in both senses) interpretation of events. This is a serious limitation as far as this study is concerned because Huntingdon, Coke and Cave were all tories in politics. Had the earl of Stamford's correspondence survived it might have given a different perspective on the 1690s. Similar observations can be made about George Ashby and Thomas Byrd, who stood as whig candidates in several elections. A letter is a product of a particular moment in time and frequently assumes knowledge no longer

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<sup>14</sup> B.L. *Add. Mss.* 69944-47, 69954-58, 69992-96; H.M.C., *The Manuscripts of the Earl Cowper* 3 vols. (1888-9), vols. II and III.

<sup>15</sup> Sir Thomas' personal correspondence is principally to be found in the Verney family archives at Claydon House [S. Ranson, *The Verney Papers Catalogued for the Claydon House Trust* (1994)]; Centre for Bucks. Studies, m/f. M/II/53-56, Claydon House Letters [and also B.L. M/636/53-56]; M. Verney, *Verney Letters of Eighteenth Century* 2 vols. (1930).

<sup>16</sup> R.O.L.L.R., 23 D 57, pt. II, ff. 2123-2840, DE 2399 and DE 3128, ff. 195-212, *Braye Mss.*

<sup>17</sup> Whyman, *Sociability and Power*, pp. 9-12.

available to the modern reader: moreover, by accident or by design, it may not necessarily provide an authoritative record of the events or attitudes described. It is therefore more reliable where the correspondence (ideally of both parties) can be followed over time or when its authenticity can be tested against other evidence.

The borough records have also proved an excellent resource, especially for the period before 1689 when the corporation was dealing with the renewal of the charter.<sup>18</sup> However many of the Hall Papers and the Hall Books are brief minutes of meetings, records of resolutions and decisions and lists of members and freemen. Rarely do these records explain the context or indicate the consequences of the decision, so it is often difficult to understand the nature of the debate and the stance taken by individuals. Fortunately the clerks responsible for accumulating the Hall Papers preserved certain key letters, petitions and copies of proclamations etc., which provide more detail about certain developments. The Chamberlains' financial accounts have also provided useful detail, even if the chronology is sometimes misleading on account of delays in the presentation of the accounts.

There is no local record for the county comparable to the borough archives: neither the assize nor the quarter sessions rolls for the county for this period have survived. However, state papers in the National Archives, such as privy council registers and the correspondence of secretaries of state and other ministers, provide some evidence about the interaction between the

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<sup>18</sup> R.O.L.L.R., BR/11/3, *Hall Books, 1587-1707* and BR/ II/ 34-36, *Hall Papers 1677-1688*.

administration and local governors, including representations from the county and borough. However, only a limited amount of documentation has survived on the work of the county commission of the peace and the militia.<sup>19</sup> Use has also been made of information about Leicestershire in the personal correspondence and papers of other individuals prominent in political affairs.<sup>20</sup> In addition, other information has been found in a variety of sources, such as collections of addresses and petitions, newsprint reports, and contemporary diarists and writers such as Narcissus Luttrell, Roger Morrice and Bishop Burnet.

Glassey has demonstrated how an analysis of the appointments in the commission of the peace can be used to identify political influence on these appointments. These changes can be followed in Leicestershire through a sequence of fifteen commissions in the county Record Office, issued between 1688 and 1719.<sup>21</sup> Supplementary information has been drawn from state papers and other sources to extend the coverage from 1680 to 1719. This information has been used to draw up Tables 1 and 5.<sup>22</sup> The lists rarely record more than the first and family names and titles of those appointed. So, where possible, biographical material has been matched against these names in order to establish dates of birth and death, place of residence and to distinguish between justices of the same name. This process is not without hazard: where the biographical information is sparse, there is always the possibility of a false attribution. In

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<sup>19</sup> R.O.L.L.R., QS 5/1, Court Minute Book, QS 6/1, 2/1, 2/2 and 2/3, Court Order Books, 1678-1722; LM2/1-4, Militia Order Books, 1667-95 and 1715.

<sup>20</sup> For example, Lord Cowper's papers in the Hertfordshire R.O. (*Panshanger MSS.*), Robert Harley's papers in the *Portland Collections* in the British Library and *Papers of the Harley family, 1602-1738* in the Portland (Welbeck) collection in Nottingham University Library (Pw2 HY).

<sup>21</sup> R.O.L.L.R., QS 1/1-15, Commissions of the Peace, 1688-1719.

<sup>22</sup> See below, pp.411-17 and 434-40, Tables 1 and 5, Justices of the Peace 1680-1719.

some instances annotations on working lists of justices give the reason why an individual might have been appointed or dropped.

A similar exercise has been applied to the appointments of Deputy Lieutenants but it is of more limited value because of the sparsity of the data.<sup>23</sup> It has been impossible to carry out a similar exercise for the commissioners of assessment because of the scarcity of biographical material. A similar approach has been employed to track changes in the corporation during the 1680s but once again biographical information is scarce. It has, however, been possible to use information in Hartopp's *Mayors of Leicester* to establish dates of birth and death and occupations of the majority of the aldermen serving in the 1680s to compose a profile of the senior body in that decade.<sup>24</sup>

It may be possible to take this further by consulting wills but no attempt has been made in this current research to go beyond the standard printed sources.<sup>25</sup> Amongst these, Nichols' *History of the Families and Antiquities of Leicestershire*, published at the end of the eighteenth century, has been invaluable.<sup>26</sup> He was able to draw on the work of earlier Leicestershire antiquaries, such as Burton, Staveley, Carte and Peck, as well as the College of Heralds' visitation records for 1619 and 1683. He added to this information he had acquired from his own research and evidence and anecdotes supplied by his

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<sup>23</sup> See below, pp.418-24, Table 2.

<sup>24</sup> H. Hartopp, *Roll of the Mayors and Lord Mayors of Leicester* (Leicester, 1932) and below, pp.171-174 and p.425, Table 3

<sup>25</sup> G.E. Cokayne, *The Complete Peerage*, 14 vols. (1910-59); idem, *Complete Baronetage* (1900-06); J. and B. Burke, *A Genealogical and Heraldic History of the Commoners of Great Britain and Ireland* 3 vols. (1965-72); G. F. Farnham, *Leicestershire Medieval Pedigrees* (Leicester, 1925).

<sup>26</sup> J. Nichols, *The History and Antiquities of the County of Leicestershire* 4 vols. (each in two parts) [1795-1815] (reduced facsimile edition, 1971).

local correspondents. There was an element of serendipity in his approach and questions about the accuracy of some of his material but this *magnum opus* provides an excellent and unique store of information on the leading families of the county.

During the course of this study much time will be spent on examining parliamentary elections. Elections provide an excellent opportunity to see politics in action at a local level and an alternative perspective to the view from Westminster. The researcher's task has been greatly helped by the completion of *The History of Parliament* volumes covering this period, which draw on many of the sources that have been quoted above as well as reports on parliamentary proceedings. These volumes provide excellent information both on elections and the subsequent careers of MPs in parliament. Although greater attention has been paid in the 1690-1714 volumes to the local constituency, the terms of reference for the series mean that the principal focus is on the MPs in parliament: unsuccessful candidates and other key players at a local level are relegated to a minor role. However, useful as elections are in showing politics in action, it has to be recognised that by their very nature they present a heightened version of reality. This caveat is especially important when using the evidence presented by candidates to support an appeal against the returning officer's decision.<sup>27</sup>

Some useful research has been carried out in the last forty years on voting behaviour in different parts of the country, based on analyses of surviving poll

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<sup>27</sup> Reports of the Committee of Privileges and Elections; T. Carew, *An Historical Account of the Rights of Elections of the several Counties, Cities and Boroughs of Great Britain* (1755), 1. 318-24, 'Leicestershire and Leicester appeals, 1661-1722'.

books. Unfortunately such information in Leicestershire is limited. Even the number of votes cast for the candidates is known in only six elections in the county and one in the borough. Some miscellaneous details on voting behaviour were collected by John Coke in preparation for his appeal in 1679 but only two poll books, one a copy from 1707 and the other from 1719, have survived.<sup>28</sup> This information is so widely spaced that it cannot be used to track voting behaviour between elections. However it has been possible to make limited use of information in the 1707 poll book to determine the distribution of support for the two candidates across the county.<sup>29</sup>

Apart from Greaves' 1939 monograph on the corporation of Leicester and Simmons' history of the borough in 1974, this study is the first comprehensive account of politics in the county and the borough covering this period since the publication of the Leicestershire volumes of the *Victoria County History* in the 1950s.<sup>30</sup> Over these years several specialist articles, monographs and theses have been written which have dealt with aspects of Leicestershire history relevant to this study. Acknowledgements to these works appear in chapter 2 and subsequently elsewhere in the text as appropriate.

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<sup>28</sup> B.L., *Add. MSS.* 69954, Coke Papers, ff 1-61; C.U.L. MS Mm.vi.61, ff. 200-3, Copy of 1707 poll book; *The Leicestershire Poll ... holden December 1719* (London, 1720).

<sup>29</sup> See below, pp.340-2 and Appendix 4, p.410.

<sup>30</sup> R. W. Greaves, *The Corporation of Leicester, 1689-1836* (Oxford, 1939); J. Simmons, *Leicester: The Ancient Borough to 1860* (Leicester, 1983 edn.); W. G. Hoskins and R. A. Mckinley (eds.), *The Victoria History of the County of Leicestershire*, vol. II (1954), III (1955) and vol. IV (1958).

## **Chapter 1: English Politics 1677-1720: a literature review**

### Part 1: An overview

#### 1

Drawing on a tradition which had its roots in whig politics of the late seventeenth century, Lord Macaulay portrayed the Glorious Revolution as the decisive turning point in modern English history: a drift towards Catholicism and absolutism was firmly rejected in favour of representative parliamentary government and religious freedom.<sup>1</sup> In the 1960s and 70s J. H. Plumb, G. Holmes, J. R. Jones, and H. Horwitz, challenging the prevailing orthodoxy, distanced themselves from such teleological explanations.<sup>2</sup> They wanted to pay closer attention to the social and ideological context in which these events took place.<sup>3</sup> All four also firmly rejected R. R. Walcott's attempt to apply to this period the techniques developed by Sir Lewis Namier to analyse politics in the mid-eighteenth century.<sup>4</sup> They claimed that Walcott failed to take account of the ideologically driven politics that were such a prominent feature at Westminster and elsewhere and seriously underestimated the stand that leading politicians

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<sup>1</sup> T.B. Macaulay, *The History of England from the Accession of James II*, [1849-61], 6 vols. (C. H. Firth (ed.), 1913-15); G. Burnet, *A History of My Own Time* (Oxford, 1833); G. M. Trevelyan, *England under the Stuarts* [1904] (1960 edn.); idem, *England under Queen Anne*, 3 vols. (1930-4); H. Butterfield, *The Whig Interpretation of History* (1931); K. G. Feiling, *A History of the Tory Party, 1640-1715* (Oxford, 1924); G. N. Clark, *The Later Stuarts* (Oxford, 2<sup>nd</sup> edn., 1956); D. Ogg, *England in the reign of Charles II* 2 vols. [1934] (Oxford, 1969), and idem, *England in the reigns of James II and William III* [1955] (Oxford, 1969).

<sup>2</sup> J. R. Jones, *The First Whigs: the Politics of the Exclusion Crisis, 1678-1683* (Oxford, 1961) and idem, *The Revolution of 1688 in England* (1972); J. H. Plumb, *The Growth of Political Stability in England, 1675-1725* (1967); G. S. Holmes, *British Politics in the Age of Anne* [1967] (2<sup>nd</sup> edn. 1987); H. Horwitz, *Parliament, Policy and Politics in the Reign of William III* (Manchester, 1977).

<sup>3</sup> Jones, *First Whigs*, pp.1-2; Holmes, *British Politics*, pp.1-4 and Horwitz, *Parliament, Policy and Politics*, pp.vii-viii; Plumb, *Growth of Stability*, p.xiii.

<sup>4</sup> R. R. Walcott, *English Politics in the Early Eighteenth-Century* (Oxford, 1956); idem, 'English Party Politics 1688-1714', in *Essays in modern English History in honor of W. C. Abbott* (Cambridge, Mass, 1941); H. Butterfield, *George III and the Historians*, (1957), Sir Lewis Namier, *The Structure of Politics at the Accession of George III* [1929] (2nd edn.1961).

were prepared to make on grounds of principle.<sup>5</sup> ‘Surveying these years,’ Plumb wrote, ‘it is impossible to deny the ferocity of party strife, Whig versus Tory, in Parliament and in the constituencies .... party division was real and it created instability; indeed it was the true reflection of it’.<sup>6</sup>

These four scholars have had an immense influence on subsequent research on the politics of this period. Hayton’s review of the literature in the *History of Parliament 1690-1714* stands as a tribute to the breadth, quantity and quality of this work.<sup>7</sup> These researchers have had access to a range of fresh material from private archives to add to state papers, published private papers and other documentary material, which were the principal sources for their predecessors.<sup>8</sup> New evidence on voting behaviour in parliament has helped in tracking the development of the political parties at a national level.<sup>9</sup> In addition a number of complementary studies have contributed towards a better appreciation of the economic, social and cultural context in which politics operated.

Originally delivered in 1965, J. H. Plumb’s Ford Lectures still offer an excellent introduction to this new interpretation.<sup>10</sup> Plumb took a longer view than Macaulay. His aim was to explain how the ‘political chaos of the late seventeenth

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<sup>5</sup> J. H. Plumb, ‘Review of R. R. Walcott, *English Politics in the early Eighteenth-Century*’, *E.H.R.*, LXXII (1957), 126-9 and idem, *Growth of Stability*, pp.xiv-xv and 44-6; Jones, *First Whigs*, pp.2-3 and 38-41; Holmes, *British Politics*, pp.2-5; H. Horwitz, ‘Party, Connections and Politics’, *J.B.S.* VI (1966),45-69 and idem, ‘The Structure of Parliamentary Politics’, in G. S. Holmes (ed.), *Britain after the Glorious Revolution, 1689-1714* (1969), pp.96-102.

<sup>6</sup> Plumb, *Growth of Stability*, pp.xiv and 157; G. S. Holmes and W. A. Speck (eds.), *The Divided Society: Parties and Politics in England, 1694-1716* (1967).

<sup>7</sup> E. Cruickshanks, S. N. Handley and D. W. Hayton (eds.), *History of Parliament: House of Commons, 1690-1715* 5 vols. (Cambridge, 2002), I.28-35.

<sup>8</sup> *H.o.P. 1690-1715*, I.20-28.

<sup>9</sup> Holmes, *British Politics*, pp. lxiii-lxvi and pp.443-448; *H.o.P. 1690-1715*, I.469-99; G. M. Ditchfield, D. W. Hayton and C. Jones (eds.), *British Parliamentary Lists, 1600-1800: A Register* (1995).

<sup>10</sup> Published as, *The Growth of Political Stability in England, 1675-1725* (1967).

century was transformed into the adamant stability of eighteenth-century oligarchy'.<sup>11</sup> He identified a number of topics in the lectures that were to become stock themes in the new interpretation; the prevalence of party conflict, the transformation of political parties in response to the changing political context, the existence of a large electorate with frequent opportunities to express its collective (and divided) opinions and the growth of the executive in response to the logistical demands made by two lengthy wars against France.

He drew attention to the contradiction between an economy that for the first time in two hundred years showed potential for growth and a polity that at the centre was plagued by unresolved ambiguities and angst. Marginal population gains and a steady growth in both internal trade and overseas commerce were the driving forces for economic change, the benefits of which were gradually becoming apparent to those with the greatest economic stake in the kingdom. He contrasted this mildly optimistic scenario with the crown's inability to resolve the tensions caused by its desire for strong government and its dependence on the landed elite to provide the personnel and resources to achieve this, tensions which were particularly apparent in the crown's relations with parliament.<sup>12</sup> He also acknowledged that other issues, the political, economic and religious differences between the three kingdoms, the national impact of the turbulent politics of London, the problems thrown up by Dissent and the complexity of freehold tenures, liberties and other vested interests, helped to create an unstable environment and endemic partisan conflict. Here '...a political nation was in ferment, locked in a war for power, with ample opportunities for

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<sup>11</sup> Plumb, *Growth of Stability*, p.xviii.

<sup>12</sup> *Ibid.*, pp.1-66.

battle, and whatever their personal ambitions or intentions, politicians had to try to dominate a majority of that active, voting political nation' and the means to achieve this was through 'the attitudes, ideas and organisation of party'.<sup>13</sup> In his final lecture Plumb offered some tentative explanations as to why the chronic instability that affected politics before the 1720s apparently gave way so rapidly to the relative stability of the Hanoverian age.<sup>14</sup>

## Part 2: The popish plot and the crisis over exclusion, 1678-81

### I

In contrast to Plumb's general survey, J. R. Jones concentrated on the political crisis of 1678-81. In *The First Whigs*, he examined the issues that provoked the crisis and the political, social and economic context in which it developed.<sup>15</sup> Jones recognised that some of Charles's problems stemmed from the flawed settlement at the Restoration but he also blamed Charles II for erratic behaviour and for resorting to short term tactics as a defensive response to a series of new problems.<sup>16</sup> Increasing anxiety about the catholic and pro-French leanings of the court, news of the duke of York's conversion and the growing frustration of those who felt excluded from political influence helped to fuel mistrust of the court and the king's ministers.<sup>17</sup> In this frenetic atmosphere, Oates' revelations provided the spark to light this politically sensitive tinder. Jones noted how the earl of Shaftesbury, already one of the sharpest critics of the

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<sup>13</sup> Ibid., p.xv.

<sup>14</sup> Ibid., pp.66-97, 98-128 and 159-189.

<sup>15</sup> Jones, *First Whigs*, pp.3-4.

<sup>16</sup> J. R. Jones, 'Main Trends in Restoration England' and J. Miller, 'The Later Stuart Monarchy', in J. R. Jones (ed.), *The Restored Monarchy, 1660-1688* (1979), pp.11-12 and 37-40; J. R. Jones, *Charles II: Royal Politician* (1987), p.1.

<sup>17</sup> Jones, *First Whigs*, pp.5-6, 20-33.

court, came to prominence by playing on public anxieties about popery, presenting Catholicism as a threat to liberty, property and the Protestant religion.

However, Jones was convinced that neither the earl nor the majority of those who supported him were trying to engineer a political revolution.<sup>18</sup> For Jones, the crisis was essentially constitutional, a conflict between ‘court’ and ‘country’, in which Shaftesbury played a leading role in organising and co-ordinating the resistance and in determining its parliamentary and national strategy.<sup>19</sup> The earl was able to sustain the campaign because he persuaded the opposition to focus their attack on exclusion ‘as the sole practicable means of self-preservation, as the sovereign remedy and security for their lives, liberties and properties and religion’.<sup>20</sup> To prevent this catastrophe, the opposition were forced ‘to develop the organisation, cohesion, discipline and mass appeal which made them a party’. In Jones’ opinion, it was this common objective rather than any definite, coherent political philosophy that provided the whig opposition with their temporary unity.

While the opposition secured a majority in the Commons in all three elections, the king used his prerogative powers to deny them a permanent parliamentary platform.<sup>21</sup> Louis XIV’s promise of a subsidy gave Charles sufficient security to dispense with parliament after April 1681. By then the storm generated by the popish plot had abated and had now been overtaken by fears among ‘Church and King’ loyalists that the opposition was unleashing

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<sup>18</sup> Ibid., pp.17.

<sup>19</sup> Ibid., pp.9 (and n.1) and 16-18.

<sup>20</sup> Ibid., pp.18-19, and also 6-7, 54-5, 67-73.

<sup>21</sup> Ibid., pp.57-67.

forces that were in danger of subverting order and authority. Charles took advantage of this reaction to outmanoeuvre his opponents and to reassert his authority.

## II

Knights considered J. R. Jones had overstated Shaftesbury's role.<sup>22</sup> Echoing views expressed earlier by Plumb and Haley, Knights claimed that the earl was essentially a political opportunist without a clear plan other than the pursuit of office.<sup>23</sup> Shaftesbury was one of 'a faction of leaders held together more by informal ties, ambition and ideology than by party discipline and central organisation'.<sup>24</sup> The opposition ranged from those ideologically committed to work for radical change in church and state to more moderate men who were deeply unhappy with the way the king and his ministers were treating parliament. Knights contended that it was the crown's weakness rather than the strength of the opposition that enabled the opposition to maintain pressure on the king up to the autumn of 1680. This explains why an opposition, so united in 1679, disintegrated so quickly in 1681 when public opinion began to swing against the extremists. Knights argued for a more flexible model to accommodate the variety of personal and factional elements and the interplay between national and local politics, which helped to shape the course of the crisis.<sup>25</sup>

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<sup>22</sup> M. Knights, *Politics and Opinion in Crisis, 1678-81* (Cambridge, 1994), pp.112-145.

<sup>23</sup> Plumb, *Growth of Stability*, p.51; K. H. D. Haley, *The First Earl of Shaftesbury* (Oxford, 1968).

<sup>24</sup> Knights, *Politics and Opinion*, pp.130-2.

<sup>25</sup> *Ibid.*, pp.354-60; T. Harris, *Politics under the later Stuarts: party conflict in a divided society, 1660-1715* (1993), pp.104-6 and 121-2.

J. Scott argued that concern about the duke of York's succession was only one of several interrelated anxieties about the direction of government policy, such as the threat posed by international Catholicism, the perceived trend towards arbitrary government and the government's ambiguous attitude towards France.<sup>26</sup> These were the same issues which had caused such resentment in Charles I's reign and which had not been addressed in 1660.<sup>27</sup> Knights supported Scott's reservations. His research demonstrated that concerns about religion, arbitrary government and the succession varied in importance and intensity at different stages in the crisis, depending on how individuals and groups reacted to developments in domestic and external politics.<sup>28</sup> Even on the crucial issue of the succession, exclusion was only one of several options being explored at this time. The attempts to find a consensus on 'limitations' were serious efforts to find a solution: these failed not because they were impracticable but because of official indecision in the face of factional interests at court. In Knights' opinion it was only when Charles II began to regain the initiative that the opposition in desperation turned to exclusion as their central focus.

Harris and Knights also challenged Jones' emphasis on constitutional factors as a prime motivator in late seventeenth-century politics. They argued that he failed to give sufficient weight to the struggle within the Protestant confession.<sup>29</sup> In 1661 fear of a resurgence of millenarian and republican extremism drove a parliament, dominated after 1661 by 'Church and King'

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<sup>26</sup> J. Scott, *Algernon Sidney and the Restoration Crisis, 1677-1683* (Cambridge, 1991)

<sup>27</sup> J. Scott, 'Radicalism and Restoration: the shape of the Stuart experience', *H.J.*, 31 (1988), pp.453-67.

<sup>28</sup> Knights, *Politics and Opinion*, pp.29-54 ff.; see also, Feiling, *Tory Party, 1640-1714*, pp.181-87.

<sup>29</sup> Jones, *First Whigs*, ch. 4, esp. pp.75-81.

loyalists, to put in place draconian laws in defence of the established Church.<sup>30</sup> These laws turned Nonconformists into second-class citizens and placed severe obstacles to their freedom of worship. As a persecuted minority, Dissenters were a fertile ground for those campaigning against the government. It was natural for them to look for political allies among those politicians who were taking a stand on a wider defence of liberty and property against arbitrary government. Those believing that a more comprehensive settlement would undermine authority in church or state gravitated to those politicians who were intent on upholding the status quo. Once the hysteria generated by the popish plot had dissipated, alarms again surfaced about a link between religious dissent and political radicalism and the threat that this presented to the security of the established Church and state. It was therefore little surprise that Dissenters and their supporters were once again among the government's principal targets, when Charles II took the offensive against his political opponents in the last years of his reign.<sup>31</sup>

Finally Knights argued that Jones underestimated the importance of local opinion.<sup>32</sup> Charles's continuing refusal to allow the opposition a parliamentary platform meant that local political activity, which had been stimulated by three election campaigns, continued between elections through the medium of petitions, addresses and abhorrences as well as through a rash of pamphlets from an uninhibited press, which Jones saw as 'a sign of the unprecedented efficiency

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<sup>30</sup> J. P. Kenyon, *The Stuart Constitution, 1603-88* (Cambridge, 1986), pp.351-3, 'The Corporation Act, 1666' and pp.356-9, 'The Conventicles Act. 1670'.

<sup>31</sup> Harris, *Politics under the later Stuarts*, pp.3-4, 9-12, 40-2, 65-73 and idem, 'Revising the Restoration', in T. Harris, P. Seaward and M. Goldie (eds.), *The Politics of Religion in Restoration England* (Oxford, 1990), pp.14-24; Knights, *Politics and Opinion*, pp.258-347; D. R. Lacey, *Dissent and Parliamentary Politics in England, 1660-1689* (New Brunswick, N.J., 1969); J. Miller, *Popery and Politics in England, 1660-1688* (Cambridge, 1973).

<sup>32</sup> Knights, *Politics and Opinion*, p.295.

and resolution of the whig organisation'.<sup>33</sup> Knights demonstrated how these public statements, many of which emanated from London, were used as a vehicle for disseminating partisan propaganda.<sup>34</sup>

However not all these campaigns were started as a result of central initiatives. Nor were issues, which were a priority at the centre, necessarily the same as those held to be important at a local level. Knights argued that the petitions often reflected the claims of local partisan groups to represent the true voice of the community. Provincial petitions and addresses calling for the suppression of Dissent and a curb on parliamentary excesses became increasingly important as opposition at the centre began to disintegrate. Charles II was able to profit from this change in public opinion. During 1681 the debate became more polarised as propagandists on both sides engaged in a fierce campaign of claim and counter-claim, 'each struggling to persuade the nation that it was the sole champion of rights and liberties, security and religion'.<sup>35</sup> Although these were partisan products designed to influence rather than reflect public opinion, Knights argued that the extent to which they were employed is powerful evidence that partisanship was as common a feature of local politics as it was at the centre. Knights' conclusions are backed up by Halliday's study of borough politics.<sup>36</sup>

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<sup>33</sup> Jones, *First Whigs*, pp.115-20, quotation from p.115.

<sup>34</sup> Knights, *Politics and Opinion*, pp.232-42, and pp.375-393 contains lists of pamphlets, newspapers and periodicals, 1678-82; M. Knights, *Representation and Misrepresentation in later Stuart Britain: partisanship and political culture* (Oxford, 2005), pp.109-162.

<sup>35</sup> Knights, *Politics and Opinion*, pp.316, 360-7.

<sup>36</sup> P.D. Halliday, *Dismembering the Body Politic: partisan politics in England's towns, 1650-1730* (Cambridge, 1998), pp.149-264.

Part 3: Monarchy in the 1680s

I

There has been no classic account of the politics of the 1680s, comparable to the studies by Horwitz (on the 1690s) and Holmes's (on Anne's reign): however, revisionist studies by J. R. Western, J. R. Jones, W.A. Speck and T. Harris provide a valuable overview.<sup>37</sup> Despite the authors' determination to move away from Macaulay's legacy, there is a strong sense that the principal imperative in all these studies is to explain how and why the revolution of 1688-9 took place. Yet for contemporaries the principal dilemma was how to react to the pressures that were coming from the centre and for the historian to understand what the principal protagonists were aiming to achieve and how their actions were interpreted. Miller has argued that contemporaries often misconstrued royal ambitions and actions, because they found it difficult to read the intentions of Charles II, James II, Prince William and Sunderland. J. R. Jones, Miller, Baxter and Kenyon have attempted to tackle this problem in the biographies they have written on these men but important questions still remain unresolved.<sup>38</sup> Were the two brothers planning to establish an absolutist regime along the lines of the French state and second were they aiming to restore Catholicism in England? While these two issues are used in this chapter to provide a framework in which to examine the literature, it is appropriate to bear in mind Harris' warning against looking at politics and religion as separate spheres of activity in this period.<sup>39</sup>

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<sup>37</sup> J. R. Jones, *The Revolution of 1688 in England* (1972); J. R. Western, *Monarchy and Revolution: The English state in the 1680s* (1972); W. A. Speck, *Reluctant Revolutionaries: Englishmen and the Revolution of 1688* (Oxford, 1988).

<sup>38</sup> J. R. Jones, *Charles II: Royal Politician* (1987); J. Miller, *James II: a study in kingship* (1989); S. B. Baxter, *William III* (1966) and J. P. Kenyon, *Robert Spencer, Earl of Sunderland, 1641-1702* (1958).

<sup>39</sup> Harris, *Politics under the later Stuarts*, p.8. For further reference to religion, see below, pp.36-40, 112-4 and 328-31.

## II

Macaulay believed that ‘Our Revolution...finally decided the great question whether the popular element...should be destroyed by the monarchical element, or should be suffered to develop itself freely and become dominant’.<sup>40</sup> Western was similarly convinced that ‘after 1680 England seemed to be moving inexorably towards absolutism and only the events of 1688 led to a change of direction’.<sup>41</sup> J. R. Jones disagreed. He was not convinced that the steps taken to strengthen the crown’s authority are proof that either king was intent on establishing an absolute regime.<sup>42</sup> Speck was less certain, citing James’s record in Scotland and Ireland, his attempt to pare back the *Habeas Corpus* legislation and his redefinition of colonial liberties as examples of James II’s absolutist pretensions.<sup>43</sup> Jones and Speck both quoted the French envoy’s observations about James II’s preference for absolute power but Miller found no evidence in James’s correspondence that the king was planning a radical restructuring of the state.<sup>44</sup>

Even if it could be established that either monarch had pretensions to emulate Louis XIV, Miller pointed out that their scope to develop an absolutist regime in the 1680s was severely limited. McInnes noted the efforts made to improve central administration, to enlarge the army and to control the organs of

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<sup>40</sup> Macaulay, *History of England*, III.1310-12.

<sup>41</sup> Western, *Monarchy and Revolution*, p.3.

<sup>42</sup> Jones, ‘Main Trends in Restoration England’, in Jones (ed.), *Restored Monarchy*, pp.20-22.

<sup>43</sup> Speck, *Reluctant Revolutionaries*, pp.8, 16-17, 153-62 & 242-3; T. Harris, *Revolution: The Great Crisis of the British Monarchy, 1685-1720* (2006).

<sup>44</sup> J. Miller, ‘The Potential for Absolutism in later Stuart England’, *History*, LXIX (1984), 187-207; idem, *James II* (1989) and idem, *Popery and Politics* (1973).

local government but advised against inflating the significance of these actions.<sup>45</sup> Even if the government was able to make modest improvements in the administration and the army, it had to rely on local unpaid officials for local governance. If the government required more resources, the king had little option other than to seek parliamentary support with all the political consequences that implied.

### III

In the late seventeenth century, government was still regarded as the personal responsibility of a divinely sanctioned sovereign and the monarch was expected to fulfil that role; the subject's duty was to assist him or her in that role.<sup>46</sup> Such principles were not seriously challenged in the 1680s, except by a minority of political radicals.<sup>47</sup> Even those who sought to limit the prerogatives of kingship did so through an appeal to 'ancient liberties of the people' rather than by a frontal challenge to monarchical authority.<sup>48</sup> Nevertheless the nature of the relationship between the sovereign and the subject was vigorously debated.<sup>49</sup> There were those, who, following Filmer, emphasised the sovereign's authority and the subject's duty of obedience and non-resistance.<sup>50</sup> On the other side there were those, like Locke, who argued for a more reciprocal relationship.<sup>51</sup> These

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<sup>45</sup> A. McInnes, 'When was the English Revolution?', *History*, 67 (1982), 388-9; C. D. Chandaman, *The English Public Revenue, 1660-88* (Oxford, 1975).

<sup>46</sup> Jones, *Revolution of 1688*, pp.ix, 10-12 and 51-58.

<sup>47</sup> Scott, *Sidney and the Restoration Crisis* (1991).

<sup>48</sup> E. N. Williams, *Eighteenth-Century Constitution* (Cambridge, 1960), p.30, 'Bill of Rights, 1689'.

<sup>49</sup> Western, *Monarchy and Revolution*, pp.5-45.

<sup>50</sup> P. Laslett (ed.), *Patriarcha and other Political works of Sir Robert Filmer* (Oxford, 1949); Western, *Monarchy and Revolution*, pp.3-18.

<sup>51</sup> J. Locke, *Essay concerning the true original, extent and end of civil government* in Sir Ernest Barker (ed.), *Social Contract* (Oxford, 1947); R. Ashcraft *Revolutionary Politics and Locke's "Two Treatises of Government"* (Princeton, 1986).

philosophical arguments became part of the debate as politicians strove to resolve some of the intractable, practical difficulties they faced.

The contemporary debate was less about the principle and more about how the king was exercising his prerogative powers and the extent to which these powers were subject to legal and moral constraints. The problem for both contemporaries and historians is that late seventeenth-century law was ambiguous on these matters.<sup>52</sup> Whig historians quoted the claim in the 1689 Declaration of Rights that James II had acted ‘utterly and directly contrary to the known laws and statutes, and freedom of this realm’ as proof that he had strayed beyond this ill-defined line but, as Speck pointed out, the Declaration is not a reliable guide to the legal position in James II’s reign.<sup>53</sup> Miller claimed the Stuarts had a much better case in law than his opponents would admit.<sup>54</sup> Ogg, Jones and Speck acknowledged that both Charles II and James II generally recognised the legal constraints on their authority but at times stretched their prerogative powers beyond legitimacy and good sense.<sup>55</sup> In 1672, for example, Charles II ran into problems, when he used ‘his supreme powers in all matters ecclesiastical’ to suspend much of the penal legislation relating to religion. He was forced to withdraw his Declaration, when the Commons asserted that the Act of Supremacy of 1559 did not extend that far. Fifteen years later James II issued a similar Declaration of Indulgence. In Carter’s opinion, this action was tantamount to suspending statute, notwithstanding the king’s promise to seek

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<sup>52</sup> J. Carter, ‘Law, Courts and Constitution’, in Jones (ed.), *Restored Monarchy*, (1979), pp.75-7.

<sup>53</sup> Williams, *Eighteenth-Century Constitution*, pp.26-27, ‘Preamble to Bill of Rights, 1689’; Speck, *Reluctant Revolutionaries*, pp.140-4.

<sup>54</sup> Miller, *James II* (2000), p.vii.

<sup>55</sup> Ogg, *James II and William III*, p.177; Jones, *Revolution of 1688*, pp.58-9; Speck, *Reluctant Revolutionaries*, pp.140-4 and 153.

parliament's ratification.<sup>56</sup> However, as Jones noted, notwithstanding the stand taken by the seven bishops and the fellows of Magdalen College, active opposition was generally muted.<sup>57</sup>

Harris acknowledged that the law was ill-defined but pointed out that the monarch's powers were still subject to moral and political constraints.<sup>58</sup> Loyalists might set great store by the subject's duties of obedience and non-resistance but at the same time they believed that both sovereign and subjects had to respect what Dalton referred to as 'the law of God and nature (which...as it pertaineth to man is also called the law of reason)'.<sup>59</sup> In Harris' opinion so long as those supporting the king's authority had the assurance that the laws protecting the established Church would be respected and adequately policed, they had little to fear even from a Catholic sovereign.<sup>60</sup> In Speck's opinion what outraged those who were pre-disposed to defend the king's prerogative was that the king was using these powers to promote Catholicism, which, in the words of Speaker Trevor, threatened 'the security of our Religion, which is dearer to us than our lives'.<sup>61</sup> By forcing them to choose between their conscience and their duty, James II left loyalists with a profound moral dilemma, which continued to haunt many Tories well into the next century.

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<sup>56</sup> Kenyon, *Stuart Constitution*, pp.376 and 382-384, 'Declaration of Indulgence, 1672' and pp.389-391, 'Declaration of Indulgence 1687'; Carter, 'Law, Courts and Constitution', in Jones (ed.), *Restored Monarchy*, pp.76-7; also see below, pp.38-40.

<sup>57</sup> Jones, *Revolution of 1688*, pp.104-6.

<sup>58</sup> Western, *Monarchy and Revolution*, pp.12-16; Harris, *Politics under the later Stuarts*, pp.121-3; Jones, *Charles II*, pp.162 and 187.

<sup>59</sup> M. Dalton, *The Countrey Justice* (1661), quoted by Western, *Monarchy and Revolution*, p.6 (and n. 2); J. R. Jones, 'Parties and Parliament', in Jones (ed.), *Restored Monarchy*, (1979), pp.69-70; Prince William employed a similar argument in the Declaration he issued on 30 Sept. 1688, see, Williams, *Eighteenth-Century Constitution*, p.10.

<sup>60</sup> Harris, *Politics under the later Stuarts*, p.123.

<sup>61</sup> Speck, *Reluctant Revolutionaries*, pp.153, 233 and 243 and W. Cobbett, *Parliamentary History of England* 36 vols. (1806-20), IV.1359.

#### IV

For whig historians, the most damning proof of royal despotism was the fact that parliament met in total for less than three months in the 1680s. According to Trevelyan, '[w]hen Parliament was not sitting, the ministers had complete executive freedom; and the full executive power was then a truly formidable weapon of party warfare'.<sup>62</sup> J. R. Jones claimed that such views took little account of seventeenth-century constitutional realities. He argued that parliament had not acquired a permanent constitutional role by the 1680s and its existence was still essentially dependent on the king's will.<sup>63</sup> Moreover, as Knights pointed out, loyalists in 1680 saw mass petitioning, the instructions given to MPs and the attempts at exclusion as a greater threat to personal security and public stability than Charles's efforts to limit parliamentary activity.<sup>64</sup>

There were two principal reasons why the monarch had to call a parliament. The first was to agree or rescind legislation that had the imprimatur of king, lords and commons: the second was to obtain approval for extraordinary taxation. In the 1670s, Charles II was left with no option but to turn to parliament for extra revenue: by the 1680s the position had changed. Louis XIV's promise of a subsidy and a steady improvement in the government's financial position provided respite from the chronic under-funding that had been a feature of the previous two decades. As a result, in the 1680s, Charles II had no need to look to parliament for extra revenue.

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<sup>62</sup> Trevelyan, *England under the Stuarts*, pp.402-3.

<sup>63</sup> J. R. Jones, *First Whigs*, p.211.

<sup>64</sup> Knights, *Politics and Opinion*, pp.258-80.

However, James II had to call parliament at the beginning of the reign to approve the customary revenues. W. A. Shaw claimed parliament made a tactical error in granting James II a generous settlement for life in 1685.<sup>65</sup> In 1974 Chandaman challenged Shaw's evidence and conclusions. He argued that in 1685 politicians had simply followed the precedents set in 1660 for lack of any more reliable method for calculating the budget. Chandaman reworked Shaw's calculations and demonstrated that, when the costs of servicing the crown's historic debts were added into the calculation, the government was still facing a serious problem in maintaining a balanced budget.<sup>66</sup> Measures taken by the treasury to improve methods of gathering and accounting for tax revenues and an upturn in internal and overseas trade resulted in increased yields from customary revenues. This modest improvement in the government's financial position and the absence of any demand for exceptional expenditure left James free to choose when to recall parliament. On the other hand he never challenged the proposition that eventually he would need a parliament to repeal the Test Acts and other disabling legislation.<sup>67</sup> Such was his determination to achieve this that he and Sunderland went to unprecedented lengths to secure the return of a compliant Commons in 1688.

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<sup>65</sup> W. A. Shaw's introduction to *The Calendar of Treasury Books* vols. I-VIII (1904-23); for Shaw's influence, see F. C. Turner, *James II* (1948), pp.273-4 and H. Roseveare, *The Treasury: the Evolution of a British Institution* (1969), p.67; Western, *Monarchy and Revolution*, pp.93-112.

<sup>66</sup> C. D. Chandaman, 'The Financial Settlement of 1685', in H. Hearder and H. R. Loyn (eds.) *British Government and Administration: Studies presented to S. B. Chrimes* (Cardiff, 1974) and idem, *English Public Revenue* (1975), pp.273-9; Speck, *Reluctant Revolutionaries*, pp.46-8.

<sup>67</sup> Carter, 'Law, Courts and Constitution', in Jones (ed.), *Restored Monarchy*, p.75 and n.10; Kenyon, *Sunderland* (1958), pp.126-7; M. A. Thompson, *The Secretaries of State 1681-1782* (Oxford, 1932).

V

Although the prerogative powers of the monarch were substantial, the mechanisms available to the executive to enforce policy and maintain law and order were limited. The privy council continued to advise the monarch, receive petitions, make judgements and issue instructions to local officials but the council was less active than its counterpart a century earlier: much of the routine supervision was carried out by the secretaries of state.<sup>68</sup> The circuit judges had also taken on greater responsibility as the ears and eyes as well as the mouthpiece of the government in the counties. During the 1680s efforts were made to modernise parts of the central administration in order for it to carry out its functions more effectively but some of these measures were controversial.<sup>69</sup> Any expansion of the civil or military establishment was regarded with suspicion because of the implied threat to individual liberty and the effect on taxation.

Whig historians were especially critical about the role of the judiciary, which they condemned as instruments of Stuart despotism.<sup>70</sup> While acknowledging that the conduct of the judiciary sometimes fell below acceptable standards, Havighurst, Nenner, J.R. Jones and Carter argued that these criticisms took little account of the context in which the judiciary operated. Havighurst maintained that at a time when people felt under threat from forces outside their control and the means available to the government to control those who were

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<sup>68</sup> L. K. J. Glassey, 'Local Government', in C. Jones (ed.), *Britain in the First Age of Party, 1680-1750* (1987), pp.168-71; P. Fraser, *The Intelligence of the Secretaries of State and their Monopoly of Licensed News* (Cambridge, 1956); M. J. Short, 'Political relationship between central government and the local administration in Yorkshire, 1678-90 (Univ. of Leeds Ph. D thesis, 1999), pp.31-41.

<sup>69</sup> Western, *Monarchy and Revolution*, pp.83-93.

<sup>70</sup> Clark, *The Later Stuarts*, p.102; see also, D. Ogg, *England in the Reign of Charles II* (1963), pp.521-3.

plotting against the state were limited, the courts provided one of the few means to expose and punish those held to be responsible. Because there was a close relationship between law and politics and the judges were royal servants, inevitably the administration of the law tended to reflect the social and political principles of the faction in power.<sup>71</sup> J. R. Jones accepted that by modern standards, ‘no political trials of the period were fair or equitable: judges’ jury, counsel, and the public all prejudged the issue according to their beliefs’, but he also recognised that government was not alone in using the courts as a political arena.<sup>72</sup> He rejected the assumption that late seventeenth-century justice was simply the product of partisan, opportunist and expedient manoeuvrings. He argued that disputes about the interpretation of the law were often the result of genuine differences about constitutional, legal and political principle, citing as examples the long-running controversies over the tenure of judges and the role of juries.<sup>73</sup> Carter pointed out that those with a substantial stake in society were generally supportive of the criminal law and the way it was administered, provided that retribution was proportionate.<sup>74</sup> The Habeas Corpus Amendment Act of 1679, which the duke of York resisted as a restraint on the executive, represented a significant step forward in law reform.<sup>75</sup>

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<sup>71</sup> A. V. Havighurst, ‘The Judiciary and Politics in the Reign of Charles II’, *Law Quarterly Review*, LXVI (1950), 62-78 and 229-52; H. Nenner, *By Colour of Law: Legal Culture and Constitutional Politics, 1660-1689* (Chicago, 1977).

<sup>72</sup> Jones, *First Whigs*, pp.175-6 and 183-194; G. W. Keeton, *Lord Chancellor Jeffreys and the Stuart Cause* (1965).

<sup>73</sup> Kenyon, *Stuart Constitution*, pp.391-397; idem, ‘The Acquittal of Sir George Wakeman’, *H.J.*, XIV (1971), 694-5.

<sup>74</sup> Carter, ‘Law, Courts and Constitution’, in Jones (ed.), *Restored Monarchy*, pp.71-94 ; Harris, *Politics under the later Stuarts*, pp.120-1 and n.13.

<sup>75</sup> H. A. Nutting, ‘The Most Wholesome Law - the Habeas Corpus Act of 1679’, *Amer. Hist. Rev.* LXV (1960), 527-43; G. Davies and E. I. Klotz, ‘The Habeas Corpus Act of 1679 in the House of Lords’, *H. L. Q.* III (1940), 469-70.

## VI

There have been few historians prepared to defend James II's expansion of the army, which grew from 6,000 in 1660 to 8,500 in 1685 and 35,000 by 1688.<sup>76</sup> Childs considered that James II, in creating a 'modern army ... [had] set his sights upon a personal, centralised, and absolutist style of government in England, Ireland and Scotland.'<sup>77</sup> However, as Kenyon pointed out, James was not breaking the law.<sup>78</sup> The Militia Act of 1661 gave the king absolute control over the armed forces so long as the costs were met out of the normal revenue. On the other hand, Schwoerer and Speck pointed out that the expansion of the army was a sensitive political issue on several levels, not least because of memories of the army's role in the civil war and the interregnum.<sup>79</sup> The billeting and the conduct of the soldiers caused resentment in the communities where the troops were stationed.<sup>80</sup> Secondly there was the deep anger and fear generated by James II's insistence on employing Catholic officers, notwithstanding the endorsement James received from the judgement in the case of Godden v Hales.<sup>81</sup> Thirdly there was concern that the army was being used to assert royal authority. Finally the expansion of the army was seen by the governing elites of the counties as a snub to the local militias and a threat to their control over those forces. Fletcher has described the determined efforts made to raise the efficiency of the militia in the years following the restoration.<sup>82</sup> While it was of some value

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<sup>76</sup> J. Childs, *The Army of Charles II* (1976) and idem, *The Army, James II and the Glorious Revolution* (Manchester, 1980), pp.1-17.

<sup>77</sup> Childs, *The Army, James II and the Glorious Revolution*, pp.204-5.

<sup>78</sup> Kenyon, *Stuart Constitution*, p.360 and 349, 'Militia Act, 1661'.

<sup>79</sup> Speck, *Reluctant Revolutionaries*, pp.55-7, 145-6, 152-3, 154-6; L. G. Schwoerer, *No Standing Armies!: The anti-army ideology in seventeenth-century England* (1974).

<sup>80</sup> Childs, *The Army, James II and the Glorious Revolution*, pp.83-100.

<sup>81</sup> *Ibid.*, pp.18-53; Kenyon, *Stuart Constitution*, pp.377, 396 and 403-4, 'Godden v. Hales', King's Bench, 16 June 1686; Speck, *Reluctant Revolutionaries*, pp.62-3.

<sup>82</sup> A. Fletcher, *Reform in the Provinces: the government of Stuart England* (Yale, 1986),

in maintaining order locally, it was no substitute for a regular army in sustained action, because its members were reluctant to serve outside their area or serve for anything more than a short period. This issue came to the fore in 1685 when the king complained about the militia's performance during Monmouth's rebellion and made no effort to reduce the numbers recruited to deal with the emergency. He demanded further resources to expand the army and refused to back down on the appointment of Catholics as officers. The hostile response he received was the reason he prorogued parliament.<sup>83</sup> His decision to continue expanding the army caused such resentment that it ultimately found expression in the list of James's misdemeanours in the Declaration of Rights.<sup>84</sup>

## VII

In the counties and boroughs the government was totally dependent on local unpaid officials to maintain law and order, the most senior of whom were commissioned by the crown.<sup>85</sup> L. J. K. Glassey and N. Landau explained how successive administrations used these powers to effect changes in the militia and in the magistracy for partisan advantage.<sup>86</sup> In Charles's last years, loyalists generally supported these changes because they shared a common interest in keeping out fanatics and their supporters.<sup>87</sup> By contrast the alterations in James II's reign caused incredulity and despair, particularly in the last two years when

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pp.316-48. For a more cautious assessment, see J. R. Western, *English Militia in the Eighteenth-Century: the story of a political issue, 1660-1802* (1965).

<sup>83</sup> Feiling, *Tory Party, 1640-1714*, pp.210-11.

<sup>84</sup> Williams, *Eighteenth-Century Constitution*, p.27.

<sup>85</sup> S. and B. Webb, *English Local Government from the Revolution to the Municipal Corporation Act, 1689-1885* 11 vols. (1906-29); Glassey, 'Local Government', in Jones (ed.), *First Age of Party*, pp.151-71; G. C. F. Forster, 'Government in Provincial England under the Later Stuarts' *T. R. H. S.* (5<sup>th</sup> series) 33 (1983), 29-48; Fletcher, *Reform in the Provinces* (1986).

<sup>86</sup> L. K. J. Glassey, *Politics and the Appointment of the Justices of the Peace, 1675-1720* (Oxford, 1979); N. Landau, *Justices of the Peace, 1679-1760* (Berkeley, 1984).

<sup>87</sup> Glassey, *Appointment of Justices*, pp.57-62; Landau, *Justices of the Peace*, pp.73-6; Jones, *First Whigs*, p.120; Burnet, *History*, 1.285.

the government was determined to secure the return of a compliant parliament.<sup>88</sup> Later commentators are virtually unanimous that this process was a disaster. In Plumb's opinion, 'Not since the Norman Conquest had the Crown developed so sustained an attack on the established power of the aristocracy and gentry'.<sup>89</sup> J. R. Jones claimed that 'the campaign to pack Parliament [in particular the intervention in local politics by a central agency] was...more resented and feared than even the attack on the Church and its leaders'.<sup>90</sup> The humiliation of losing office was hard enough to accept for men of standing in their locality but it was made worse when individuals they regarded as subversive and enemies of the state (who were by law debarred by statute from serving) and those of inferior estate were appointed in their place. Administrative delays in issuing the writs of *Dedimus* compounded the problem. Glassey considered it difficult to measure the real effect on the functioning of local government, for clerks of the peace and others did their best to maintain the business of the sessions.<sup>91</sup>

## VIII

A different approach was required in the boroughs, where generally the corporation was responsible for determining changes in membership.<sup>92</sup> To bring about significant change, the government needed to amend the original charter. Where a corporation was reluctant to surrender its charter voluntarily, the

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<sup>88</sup> Glassey, *Appointment of Justices*, pp.77-94; Landau, *Justices of the Peace*, pp.76-79; Sir G. Duckett, *Penal Laws and Test Act* 2 vols. (Oxford, 1882-9); J. Carswell, *The Descent on England* (1969), pp.166-7 and p.240, App. A; Miller, *Papery and Politics*, pp.269-72, App.3; Western, *Monarchy and Revolution*, pp.214- 222; Jones, *Revolution of 1688*, pp.132-4 and 136-7; Speck, *Reluctant Revolutionaries*, pp.129-30.

<sup>89</sup> Plumb, *Growth of Stability*, p.61.

<sup>90</sup> Jones, *Revolution of 1688*, pp.129-30.

<sup>91</sup> Glassey, *Appointment of Justices*, pp.92-94.

<sup>92</sup> Jones, *First Whigs*, pp.198-206; J. Miller 'The Crown and the Borough Charters in the reign of Charles II', *E.H.R.* 100 (1985), 53-84; Halliday, *Dismembering the Body Politic*, pp.189-236.

government resorted to a judicial process, initiated through a writ of *Quo Warranto*. In the 1960s J. R. Jones, Western and Ogg still supported J. H. Sacret's opinion that this remodelling was intended to influence the outcome of parliamentary elections.<sup>93</sup> Subsequent researchers have questioned these assumptions. Sinner considered that Charles II's government was more concerned to extend its influence over corporations than it was with parliamentary elections.<sup>94</sup> Because incorporation was granted by the crown and not enjoyed as of right, Miller questioned whether Sacret was correct in assuming a conflict of interest existed between the royal prerogative and the 'ancient and cherished (albeit often abused) rights of municipal government'.<sup>95</sup> In his opinion the regulation of the corporations following the 1661 Corporation Act was not aimed at undermining local autonomy but was intended to ensure that 'loyal' men were firmly in charge. Pickavance suggested that local initiative with the active participation of local gentry was often responsible for setting the pace of remodelling: in many instances, in his opinion, the centre played a moderating role.<sup>96</sup> Halliday also confirmed that the records show that in many boroughs local men, whether townspeople or neighbouring gentry were eager to respond and even themselves press for changes. Pressure from 'Church and King' loyalists, who were taking advantage of the remodelling to seize control of

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<sup>93</sup> J. H. Sacret, 'The Restoration Government and Municipal Corporations', *E.H.R.* 45 (1930), 232-59; Ogg, *Reign of Charles II* (1963), II.624; Jones, *First Whigs*, p.210; idem, *Revolution of 1688*, pp.43-50; Western, *Monarchy and Revolution*, pp.69-76.

<sup>94</sup> R. J. Sinner 'Charles II and Local Government: the *Quo Warranto* proceedings, 1681-5' (Rutgers Univ. Ph.D., 1976).

<sup>95</sup> Miller, 'The Crown and the Borough Charters', 53-84.

<sup>96</sup> R. G. Pickavance, 'The English Boroughs and the King's Government: a study of the tory reaction, 1681-85' (Univ. of Oxford D. Phil, 1977).

corporations, encouraged the court 'to formulate an aggressive, comprehensive policy for remodelling England's corporations'.<sup>97</sup>

When the process of remodelling was resumed in 1687-8, it had different objectives.<sup>98</sup> Nearly 100 corporations were purged of men opposed to repeal and replaced by Dissenters, Catholics and others willing to support the king's policy. J. R. Jones claimed 'the total effort...invested in the campaign...was impressive and exceptional', viewing the repeated attempts to secure the right membership as evidence of thoroughness rather than muddle.<sup>99</sup> He argued that the campaign was on course to produce a majority in favour of repeal on the basis of the regulators' assessments in September 1688 but entered a caveat about the reliability of the evidence.<sup>100</sup> Halliday disagreed: 'James II's removals wrought havoc in the corporations and comprised a purge in the towns of greater magnitude than that imposed by the Corporation Act'. He found plenty of evidence of confusion and believed that the government only resorted to charter revision to compensate for the shortcomings of the regulators' purges.<sup>101</sup> Speck blamed the regulators for paying insufficient attention to local sensitivities.<sup>102</sup> Given the evidence of widespread local resistance, Murrell, Miller, Hosford, Speck and Halliday were sceptical about a positive outcome.<sup>103</sup>

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<sup>97</sup> Halliday, *Dismembering the Body Politic*, pp.124-31, 195-6 and 212-323; see also Miller, 'Crown and the Borough Charters', 82-3.

<sup>98</sup> Jones, *Revolution of 1688*, pp.138-175; Speck, *Reluctant Revolutionaries*, pp.159-61; Halliday, *Dismembering the Body Politic*, pp.243-57.

<sup>99</sup> Jones, *Revolution of 1688*, pp.129 and 146-157, quotation from p.151, and Duckett, *Penal Laws*, I.x-xiv.

<sup>100</sup> Duckett, *Penal Laws*, II.220-1; Jones, *Revolution of 1688*, pp.164-72; see also B. D. Henning (ed.), *History of Parliament: House of Commons, 1660-1690* 3 vols. (1983), 1.42.

<sup>101</sup> Halliday, *Dismembering the Body Politic*, pp.248-9 and 253-4.

<sup>102</sup> Speck, *Reluctant Revolutionaries*, pp.133-5.

<sup>103</sup> P.E. Murrell, 'Bury St Edmunds and the Campaign to pack Parliament 1687-8', *B.I.H.R.* 54 (1981), 108-206; Miller, *James II*, pp.196-7; D. H. Hosford, *Nottingham, Nobles and the North*

## IX

Beddard claimed that, under the leadership of Archbishop Sancroft, ‘the Church was firmly committed to the defence of the legal establishment’.<sup>104</sup> Many clergymen welcomed and supported the measures to suppress religious and political dissent, which they regarded as a corrosive influence. In their sermons, high churchmen stressed the divine origins of monarchical authority, and the subject’s duty of non-resistance and passive obedience. By contrast James II left traditional supporters among the clergy and laity feeling vulnerable, torn between their loyalty to the monarch and their concern for the safety of the established Church. As Miller and others have noted, every step James II took towards achieving his goal, which adversely affected the Church, created further resistance among those clergy and laymen, who had been his brother’s strongest allies in the early 1680s.<sup>105</sup>

On three matters, the Commission of Ecclesiastical Causes, the treatment of the Fellows of Magdalen College, Oxford and the Declarations of Indulgence, recent commentators have acknowledged that James II stretched his prerogative powers to the limit. Harris agreed with the arguments used in Bishop Compton’s defence that the 1661 Act prohibited the king from appointing such commissioners, for *inter alia* it confirmed the earlier Act abolishing the High

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(Hamden Conn., 1976), p.58; Speck, *Reluctant Revolutionaries*, pp.131-2; Halliday, *Dismembering the Body Politic*, pp.260-62.

<sup>104</sup> R. A. Beddard, ‘The Restoration Church’, in Jones (ed.), *Restored Monarchy*, (1979), pp.172-75.

<sup>105</sup> Miller, ‘The Later Stuart Monarchy’, in Jones (ed.), *Restored Monarchy*, pp.37 and 45; Western, *Monarchy and Revolution*, pp.156-193; Jones, *Revolution of 1688*, pp.74-97 and pp.122-7; Speck, *Reluctant Revolutionaries*, pp.175-85.

Commission.<sup>106</sup> Ogg, Speck and Schowerer, reflecting the crown's legal arguments, were prepared to accept that the king, in his role as Supreme Governor, was acting within his rights, provided the commission's remit was limited to clerical discipline.<sup>107</sup> However to set up a body so reminiscent of the reviled High Commission was, they maintained, politically unwise, especially when used to suppress criticism.

J. R. Jones pointed out that the king had the right to nominate the President of Magdalen College but, by nominating a Catholic, James took an unjustifiable risk. His action was seen as a threat to the monopoly which the established Church had been carefully nurturing over university appointments since 1660.<sup>108</sup> G. V. Bennett claimed that the removal of the Fellows for resisting this appointment caused even greater dismay, for this action deprived them of their legal right to the freehold tenure of their office, a precedent that caused alarm far beyond the confines of the university.<sup>109</sup> In resisting the king and accepting the consequences the Fellows provided what Harris called 'a classic example of passive resistance' thereby setting an example for their fellow clergy in resisting the next stage of James II's campaign against the authority of the established Church.<sup>110</sup>

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<sup>106</sup> Kenyon, *The Stuart Constitution*, (1966 edn.), pp.206-7, '1641, Act of Repeal' and pp.350-1, '1661, Act of Explanation'; Jones, *Revolution of 1688*, pp.74-97 and 122-7; Speck, *Reluctant Revolutionaries*, pp.175-85; Harris, *Politics under the later Stuarts*, p.125; idem, *Revolution: the Great Crisis of the British Monarchy, 1685-1720* (2006), pp.202-5.

<sup>107</sup> Ogg, *Reigns of James II and William III*, pp.176-8; Speck, *Reluctant Revolutionaries*, pp.63-4 and 151; L. Schowerer, *The Declaration of Rights* (1981), pp.65-6.

<sup>108</sup> Jones, *Revolution of 1688*, pp.120-1; V. J. Varley, 'The Restoration Visitation of the University of Oxford', *Camden Miscellany XVIII* (3<sup>rd</sup> series) vol.79 (1948); Speck, *Reluctant Revolutionaries*, pp.65-6.

<sup>109</sup> G. V. Bennett, 'Loyalist Oxford and the Revolution', in L. S. Sutherland and L. G. Mitchell (eds.), *The History of the University of Oxford: The Eighteenth-Century* 5 vols. (Oxford, 1986), V.18.

<sup>110</sup> Harris, *Politics under the later Stuarts*, p.130.

The issue of the Declaration in May 1687 sparked off a furious public debate in a battle to win the high ground between those who favoured greater toleration and those who wished to retain the *status quo*.<sup>111</sup> Speck claimed the Church's supporters interpreted the king's action as tantamount to the suspension of the legislation which they believed was essential to ensure stability in religion and in the body politic. This sat uneasily with James's promise to protect the Church of England 'in the free exercise of their religion as by law established, and in the quiet and full enjoyment of their possessions'. The Declaration was seen as a threat both to their own position and to the security of their locality. James's promise to seek parliamentary endorsement at some time in the future provided little comfort to those who had such principled objections to such measures.<sup>112</sup>

The re-issue of the Declaration on 27 April 1688, with an instruction requiring the clergy to read it out in church, presented many clergymen with a moral and personal dilemma: should they obey the king and go against their principles or should they follow their conscience and risk disciplinary action?<sup>113</sup> The bishops' protest met with widespread clerical and lay approval and strengthened the resolve of many clergymen across the country to ignore the king's instructions.<sup>114</sup> J. R. Jones explained how, despite a strong legal presumption in the crown's favour, the bishops took advantage of the king's

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<sup>111</sup> Kenyon, *Stuart Constitution*, pp.377-8, 389-91, 'First Declaration of Indulgence'; Jones, *Revolution of 1688*, pp.104-19 and 134; Speck, *Reluctant Revolutionaries*, pp.67-9 and 173-85.

<sup>112</sup> Harris, *Politics under the later Stuarts*, pp.126-7.

<sup>113</sup> Kenyon, *Stuart Constitution*, pp.396-7, 406-11, 'Second Declaration'; Jones, *Revolution of 1688*, pp.122-7; Speck, *Reluctant Revolutionaries*, pp.67-9; Harris, *Politics under the later Stuarts*, pp.128-9.

<sup>114</sup> G. V. Bennett, 'The Seven Bishops: A Reconsideration' in D. Baker (ed.), *Studies in Church History* XV (1978), 267-88; Kenyon, *Stuart Constitution*, pp.406-7.

tactical mistakes to draw on public sympathy.<sup>115</sup> Their acquittal on 29-30 June 1688 commanded widespread public support and raised important questions about the legality of the king's use of his powers of dispensation and suspension.<sup>116</sup>

James II and his advisers have been castigated for thinking that their strategy of building an alliance between Catholics and Dissenters could achieve their objective of a compliant parliament. Carter disagreed. Given the impact the Dissenting interest had in the elections of 1679-81, she considered it a plausible strategy.<sup>117</sup> J. R. Jones' believed that James and Sunderland were relying on many Anglicans deserting the established Church once the disabling legislation was removed.<sup>118</sup> While some Dissenters heeded Halifax's warning to be wary of an offer based on political expediency rather than commitment, it is clear that Nonconformists from a variety of denominations responded warmly to James II's olive branch with its promise of access to office and influence.<sup>119</sup> Harris counted nearly 200 addresses in the *Gazette* thanking the king for his 'Declaration', nearly half of which came from Nonconformist ministers and congregations including some from Quakers.<sup>120</sup> Knights, however, questioned how much

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<sup>115</sup> Jones, *Revolution of 1688*, pp.122-7.

<sup>116</sup> Kenyon, *Stuart Constitution*, pp.396-7 and 407-11; A. F. Havighurst, 'James II and the Twelve Men in Scarlet', *Law Quarterly Review* LXIX (1953), 534-9; Speck, *Reluctant Revolutionaries*, pp.67-9 and 150-2; Miller, *James II*, pp.185-7.

<sup>117</sup> Jones, *Revolution of 1688*, pp.51-3, 98-106; Carter, 'Law, Courts and Constitution', in Jones (ed.), *Restored Monarchy*, p.92.

<sup>118</sup> Jones, *Revolution of 1688*, pp.107-9, 138-9.

<sup>119</sup> M. R. Watts, *The Dissenters: From Reformation to the French Revolution* (Oxford, 1978), p.258; Lacey, *Dissent and Politics*, pp.181, 341; H. C. G. Matthew and B. Harrison (eds.), *Oxford Dictionary of National Biography* 60 vols (Oxford, 2004), XLIII.557-66, Penn, William (1644-1718); Halifax, *Letter to Dissenters*, in J. P. Kenyon (ed.), *Halifax, Complete Works* (1969), p.107.

<sup>120</sup> Harris, *Politics under the later Stuarts*, p.126-7; idem, *Revolution*, pp.216-24; J. R. Jones, 'James II's Whig Collaborators', *H.J.* 3 (1960), 65-73; M. Goldie, 'James II and the Dissenters Revenge: The Commission of Enquiry of 1688', *Hist. Res.* 66 (1993), 58-9.

reliance should be placed on this evidence, since ‘few came unsolicited ... making them questionable representations of public opinion’.<sup>121</sup>

The influence of Catholics at court and in James II’s administration inevitably lead some contemporaries to fear that repeal was the first step towards restoring Catholicism, a view held by Macaulay and Trevelyan and still debated without a clear conclusion. The pressure James put on his family and courtiers to convert to Catholicism, the encouragement given to Jesuits to establish schools and his support for missionaries, the appointment of Catholics as heads of university colleges, the inclusion of zealous foreign Catholics in his inner council and the appointment of Catholic bishops in 1688, have been cited as evidence of his grand plan.<sup>122</sup> However, like the claim that James II was intent on establishing an absolutist regime, this argument is difficult to sustain. It is difficult to point to conclusive evidence to suggest that James wanted to go further than to create the conditions where Catholics could enjoy the same religious and civil rights as members of the established Church. Yet, like so many of James II’s actions, even these limited ambitions aroused considerable hostility and gave rise to rumours of worse to come.

#### Part 4: Revolution or *coup d’etat*?

##### I

For many contemporaries the sudden collapse of James II’s regime was a miracle, an act of Providence.<sup>123</sup> While whig and marxist historians offered their

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<sup>121</sup> Knights, *Representation and Misrepresentation*, pp.117 and 123.

<sup>122</sup> Jones, *Revolution of 1688*, pp.74-97 and 122-7; Speck, *Reluctant Revolutionaries*, pp.175-85.

<sup>123</sup> Burnet, *History*, III.1; Williams, *Eighteenth-Century Constitution*, p.30, ‘Bill of Rights’.

distinctive, deterministic theories, modern commentators have taken a more pragmatic approach, denying that there was anything predetermined or predictable about the course of events in 1688-9.<sup>124</sup> William's decision to commit himself and his troops to a hazardous armed intervention was crucial but this still leaves questions about his motives, the timing of his decisions and the parts played by others.<sup>125</sup>

Whig politicians maintained that the 'Immortal Seven's' invitation to William was a decisive development.<sup>126</sup> Jones was sceptical: he argued that the letter should be read as a 'statement of association,' confirming points already discussed rather than independent initiative.<sup>127</sup> Baxter pointed out that until the end of April 1688 William resisted the pressure put on him by English dissidents to intervene in English politics: once the prince had made up his own mind, he needed to test the level of support he could expect.<sup>128</sup> Speck considered that the quality and number of signatories would have fallen far short of William's expectation of assured support from 'men of the best interest and the most valued in the nation'.<sup>129</sup> Kenyon estimated that only about one-tenth of the aristocracy supported the opposition at this stage.<sup>130</sup> Tory Anglicans, like Nottingham, who had been approached but refused on grounds of 'scruples of conscience', were

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<sup>124</sup> Jones, *Revolution of 1688*, pp.8-10; Speck, *Reluctant Revolutionaries*, pp.76-84.

<sup>125</sup> Baxter, *William III*, pp.222-238; Jones, *Revolution of 1688*, chs. 7, 8 and 9; J. I. Israel, 'The Dutch Role in the Glorious Revolution', pp.105-62, esp.112-15 and G. Parker, 'Of Providence and Protestant Winds', pp, 335-63, in J. I. Israel, *The Anglo-Dutch Moment: Essays on the Glorious Revolution and its World Impact* (Cambridge, 1991); Harris, *Revolution, 1685-1720*, pp.273-5.

<sup>126</sup> Trevelyan, *England under the Stuarts*, p.425; Williams, *Eighteenth-Century Constitution*, pp.8-10, 'Invitation to William, 30 June 1688'.

<sup>127</sup> Jones, *Revolution of 1688*, pp.239-42; Harris, *Revolution*, pp.271-2.

<sup>128</sup> Baxter, *William III*, pp.229-30.

<sup>129</sup> Speck, *Reluctant Revolutionaries*, pp.218-21; Harris, *Revolution, 1685-1720*, pp.271-2; Burnet, *History*, III.240-1; W. A. Speck, 'The Orangist Conspiracy against James II', *H.J.* 30 (1987), 435-62.

<sup>130</sup> J. P. Kenyon, *The Nobility in the Revolution of 1688* (Hull, 1963), p.19.

reluctant to be drawn into the conspiracy.<sup>131</sup> It was not until the political and military situation began to deteriorate that the prince began to receive significant support.<sup>132</sup>

Jones was not convinced by Kenyon's argument that the revolution was essentially a conservative coup by a small and self-interested elite.<sup>133</sup> He doubted whether any domestic opposition alone had the necessary will, coordination or military resources to stop the king, for James commanded sufficient military resources to face down an internal rebellion. On the other hand, it has also to be recognised that two peers, who signed the invitation sent to William in June 1688, the earls of Devonshire and Danby, went on to lead risings that effectively neutralised the north of England. Furthermore, Princess Anne and a third signatory to the invitation, Henry Compton, bishop of London, joined the rising in Nottingham.<sup>134</sup> There has been much speculation whether William's landing in the south was a deliberate move to keep his distance from this internal opposition, but the general consensus is that his plans were influenced by the weather.<sup>135</sup>

R. A. Beddard considered that the contribution of the thirty peers, who met in the Guildhall on 11 December, has been underestimated. The meeting was called to find a resolution to the looming constitutional crisis, after attempts

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<sup>131</sup> H. Horwitz, *Revolution Politics: the Career of Daniel Finch 2<sup>nd</sup> Earl of Nottingham* (Cambridge, 1968), pp.51-4; Feiling, *Tory Party, 1640-1714*, p.227, quoting Henry Sidney.

<sup>132</sup> Harris, *Revolution, 1685-1720*, pp.290-304.

<sup>133</sup> Kenyon, *Nobility in the Revolution*; Jones, *Revolution of 1688*, pp.209-49.

<sup>134</sup> Hosford, *Nottingham, Nobles and the North*, pp.78-119; Jones, *Revolution of 1688*, pp. 296-300.

<sup>135</sup> For an account of the military preparations in 1688 see, Childs, *The Army, James II and the Revolution*, pp.168-83.

at mediation at Hungerford had failed. The debate, foreshadowing those in the Convention, indicated the gulf between those who saw this as an opportunity to move towards an elective monarchy and those desperate to preserve the hereditary principle, providing James II could be persuaded to change his stance on Catholicism. Beddard argued that this initiative was derailed by James II's flight. Faced with the possibility of a breakdown in law and order, the peers united behind summoning the Convention and in requesting William temporarily to take over the administration and to issue letters calling for elections.<sup>136</sup>

To the whig historians, William was the 'Great Deliverer'; to Pinkham, he was the arch plotter who fomented the rebellion in pursuit of his personal ambition to acquire the English crown.<sup>137</sup> J. R. Jones emphatically rejected Pinkham's interpretation, claiming it 'totally ignores or misrepresents the contexts of English politics and the European situation'.<sup>138</sup> Western contended that 'it is hard to tell, save by inference, what his [William's] exact aims were'.<sup>139</sup> In his Declaration of 27 September, William presented himself 'as a conservator and restorer, not as an invader and radical'. He appealed to all Englishmen to join him in his design 'to have a free Parliament assembled as soon as possible' in order to undo the damage wrought by the 'King's evil counsellors', secure the Protestant Religion and prevent 'the nation's

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<sup>136</sup> R. A. Beddard, 'The Guildhall Declaration of 11 December 1688 and the Counter-Revolution of the Loyalists', *H.J.*, 11 (1968), 403-20; idem (ed.), *A Kingdom without a King: the Journal of the Provisional Government in the Revolution of 1688* (Oxford, 1988); Jones, *Revolution of 1688*, pp.303-5 and 308-10; idem, 'The Loyalist Opposition in the Interregnum' *B.I.H.R.* 90 (1967), 101-9.

<sup>137</sup> L. Pinkham, *William III and the Respectable Revolution* (Cambridge, Mass., 1954).

<sup>138</sup> Jones, *Revolution of 1688*, p.10.

<sup>139</sup> Western, *Monarchy and Revolution*, p.240; Holmes, *Making of a Great Power*, I.179-81.

falling...under arbitrary government'.<sup>140</sup> Baxter and Jones warned against taking this Declaration too literally. It was designed to justify the enormity of the action he was about to undertake and to drum up maximum support in England. Baxter argued that William's intervention can only be fully understood in a European context: the prince 'intervened, not for himself or his wife but for his faith and for the protection of...the United Provinces'.<sup>141</sup> In supporting Baxter's interpretation, Jones maintained that William 'wanted, effective control over English policy' and access to her naval and military forces.<sup>142</sup> William's objectives included but transcended the interests of English politicians. Holmes said that the queen's pregnancy and the campaign to pack parliament forced William to reconsider his approach.<sup>143</sup> If the queen should produce a son, Mary would lose her position as heir with the result that William's influence in England would be diminished. And if James should succeed in his attempt to pack parliament then the Protestant cause in England could be in jeopardy. Baxter also surmised that William may have been concerned that frustrated dissidents might take matters into their own hands and either fail or turn to republicanism: either outcome would be detrimental to William and his alliance.<sup>144</sup>

During the summer of 1688 James II, absorbed in domestic policies, appeared to have been oblivious to Louis XIV and William's diplomatic and military activities, not least because his intelligence network was inadequate.

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<sup>140</sup> Williams, *Eighteenth-Century Constitution*, pp.10-16, 'William's Declaration, 30 Sept. 1688'; J. Hoppit, *A Land of Liberty?: England, 1689-1727* (Oxford, 2000), p.16; Harris, *Revolution, 1685-1720*, pp.279-81.

<sup>141</sup> Baxter, *William III*, pp.222-37.

<sup>142</sup> Jones, *Revolution of 1688*, pp.176-208, 250-4 and 280-7.

<sup>143</sup> Holmes, *Making of a Great Power*, I.185.

<sup>144</sup> Baxter, *William III*, pp.229-31.

When at last he realised his vulnerability, he backtracked on many of the measures he had taken. In J. R. Jones' opinion, this retreat damaged James II's 'reputation for determination and constancy', and left him open to pressure to make further concessions.<sup>145</sup> Allies whom he had been garnering throughout the summer felt abandoned while former traditional supporters still kept their distance wary of these new overtures. At the end of October, he abandoned Sunderland.<sup>146</sup> As the number of defections to the prince grew, James felt increasingly vulnerable.<sup>147</sup> By his own admission he fled because he feared for his own and his family's safety but fully expected to return.<sup>148</sup>

Some commentators have sought psychological explanations for James's retreat and sudden collapse.<sup>149</sup> J. R. Jones' was more inclined to attribute it to James's virtues, 'honesty and plain speaking, the trust which he put in his servants, consistency, sincerity and openness of purpose – that ill-equipped him for the political world he inherited'.<sup>150</sup> As well as sharing his father's and his grandfather's elevated view of monarchy, James added the convictions of a new convert. By temperament he was autocratic and rigid and 'in a fluid situation, such as in December 1688, James was lost'. Speck also commented on James's rigidity: he expected obedience and loyalty from his ministers and found it difficult to accept advice that ran contrary to his own persuasion, latterly surrounding himself with advisers who were similarly cut off from reality.<sup>151</sup>

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<sup>145</sup> Jones, *Revolution of 1688*, pp.254-67, quotation from p.264.

<sup>146</sup> Kenyon, *Sunderland*, pp.217-223.

<sup>147</sup> W. L. Sachse, 'The Mob in the Revolution of 1688', *J.B.S.* 4 (1965), pp.23-40.

<sup>148</sup> Western, *Monarchy and Revolution*, p.298, quoting from a speech of the earl of Ailesbury in the Convention.

<sup>149</sup> F. C. Turner, *James II* (1948), p.234; Baxter, *William III*, p.240.

<sup>150</sup> Jones, *Revolution of 1688*, pp.53-8.

<sup>151</sup> Speck, *Reluctant Revolutionaries*, p.126.

Miller went further, arguing that James was a sincere but guileless individual with limited ambitions, whose personal faith and convictions blinded him from understanding why his actions provoked such resentment.<sup>152</sup>

Recent studies which have looked at the events of 1688 in the context of the three kingdoms as well as European politics have provided a better understanding of the attitudes and motives of the main participants.<sup>153</sup> However Beddard has said that it is important not to lose sight of the fact that the Revolution was essentially driven by English domestic politics.<sup>154</sup> Neither William's nor James's actions in 1688 could have assumed such importance had James II not already forfeited the respect of the majority of his subjects in his obsessive drive to end discrimination against Catholics. J. R. Jones believed James's commitment to Catholicism to be 'simple, sincere and irrevocable...His new faith made James certain he was right, giving intensity and meaning to his belief in divine right principles'.<sup>155</sup> He regarded 'anti-Popery as offensive, malevolent and subversive, its practitioners ... insincere and aggressive. It was a brute prejudice in the ignorant and inflammable minds of the rabble or, in their educated betters, a cover for ambition and faction'. In Jones's opinion, James saw it as political rather than religious in origin: its aim being 'to reduce or even subvert monarchical authority'. For this reason he failed to understand why staunch supporters of the monarchy, like the earl of Nottingham and Archbishop Sancroft, had such profound reservations. James remained utterly convinced that

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<sup>152</sup> Miller, *James II*, pp.240-2.

<sup>153</sup> Harris, *Restoration; Charles II and his Kingdoms, 1660-1685* (2006), pp.14-15; *Revolution, 1685-1720*, pp.30-6 (2006).

<sup>154</sup> In the preface to Beddard (ed.), *A Kingdom without a King* (1988).

<sup>155</sup> Jones, *Revolution of 1688*, pp.55, 64-5 and 100-102; Speck, *Reluctant Revolutionaries*, pp.123-6.

he was right, and expected in time even the most obdurate would come round to his way of thinking. In the last resort, he accepted that success or failure lay not with himself but in the hand of Providence.

## II

There have been conflicting opinions about the political significance of the events of 1688-9.<sup>156</sup> Some contemporaries viewed these events as a restoration of the old order but, as the Convention argued over the issues, it became clear that what was happening could be interpreted in a very different light. Trevelyan summed up the attitude of whig historians, when he wrote, ‘The ultimate view that we take ... must be determined by our preference either for royal absolutism or for parliamentary government’.<sup>157</sup> In the last half century, the Revolution has lost this iconic status. Far from meriting the accolade of ‘the Glorious Revolution’, J. R. Jones saw these events as yet another episode in the history of chronic political crisis, instability, muddle and lack of trust that had afflicted English politics since the Restoration. Dynastic change removed the immediate threat that James’s policies presented to the survival of Protestantism but little was done, in Jones’ opinion, to resolve the corrosive constitutional and political tensions that were a recurrent feature of late seventeenth-century politics.<sup>158</sup> Beddard came close to arguing that the revolution was little more than a *coup d’état*, the result of an understanding between William and the leading

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<sup>156</sup> J. R. Jones (ed.), *Liberty Secured? Britain before and after 1688* (Stanford, 1992); J. Carter, ‘The Revolution and the Constitution’, in Holmes (ed.), *Britain after the Glorious Revolution*, pp.39-58; J. P. Kenyon *Revolution Principles; the Politics of Party, 1689 -1720* (Cambridge, 1977), pp.5-34.

<sup>157</sup> G. M. Trevelyan, *The English Revolution 1688-89* (Oxford, 1938), p.245,

<sup>158</sup> Jones, *Revolution of 1688*, pp.3-17.

opponents of royal policy.<sup>159</sup> In his opinion, the Convention was the means through which William, the Lords and the Commons came to terms with what was largely already a *fait accompli*.

Speck dismissed any attempt to explain the revolution in social or economic terms. He saw these events as essentially a political act, driven by fear about the outcome if James's policies were left unchecked.<sup>160</sup> Rallying behind calls for a free parliament was the only effective way to protect the Protestant settlement. Kenyon argued that concern for free and frequent parliamentary sessions, although whittled down during the drafting of the Declaration of Rights, remained of central importance in 'Revolution Principles'.<sup>161</sup> For Speck the key feature that 'distinguished the limited monarchy, which the Revolution established, from the absolutism to which the Stuarts had aspired' was the transformation of parliament 'from an event into an institution.'<sup>162</sup> Schwoerer maintained that the inclusion of a statement of ancient rights in the Declaration of Rights as a precursor to the transfer of the crown was what distinguished the revolution from a *coup d'état*.<sup>163</sup> In her opinion the incorporation of the Declaration into law marked 'a watershed in the political and constitutional history of England', for it provided a point of reference for subsequent legislative curbs on the royal prerogative.

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<sup>159</sup> Beddard, (ed.), *A Kingdom without a King*; idem, 'The Unexpected Whig Revolution of 1688' in R. Beddard (ed.), *Revolution in 1688* (1991) and Williams, *Eighteenth-Century Constitution*, pp.16-7, 'Declaration of the Peers at Guildhall, 11 Dec. 1688'.

<sup>160</sup> Speck, *Reluctant Revolutionaries*, pp.1-8.

<sup>161</sup> Kenyon, *Revolution Principles*, pp.41-2 and 181.

<sup>162</sup> Speck, *Reluctant Revolutionaries*, pp.244-7.

<sup>163</sup> L. G. Schwoerer, *The Declaration of Rights, 1689* (Baltimore, 1981), pp.281-91.

Horwitz acknowledged the importance of the transfer of the crown but maintained that much more had to happen before it could be said that a decisive change had taken place in the constitution.<sup>164</sup> Any hope that James II's retreat and William's triumph would reunite the country was quickly extinguished when the Convention met to try to reach a consensus on what action should be taken to deal with the vacant throne.<sup>165</sup> McInnes and others have claimed that the decisive constitutional changes took place in the following decade and had more to do with changes in government priorities than with the Declaration of Rights.<sup>166</sup> Miller considered that 'it was to take more than a century for the political and constitutional implications of the Revolution...to work themselves out'.<sup>167</sup> However by inviting William and Mary to accept the crown, the Convention committed the country to a major redirection in foreign policy, which resulted in two long and costly continental wars over the next twenty-five years. Baxter noted that, as king, William was in a strong position to influence these changes in foreign policy as well as continuing to play a leading role as the architect of the alliance against France and as one of the principal military commanders in the war.<sup>168</sup>

## Part 5: Partisan politics in William's reign

### I

Horwitz, whose 1977 study *Parliament, Policy and Politics in the Reign of William III* remains the most comprehensive modern account and analysis of

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<sup>164</sup> Horwitz, *Parliament, Policy and Politics*, pp.13-14.

<sup>165</sup> *Ibid.*, pp.17-49 on the political process and Kenyon, *Revolution Principles* chs.1-3 on the ideological debate.

<sup>166</sup> A. McInnes, 'When was the English Revolution?', *History* 67 (1982), 377-92.

<sup>167</sup> Miller, 'The Later Stuart Monarchy', in Jones (ed.), *Restored Monarchy*, p.47.

<sup>168</sup> Baxter, *William III*, pp.258-68 and 287-330.

national politics in the 1690s, was convinced that the prosecution of the war was the single most important influence on the politics of this period. For much of the reign the conduct of the war and the raising of the money to pay for it were the principal concerns of king and parliament.<sup>169</sup> William had little alternative but to develop a working relationship with parliament in order to fund his ambitions to contain French expansion. As a result, in Horwitz's opinion, parliament became *de facto* a permanent partner in government and William, 'a parliamentary king in a fashion unforeseen when the crown and the Declaration of Rights were tendered to him in February 1689'.<sup>170</sup>

The political concessions William was required to make to maintain the momentum of the war changed the distribution of power between the executive and parliament.<sup>171</sup> Horwitz demonstrated how parliament was able to use its financial leverage to hold the executive to account for how the money granted had been spent.<sup>172</sup> Through the Triennial Act of 1694, the Treasons' Act of 1696 and the Act of Settlement in 1701, parliament obtained further limitations on the prerogative.<sup>173</sup> William even conceded ground to parliament on foreign policy, an area traditionally a preserve of the royal prerogative, when he agreed to the Commons' request in 1692 to see the treaties of the grand alliance. This set a precedent for the rest of the reign.<sup>174</sup> While these developments were to have significant constitutional implications for the future, in their executive capacity,

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<sup>169</sup> Horwitz, *Parliament, Policy and Politics*, p.viii.

<sup>170</sup> *Ibid.*, pp.11-14 and 367-8 App. E, 'The Twenty-Eight Heads of 2 Feb. 1689'.

<sup>171</sup> *Ibid.*, pp.199-203.

<sup>172</sup> *Ibid.*, pp.69-75, 87-8, 98 and passim; J. A. Downie, 'The Commission of Public Accounts and the Formation of the Country Party', *E.H.R.* 91 (1976), 33-51.

<sup>173</sup> Williams, *Eighteenth-Century Constitution*, pp.49-50, 'Triennial Act, 1694', pp.53-56, 'Trial of Treasons Act, 1696' and pp.56-60, 'Act of Settlement, 1701'. Other measures to exclude office holders were tacked to money bills in 1694, 1700 and 1701.

<sup>174</sup> Horwitz, *Parliament, Policy and Politics*, p.202.

the king and his ministers still had the principal responsibility for governing the country and retained considerable discretion, power and influence for exercising that responsibility.<sup>175</sup>

As the king struggled to keep the focus of government and parliament on the prosecution of the war, he persisted for four years with attempts to form broad based administrations.<sup>176</sup> Plumb characterised this period as a time ‘when ministers and ministries, from right, left and centre, toppled and changed like a kaleidoscope tossed by a gale’.<sup>177</sup> William’s aim was to build up a supportive court party in both Houses but the ideological imperatives that animated Tories and Whigs constantly undermined his attempts to secure this broad based support. Initially he treated the Whigs with suspicion, because of the way they had behaved in the convention but, after various experiments, was forced to abandon Tory ministers and turn to a group of ambitious Whig politicians who were prepared to support his foreign policy.

Horwitz described how this group emerged during the parliamentary session of 1693-4.<sup>178</sup> They detached themselves from the older radical elements within the party and prepared themselves for taking office. Plumb claimed that ‘the Whig Junto saw its way to effective power through a more thorough exploitation of the electoral system and royal patronage’.<sup>179</sup> They took advantage

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<sup>175</sup> E. I. Ellis, ‘William III and the Politicians’, in Holmes (ed.), *Britain after the Glorious Revolution*, pp.115-34; Horwitz, *Parliament, Policy and Politics*, pp.ix, 311-16 and passim.

<sup>176</sup> Horwitz, *Parliament, Policy and Politics*, pp.9-14, 18-20, 66-78, 88-100.

<sup>177</sup> Plumb, *Growth of Stability*, p.2.

<sup>178</sup> Horwitz, *Parliament, Policy and Politics*, pp.123-129, 213-218; Horwitz, *Parliament, Policy and Politics*, pp.208-18; B. W. Hill, *The Growth of Parliamentary Parties, 1689-1742* (1976), pp.57-76.

<sup>179</sup> Plumb, *Growth of Stability*, pp.135-7.

of the public revulsion that followed the assassination plot in 1696 to strengthen their position in the Commons and secure the removal from public office, national and locally, of those who refused to subscribe to the Oath of Association.<sup>180</sup>

Plumb and Horwitz maintained that the principal reasons for the Junto's success in 1696-7 were effective organisation and good communication with their supporters. This helped to broaden their parliamentary base, thus compensating them for lack of a guaranteed majority in the Commons.<sup>181</sup> On the other hand the tight control the Junto maintained over policy and party organisation also caused resentment. Ultimately this helped to fuel opposition to their rule during the final years of William III's reign. Although vitally dependent on the support of whig allies in parliament, the Junto held on to office not so much as leaders of a political party but because, as ministers, they had made themselves useful to the king. By continuing to employ Sunderland and Shrewsbury William still hoped to avoid exclusive dependence on a particular faction.<sup>182</sup> During this period the tories were in disarray as they struggled to come to terms with their loss of influence and were forced to acquire the political skills of operating as a parliamentary opposition.

So long as the war was in progress, fear of French military power and the threat this posed to the Protestant succession provided sufficient incentive for William III, his ministers and parliament to find a way of working together

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<sup>180</sup> Glassey, *Appointment of Justices*, pp.118-129; Landau, *Justices of the Peace*, pp.80-1; Feiling, *Tory Party, 1640-1714*, pp.318-1.

<sup>181</sup> Plumb, *Growth of Stability*, pp.135-7; Horwitz, *Parliament, Policy and Politics*, pp.208-13.

<sup>182</sup> Horwitz, *Parliament, Policy and Politics*, pp.217-18.

towards a common goal, even if relations were at times severely strained. By 1697 all the countries involved in the war were suffering from exhaustion and ready to negotiate for peace.<sup>183</sup> During the lull in hostilities relationships between the crown, government and parliament became increasingly acrimonious with serious disagreements over policy and tactics.

## II

The point at which the court/country configuration that had characterised Charles II's parliaments gave way to 'party' alignments in the 1690s has been the subject of considerable debate. Plumb viewed the Junto's first serious bid to control the administration in 1694 as a significant moment in the development of a whig party, while Holmes placed 'the great watershed in post-Revolution politics' later, in 1701.<sup>184</sup> In an attempt to make sense of the apparent erratic behaviour of certain MPs at the end of the decade, Rubini suggested that at times of political tension MPs dropped their partisan alignments as tories and whigs and realigned along a court and country axis.<sup>185</sup> Horwitz rejected this explanation. He argued that it took insufficient account of the complexity and fluidity of partisan groupings. On the strength of his own analyses of division lists, forecasts and other relevant sources, Horwitz was convinced that the basic alignment within parliament by the late 1690s was predominantly whig and tory.<sup>186</sup> He claimed it closely resembled the bi-party politics which Holmes

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<sup>183</sup> Baxter, *William III*, pp.331-378.

<sup>184</sup> Plumb, *Growth of Stability*, p.135; Holmes, *Making of a Great Power*, pp.335-6.

<sup>185</sup> D. Rubini, *Court and Country* (1968) and idem, 'Party and the Augustan Constitution 1694-1716: Politics and the Power of the Executive', *Albion*, X (1978), 193-208.

<sup>186</sup> Horwitz, *Parliament, Policy and Politics*, pp.316-20 and 329-357; Horwitz, 'Structure of Parliamentary Politics', in Holmes (ed.), *Britain after the Revolution*, pp.96-114 and idem, 'Parties, Connections and Parliamentary Politics', pp.45-69; Ditchfield *et al*, (eds.), *Parliamentary Lists and H.o.P. 1690-1715*, 1.20-4.

described in *British Politics* in Anne's reign. He considered that frequent contemporary use of 'party' to describe these associations provides 'a reasonably accurate reflection of how the play of national questions aligned men in parliament and also shaped sentiment in the country'.<sup>187</sup> Frequent ministerial changes further complicated the situation as politicians with ambitions weighed up their options and vied to be noticed. Although Horwitz was able to identify two cadres of MPs, who consistently supported whig or tory measures, he was aware that party allegiances were neither consistent nor universal. He drew particular attention to the critical part played by a group of independent minded parliamentarians who made up the 'country interest', whose membership appeared to overlap with the two parties.

A decade earlier, Holmes had described these 'country members' as independent gentlemen, many of them owners of landed estates, who had little interest in political advancement through government patronage, men who by instinct were distrustful of the growth of central administration and the conduct of ministers.<sup>188</sup> Many of these were 'fierce partisans' who were predisposed 'primarily to Whig or Tory attitudes or ideals and not to the service of a "Country party"'.<sup>189</sup> It was MPs like this who in Anne's reign under a tory administration initiated and supported moves to bar government officials, military officers and others in receipt of official pensions from sitting as

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<sup>187</sup> Horwitz, *Parliament, Policy and Politics*, pp.317-19; Feiling, *Tory Party, 1640-1714*, p.316 for examples of the way different compounds were used in party labels to describe shifts in political alignments.

<sup>188</sup> Holmes, *British Politics*, pp.116-147.

<sup>189</sup> *Ibid.*, pp.118 and also p.109, quoting Lord Cowper, 'An Impartial History of Parties' in Lord Campbell, *The Lives of the Lord Chancellors*, 6 vols. (1846), IV.427.

members, because they believed such connections were a source of corruption and undermined the independence of the House.<sup>190</sup>

The issues ‘the country interest’ espoused, the people involved and the support it received altered as the political context changed. J. A. Downie pointed out that unlike the whig opposition of the 1670s, these men were not necessarily ambitious to become part of the administration, but they did want to influence government business. To achieve this, they developed a systematic and sustained process for calling the administration to account for its policies and actions.<sup>191</sup> It was through such experiences as the Commission of Public Accounts and parliamentary campaigns that these men learnt the benefits of collaboration, even though they were drawn from across the political spectrum.<sup>192</sup>

D. W. Hayton and C. Brooks were agreed that ‘the country interest’ was not a party in any organized sense.<sup>193</sup> In his article, Hayton argued that ‘the country interest’ did not have a continuous existence, but, from time to time, manifested itself as a country party. What brought these MPs together was a shared sense of public obligation, a lively scepticism about government and a determination to hold the administration to account for its stewardship. In mounting campaigns to safeguard parliament, root out corruption and reduce the

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<sup>190</sup> Holmes, *British Politics*, pp.130-42 and idem, ‘The Attack on “The Influence of the Crown”’, 1702-16’, *B.I.H.R.* 39 (1966), 47-68.

<sup>191</sup> J. A. Downie, *Robert Harley and the Press: Propaganda and Popular Opinion in the age of Swift and Defoe* (Cambridge, 1979) p.21 and n.10; B. W. Hill, *Robert Harley, Speaker, Secretary of State and Prime Minister* (1988), p.55.

<sup>192</sup> Downie, ‘The Commission of Public Accounts’, 33-51; Horwitz, *Parliament, Policy and Politics*, pp.201-2; Harris, *Politics under the later Stuarts*, p.164 (and n.62-3).

<sup>193</sup> D. W. Hayton, ‘The “Country Interest” and the Party System, 1689-c1720’, in C. Jones, *Party and Management in Parliament, 1660-1784* (Leicester, 1984), pp.37-86; C. Brooks, ‘The Country Persuasion and Political Responsibility in England in the 1690s’, *Parliaments, Estates and Representation*, vol. 4. (2) (1984), 135-46.

size of the standing army, these MPs were seeking to protect the liberties of the subject against the encroachment of arbitrary government. For Hayton, 'Country' represented 'a way of thinking, a set of principles, attitudes and prejudices [rather than a programme]', reflecting, 'provincialism, patriotism, the defence of liberty and resistance to the expansion of state power'.<sup>194</sup>

Hayton used evidence of voting behaviour to draw up a more reliable profile of the 'country interest'. He demonstrated that until the middle of the 1690s the 'country interest' drew its support from both parties. It attracted 'old whigs', like Walter Moyle and John Toland, who watched with dismay the way that former colleagues were prepared to abandon their principles in search of office. Other whigs, such as Paul Foley and Robert Harley, played a major role in developing 'country' tactics. From the tory side were men whose natural disposition was to regard all administrations with suspicion, although Hayton warned against assuming that these were the forerunners of Namier's 'independent country gentlemen'.<sup>195</sup> The 'country interest' attracted MPs with a wide range of legal, commercial and industrial interests as well as interests in land. Its 'membership' was fluid and those MPs who lent occasional support for 'country' issues, 'did not lose their political identity: they remained first and foremost whigs and tories'.<sup>196</sup> The fact that there were more tories in the 'country interest' in the second half of the 1690s was a reflection of the hold the whigs had over the administration at this time. By 1700 Hayton claimed that 'court and country' had ceased to be standing political divisions. The term 'country' had

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<sup>194</sup> Hayton, 'The "Country Interest" and the Party System', p.42.

<sup>195</sup> Namier, *The Structure of Politics* (1961), pp.4-5; Hayton, 'The "Country Interest" and the Party System', pp.42-3.

<sup>196</sup> Hayton, 'The "Country" interest and the Party System', p.65.

come to stand for ‘another level of political consciousness’ operating alongside party ideologies as a driving force in politics. By Anne’s reign the ‘country interest’ appears to have become subsumed into the tory party but Hayton warned against assuming these groupings were indistinguishable. The tory party still contained a strong pro-court element, which was particularly prominent when the tories were in power.<sup>197</sup>

In a second article published in 1990, Hayton returned to the question posed by Brooks about the origins of ‘country’ principles.<sup>198</sup> He was dubious about arguments that the ‘country persuasion’ was a continuation of the radical tradition in the whig party that drew its inspiration from Harrington.<sup>199</sup> Hayton claimed it was the moral reform movement that had a powerful influence on ‘country politics’.<sup>200</sup> This movement was influential in the last years of the century, a reaction to what was perceived by some to be a decline in religion and in public and private morality. Its supporters saw a revival of religion and a determination to root out private vice and public corruption as the solution to the ills of society, whether these originated from social or economic causes. Hayton demonstrated the close links that existed between the adherents of ‘country’ and moral reform but warned about the danger of mono-causal explanations. While a substantial core of the ‘country interest’ may have been influenced by moral

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<sup>197</sup> Hayton, ‘The “Country Interest” and the Party System’, pp.37-86.

<sup>198</sup> Hayton, ‘Moral Reform and Country Politics in the Late-Seventeenth-Century House of Commons,’ *P. and P.*, 128 (1990), 48-92; *H.o.P. 1690-1715*, 1.489-499; Hayton, ‘Debates in the House of Commons, 1697-1699’, *Camden Misc.* XXXIV (1987), pp.343-407, ‘Sir Richard Cocks: The Anatomy of a Country Whig’, *Albion*, XX (1988), 221-46 and Hayton’s edition of *The Parliamentary Diary of Sir Richard Cocks, 1698-1702* (Oxford, 1996).

<sup>199</sup> J. Harrington, *The Commonwealth of Oceana* [1656] (1924 edn.); C. Robbins, *The Eighteenth-Century Commonwealthman* (Cambridge Mass., 1959); B. Bailyn, *The Ideological Origins of the American Revolution* (Cambridge Mass., 1967); J. G. A. Pocock, ‘Macchiavelli, Harrington and English Political Ideologies in the Eighteenth Century’, in idem, *Politics, Language and Time: essays on political thought and history* (New York, 1971), pp.104-44.

<sup>200</sup> D. Bahlman, *The Moral Revolution of 1688* (Newhaven, 1957).

reform, the 'country interest' also attracted ambitious young men, keen to make their mark, and others disappointed at their lack of influence.<sup>201</sup>

### III

In 1996, Horwitz observed that comparatively little had been published on national politics in the 1690s since 1977, with the exception of Hayton's work on 'the country party'.<sup>202</sup> He also noted that relatively little new evidence had come to light, apart from some fresh voting lists. However, he drew attention to a number of studies, which help to explain the economic context in which politicians were operating. P. G. M. Dickson demonstrated in *The Financial Revolution in England 1688-1756* how changes in the way the government raised credit were crucial in securing the resources required to sustain the wars against France during the reigns of William and Anne.<sup>203</sup> D. W. Jones' conclusion in *War and Economy in the Age of William III and Marlborough* was more cautious. He accepted that the government was in a stronger financial position at the time of the Revolution but maintained that both the government and the economy were stretched to the limits in meeting the costs of the war. Brewer's 1989 study *Sinews of Power* brought together the evidence then available on the emergence of what has been called the 'fiscal-military state'. Paradoxically, while the powers of the executive were being reined in through legislation and constitutional adjustment, state institutions were expanding as a direct

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<sup>201</sup> J. V. Beckett, 'A Back-Bench MP in the Eighteenth Century: Sir James Lowther of Whitehaven', *Parl. Hist.* 2 (1983), 79-97.

<sup>202</sup> H. Horwitz, 'The 1690s revisited: Recent Work on Politics and Political ideas in the Reign of William III', *Parl. Hist.* 15. (1996), 361-77. Holmes described Hayton's research and conclusions as 'the most persuasive exercise in re-interpretation of a major political theme for well over a decade', Holmes. *British Politics* (1987 edn.), p.xl.

<sup>203</sup> P.G. M. Dickson, *The Financial Revolution in England; a study in the development of public credit, 1688-1756* (1967); D. W. Jones, *War and Economy in the Age of William III and Marlborough* (Oxford, 1988).

consequence of England's commitment to the struggle against France. The 1690s were a crucial period in this development. Pressure from the 'country interest' under Harley's leadership to call the government to account helped to exercise some control over this expansion.<sup>204</sup>

Horwitz also referred to several studies on taxation. Chandaman's study of public revenue from 1660-88 demonstrated that there had been a modest improvement in the government's financial position by the end of the 1680s.<sup>205</sup> However the tax regime William III inherited was totally inadequate to provide the revenue the government required to meet its wartime requirements and satisfy potential creditors. In two extended studies, Braddick described these changes in the tax regime and how they impacted on political relationships between the centre and the locality.<sup>206</sup> One of the major innovations was the introduction of a Land Tax in 1692, modelled on the lines of the assessment of the 1640s-50s. Initially this was brought in as an exceptional measure but remained as a mainstay of the new tax regime. Braddick drew on studies by Brooks and Beckett on the way the land tax was apportioned and collected.<sup>207</sup> Their research showed that these processes required a working partnership

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<sup>204</sup> J. Brewer, *The Sinews of Power: War, Money, and the English State, 1688-1783* (1989); Hill, *Robert Harley*, pp.55-61.

<sup>205</sup> Chandaman, *The English Public Revenue*, pp.262-80.

<sup>206</sup> M. J. Braddick, *Parliamentary Taxation in Seventeenth-Century England* (1994); idem, *The Nerves of State: Taxation and the Financing of the British State, 1688-1783* (Manchester, 1996) pp.180-200; P.K. O'Brien, 'The political economy of British taxation, 1688-1815', *Econ.H.R.*, 41 (1988), 1-32 and idem, *Power, with Profit: the state and the economy, 1688-1815* (1991).

<sup>207</sup> C. Brooks, 'Public Finance and Political Stability: the Administration of the Land Tax, 1688-1720', *H.J.*, XVII (1974), 281-300; J. V. Beckett, 'Land Tax or Excise: The Levying of Taxation in Seventeenth and Eighteenth-Century England', *E.H.R.* 100 (1985), 285-308; idem, 'Land Tax Administration at a local level 1693-1798', in M. Turner and D. Mills (eds.), *Land and Property: The English Land Tax 1692-1832* (Gloucester, 1986), pp.161-79; J. V. Beckett, 'Local Custom and the new taxation in the seventeenth and eighteenth-centuries: the example of Cumberland', *North. Hist.* XII (1976), 105-26; idem, 'Westmorland's Book of Rates', *Trans. of the Cumberland and Westmorland Antiquaries*, LXXVII (1977), 127-137.

between central government and local elites, reflecting at a local level the working relationship developing between the executive and parliament.

Horwitz's own research had concentrated on politics at the centre but he acknowledged that party controversy extended beyond Westminster. Regular elections and greater use of the press for disseminating political propaganda following the lapse in the licensing laws in 1695 provided the means to involve more people in these controversies.<sup>208</sup> He spoke of a 'complex interplay between local and national, provincial and metropolitan sentiments and circumstances' but drew attention to the difficulty of ascertaining from the evidence available what direct impact local politics had at the centre. He commended Glassey's and Landau's studies on the justices of the peace and Brooks' work on government projects and the effect on private patronage.<sup>209</sup> He considered that local studies offered a promising field for further study, because it contributes to a more rounded picture of politics in the period and provides an antidote to generalisations based on Westminster.<sup>210</sup> Horwitz called for further research on the relations between 'central institutions, the localities, and socio-economic interests, with respect to legislation, the effects of the expanding administrative

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<sup>208</sup> Horwitz, *Parliament, Policy and Politics*, pp.237-40.

<sup>209</sup> Glassey, *Appointment of Justices* (1979); Landau, *Justices of the Peace* (1984); C. Brooks, 'Interest, Patronage and Professionalism: John First Baron Ashburnham, Hastings and the Revenue Service', *Southern History* IX (1987), 51-70 and idem, 'John First Baron Ashburnham and the State', *B.I.H.R.* LX (1987), 64-79.

<sup>210</sup> P. Roebuck, *Yorkshire Baronets, 1640-1720; Families, Estates and Fortunes* (Oxford, 1980); P. Jenkins, *Making of a Ruling Class: the Glamorgan Gentry, 1640-1790* (Cambridge, 1983); G. S. De Krey, *A Fractured Society; The Politics of London in the First Age of Party, 1688-1715* (Oxford, 1985); A. M. Coleby, *Central Government and the Localities; Hampshire, 1649-89* (1987); C. Holmes, *Seventeenth-Century Lincolnshire* (1988); P. L. Gauci, *Politics and Society in Great Yarmouth* (Oxford, 1996); L. K. J. Glassey, 'The origins of Party in Late Seventeenth-Century Lancashire', *Trans. Hist. Soc. of Lancashire and Cheshire* CXXXVI (1987), 39-54; P. J. Challinor, 'The Structure of Politics in Cheshire, 1660-1715' (CNNA, Award Ph. D. thesis, 1983); P. R. Brindle, 'Politics and Society in Northamptonshire, 1649-1714' (Univ. of Leicester, Ph. D. thesis, 1983) and M. J. Short, 'Political Relationships between central government and the local administration in Yorkshire, 1678-1690' (Univ. of Leeds, Ph. D. thesis, 1996).

apparatus, and the staffing of local administration'. Since Horwitz wrote his review, studies by Knights and Halliday have helped to fill this gap. Knights' analyses of the development and the use of political propaganda in 1678-81 showed the dynamic reaction that existed between the localities and the centre and his more recent study, *Representation and Misrepresentation*, has explored the relationship between propaganda and politics during the period covered by this study.<sup>211</sup> Halliday's study has fulfilled a similar function on the relationship between central government and the boroughs from 1650-1730.<sup>212</sup>

#### Part 6: Politics in the reign of Anne

##### I

Holmes stated that one of his aims in planning *British Politics in the Age of Anne* was to identify the themes, issues, preoccupations and priorities of politics in this period.<sup>213</sup> He was in no doubt that for much of the reign politics was concerned with major issues over which 'public opinion was genuinely and often very seriously divided'.<sup>214</sup> Some of these issues were specific to the period: for example, the controversies about the way the war and the peace negotiations were handled or the uncertainty about how to resolve the succession following the death of the duke of Gloucester. Others were more general and had their origin in long-standing ideological differences about the proper way to order affairs in the Church: for instance the controversy over religious conformity and toleration, which flared up again in Anne's reign under the guise of 'the Church

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<sup>211</sup> Knights, *Politics and Opinion*; idem, *Representation and Misrepresentation in Later Stuart Britain* (Oxford, 2005).

<sup>212</sup> Halliday, *Dismembering the Body Politic* (1998).

<sup>213</sup> Holmes, *British Politics*, p.xxii.

<sup>214</sup> *Ibid.*, p.108.

in Danger'.<sup>215</sup> Holmes maintained that the two years 1701 and 1702 mark 'a watershed of incalculable significance' in this process: beyond this point 'the issues which gave to party conflict in the next twelve years so much of its real substance generally involved either the traditional principles of tory and whig or their distinctive post-Revolution attitudes'.<sup>216</sup> He cited the stance taken by politicians on controversial issues, the evidence of the division lists and the language used by contemporaries as conclusive proof of the reality of party politics in Anne's reign.<sup>217</sup> He contended that it is difficult to identify politicians in the next decade and a half, who were not deeply committed to one party or another whether as members of an active core or by personal conviction.<sup>218</sup>

When Holmes was asked in 1980 whether, in the light of subsequent research, he had exaggerated the intensity of party conflict, he did not retract his original conclusions. However he did concede that by concentrating on the substance and working of politics, he and Plumb may have inadvertently given the impression that 'party' was the cause rather than a symptom of political instability.<sup>219</sup> Holmes pointed out that partisan conflict, despite its intensity both inside and outside parliament, was generally kept within constitutional bounds in William III and Anne's reigns and had not resulted in extra-constitutional activity. Glassey and Landau's studies of the justices of the peace had shown a similar containment within the formal structures of local administration in a

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<sup>215</sup> *Ibid.*, pp.51-81 and pp.82-115; Kenyon, *Revolution Principles* (1977); *H.o.P. 1690-1715*, 1.462-5; H. T. Dickinson, *Liberty and Property: Political Ideology in Eighteenth-Century Britain* (1977); M. Goldie 'The Roots of True Whiggism, 1688-94', *History of Political Thought* 1 (1980), 195-236.

<sup>216</sup> Holmes, *British Politics*, pp.108-9.

<sup>217</sup> *Ibid.*, on language see pp.13-20, and on division lists, pp.33-40.

<sup>218</sup> *Ibid.*, p.345.

<sup>219</sup> G. S. Holmes, 'The Achievement of Stability: the Social Context of Politics from the 1680s to the Age of Walpole', in J. Cannon (ed.), *The Whig Ascendancy* (1981), pp.1-27.

manner that was broadly acceptable given the swings and roundabouts within the system.<sup>220</sup> Holmes also drew attention to the fact that the whigs appear to have successfully divested themselves of their former association with republicanism by the 1690s, a theme explored by Dickinson in an article written in 1987.<sup>221</sup> Compared to the mid-seventeenth century, political radicalism was therefore relatively subdued. Where popular opinion was articulated in Anne's reign it was more likely to be expressed in favour of 'Church and King' than in republican sentiments, a point Holmes demonstrated in his study of the riots that accompanied Sacheverell's trial.<sup>222</sup>

## II

Holmes' second aim was to examine the practical operation of 'high' politics in Anne's reign 'within its post-revolution framework of monarchical government, regular parliamentary sessions and strong party loyalties'.<sup>223</sup> At the centre of this process was Queen Anne, who despite her limitations and her ill-health, was determined not to let her administration fall into the hands of either faction.<sup>224</sup> To help her achieve this Anne was fortunate to have the service of talented ministers such as Godolphin, Marlborough and Oxford, whose success rested not only on their administrative abilities but also on their skills in managing the political process.<sup>225</sup> These skills were crucial. In carrying forward

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<sup>220</sup> Glassey, 'Local Government', in Jones (ed.), *First Age of Party*, pp.151-71; Halliday, *Dismembering the Body Politic*, pp.265-349 indicates a similar process in the boroughs.

<sup>221</sup> H. T. Dickinson, 'The Precursors of Political Radicalism in Augustan Britain', in Jones (ed.), *First Age of Party*, pp.63-84 and Hill, *Growth of Parliamentary Parties*, pp.18-19.

<sup>222</sup> G. S. Holmes, 'The Sacheverell Riots: The Church and the Crowd in Early Eighteenth-Century London', *P. and P.* 72 (1976), 55-85; idem, *The Trial of Dr. Sacheverell* (1973).

<sup>223</sup> Holmes, *British Politics*, p.xxii.

<sup>224</sup> *Ibid.*, pp.xxiii, 194-210 and passim; E. Gregg, *Queen Anne* (1980).

<sup>225</sup> Holmes, *British Politics*, pp.185-216; R. S. Sundstrom, *Sidney Godolphin: Servant of the State* (Newarke, Delaware, 1992); Hill, *Robert Harley* (1988).

their policies, the queen and her ministers were constantly faced by counter-efforts made by those who promoted alternative policies or sought to curb the power of the executive. As a result there were recurrent struggles between the crown and the parties in parliament as they attempted to reach a consensus on how to deal with a series of intractable problems which confronted the country.

Neither the queen nor her ministers could afford to ignore the reality of 'party': in Holmes' words, 'the fuel that drove the machine [of politics]'. Given the stark differences in attitude and policy between whigs and tories and the constant changes in their relative strength in parliament, politicians and polemicists in both parties were forced to modify their position as they ducked and weaved their way through the political process.<sup>226</sup> Although neither party was in a position to force ministers on the queen, a party with a majority in either House could make life very uncomfortable for the administration. In these circumstances the queen could be left with little alternative but to accept a resignation or dismiss a minister who no longer had the ability to deliver parliamentary support.

### III

While Holmes had no doubt about the reality of party conflict, he recognised that party cohesion and discipline was rudimentary. 'Parties' were essentially loose alliances of politicians and other likeminded men united by a few deeply held shared convictions, formed round a core of leaders. They helped to develop and articulate strategies and tactics to confront the fundamental issues

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<sup>226</sup> Harris, *Politics under the later Stuarts*, pp.166-9.

that faced the political community. Hayton observed that ‘it was not so much a detailed programme that each party brought before the electorate, as a set of prejudices’ Even if they had difficulty knowing what they wanted, they were clear about what they did not like, ‘Jacobites, overbearing tantivy clergymen on the one side; Dissenters, republicans, war-profiteers and foreigners on the other’.<sup>227</sup> The notion of organised party, even within parliament, let alone the country as a whole, was a novelty at a time when ‘party’ or ‘faction’ - the words were used interchangeably - was viewed as a cancer in the body politic, ‘which threatened the whole by breaking it into parts’.<sup>228</sup> Those involved in this development were working without obvious precedents in a process that was essentially evolutionary.

While few historians have challenged the reality of party, there has been considerable debate about what evidence to use in tracking the development of parties. Because parties were informal associations with no formal arrangements for defining membership, historians have had to look for other criteria to help them in this task.<sup>229</sup> Macaulay claimed that the tory and whig parties were born out of the breakdown in relations between king and parliament in Oct 1641, creating one ‘confederacy zealous for authority and antiquity’ and another ‘zealous for liberty and progress’.<sup>230</sup> However the fact that opinion was polarised does not of itself provide conclusive proof that organized parties existed at Westminster, still less across the country. In the absence of an agreed manifesto

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<sup>227</sup> *H.o.P. 1690-1715*, 1.465-6.

<sup>228</sup> Halliday, *Dismembering the Body Politic*, p.12; M. Kishlansky, ‘The Emergence of Adversarial Politics in the Long Parliament’, *J. M. H.* 49 (1977), 625-6.

<sup>229</sup> Knights, *Politics and Opinion*, pp.5-10 and Halliday, *Dismembering the Body Politic*, pp.8-11.

<sup>230</sup> Macaulay, *History of England* (1906-7), 1.82-4, 161, and 201; Trevelyan, *England under the Stuarts*, pp.188 and 374; Hill, *Growth of Parliamentary Parties*, p.20.

or system of party discipline, individuals were freer than their modern counterparts to follow their own dictates. Party ideology was not a fixed commodity: it evolved over time as the politicians accommodated to changes in the political environment.<sup>231</sup> It is dangerous therefore to assume that party in one generation meant the same in the next. Even party labels can be misleading, especially when used to denigrate opponents.<sup>232</sup> Halliday warned that, 'Ideology, while the core of partisan identity, is too slippery for careful analysis of the origins and development of partisan politics'.<sup>233</sup>

In recent years, historians have made extensive use of evidence, in this period, of voting behaviour in parliament as a means of identifying party affiliations.<sup>234</sup> Hayton's own research has demonstrated how effectively this evidence can be used but he has also pointed out its limitations.<sup>235</sup> Some lists are forecasts and therefore only reliable to the extent that the judgement of the compiler can be trusted. They record only a moment in time and rarely contain information which explains the circumstances that led an individual to cast his vote in this way. A change in personal circumstances, such as an award of a pension or office or a change of patron, might well affect the way an individual voted. So where possible this evidence needs to be matched against information from other sources. Finally, though valuable in interpreting politics at Westminster, it has only a limited value in helping to define party at a local level.

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<sup>231</sup> Kenyon, *Revolution Principles*, p.4 and passim.

<sup>232</sup> Holmes, *British Politics*, pp.13-20; R. Willman, 'The Origins of "Whig" and "Tory" in English Political Language', *H.J.* 17 (1974), 247-64.

<sup>233</sup> Halliday, *Dismembering the Body Politic*, p.9.

<sup>234</sup> Horwitz, *Parliament, Policy and Politics*, passim; Holmes, *British Politics*, pp.xi, 33-40 (and ns.). See also above, p.14, n.9.

<sup>235</sup> Hayton, 'The "Country Interest" and Party System', in Jones, *Party and Management; H.o.P. 1690-1715*, 1.20-28 (and n.32).

A third method has been to look for evidence of coordination, leadership and organization. For example, Browning, Ogg and J. R. Jones used such evidence to support their arguments that coherent parties existed in Charles II's reign.<sup>236</sup> Horwitz has cautioned against reading too much into such evidence: even in William III's reign, political leaders for the most part 'operated in a hand to mouth fashion – employing appeals to principle to rally the faithful, utilising the attractions of office to tempt the ambitious, and relying upon ties of friendship, kinship, and dependence to reinforce these bonds'.<sup>237</sup> The whigs, especially under the Junto's leadership, appear to have been more effective than the Tories in maintaining a sense of direction and in marshalling support in parliament and in the country.<sup>238</sup> By contrast their opponents were more prone to internal rivalries.<sup>239</sup>

Through a detailed examination of their structure, direction and organisation, Holmes was able to demonstrate how the two parties became more adept at mobilising and maintaining support during Anne's reign.<sup>240</sup> Policy and tactics were initially worked out by an inner circle and then transmitted to party members through briefing sessions. In London dining and political clubs

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<sup>236</sup> A. Browning, 'Parties and Party Organization in the Reign of Charles II', *T.R.H.S.* (4<sup>th</sup> series) 30 (1948), 21-36 and idem, *Thomas Osborne, Earl of Danby and Duke of Leeds, 1632-1712* 3 vols. (Glasgow, 1951); Ogg, *Reign of Charles II*, pp.606-8; Jones, *First Whigs*, pp.1-3.

<sup>237</sup> Horwitz, *Parliament, Policy and Politics*, pp.316-17.

<sup>238</sup> *H.o.P. 1690-1715*, 1.468, 470-2; Holmes, *British Politics*, pp.235-41, 288-91, 304-6; E. L. Ellis, 'Whig Junto, in Relation to the Development of Party Politics and Party Organisation from its inception to 1714' (Oxford Univ., D. Phil. thesis, 1961) and idem, 'William III and the Politicians', in Holmes (ed.), *Britain after the Revolution*, pp.115-34; C. Jones (ed.), 'Lord Ossulston's Diary,' *Parl. Hist.* 10 (1991), 168-82 and idem, *Parl. Hist.* 16 (1997), 208-10.

<sup>239</sup> *H.o.P. 1690-1715*, 1.468, 472-3; Holmes, *British Politics*, pp.291-3; idem, 'Harley, St John and the Death of the Tory Party', in Holmes (ed.), *Britain after the Glorious Revolution*, pp.228-31; Feiling, *Tory Party, 1640-1714*, pp.307-59; H. Horwitz, *Revolution Politics*, pp.230-50.

<sup>240</sup> Holmes, *British Politics*, pp.285-231.

provided opportunities for discussion of political issues when Parliament was in session.<sup>241</sup> When MPs returned to their constituencies, friends who were still in London informed their colleagues of the latest developments and ‘party whips’ cajoled errant members to return for crucial votes. With more frequent elections and greater uncertainty about the outcome, party activists had to learn how to exploit the pulpit and the press to reach audiences beyond Westminster and to counter the propaganda put forward by their rivals.<sup>242</sup>

#### IV

Plumb, Holmes and Speck maintained that three factors, the frequency of elections between 1694 and 1716, the growth in the number of contested elections and the expansion of the electorate, created the conditions for the emergence of an active, informed electorate, capable of weighing up the issues and determining the outcome of the election.<sup>243</sup> At critical moments the collective judgement of the electorate was capable of forcing changes in government policy and even affecting ministers’ hold on office. Electoral success or failure became a vital calculation in Westminster politics.<sup>244</sup>

Since 1967 there has been a steady flow of research projects on this subject, including the completion of the volumes of the *History of Parliament*:

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<sup>241</sup> Holmes, *British Politics*, pp.296-300, 341-4; *H.o.P. 1690-1715*, 1.468-73; H. T. Dickinson, ‘The October Club’, *H.L.Q.* XXXIII (1970), 155-177; P. Clark, *British Clubs and Societies, 1580-1800* (2000).

<sup>242</sup> Downie, *Harley and the Press* (1979); J. O. Richards, *Party Propaganda under Anne* (Georgia, 1972).

<sup>243</sup> Plumb, *Growth of Stability*, pp.27-29 and 72-97; Holmes, *British Politics*, pp.312-21 and references to elections in index, pp.525-6; W. A. Speck, *Tory and Whig: the Struggle in the Constituencies, 1701-1715* (1970); Holmes and Speck, *Divided Society*, pp.27-32 and 152-160; J. H. Plumb, ‘The Growth of the Electorate in England from 1600-1715,’ *P. and P.* 45 (1969), 90-106; G. S. Holmes, *The Electorate and the National Will in the First Age of Party* (Lancaster, 1976).

<sup>244</sup> *H.o.P. 1690-1715*, I.218-246, ‘Results of parliamentary elections’.

*House of Commons* covering the period from 1660-1754.<sup>245</sup> There can be no dispute about the number of elections that took place between 1694 and 1716 but there has been less agreement about how to interpret this phenomenon. On the issue of contested elections, Kishlansky argued that one reason for an increase in the number of contests was that the gentry were demanding more say in the selection of county candidates.<sup>246</sup> Ambitious men increasingly saw a seat in the Commons as an opportunity to enhance their local standing and to promote interests or exercise patronage on behalf of a member of their family, friends or clients. O’Gorman questioned this. He maintained that the incidence and significance of contested elections has been exaggerated.<sup>247</sup>

The evidence now available from the *History of Parliament* shows that less than 40% of county elections are known to have gone to a poll between 1690 and 1716 and in boroughs only 37%. Although these figures confirm that most elections were decided without recourse to a poll, this by no means disposes of the argument that a strong correlation existed between the number of contested elections and the growth of partisan politics.<sup>248</sup> Moreover these figures take no account of competition during the nomination process. Hayton acknowledged that traditional and personal rivalries, competition for local influence, and disputes over local matters continued to be the main driving force. The evidence collected for the *History of Parliament* supports Plumb, Holmes and Speck’s

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<sup>245</sup> Much of this work is to be found in doctoral theses, see *H.o.P. 1690-1715*, I.32, n.104.

<sup>246</sup> M. Kishlansky, *Parliamentary Selection: Social and Political Choice in Early Modern England* (Cambridge, 1986).

<sup>247</sup> F. O’Gorman, *Voters, Patrons and Parties: the Unreformed Electorate of Hanoverian England, 1734-1832* (Oxford, 1989), pp.106-16.

<sup>248</sup> *H.o.P. 1690-1715*, I.40-6 and 77 et seq.

claim that national issues were contributing to partisan conflict at local elections.<sup>249</sup>

Plumb initially put forward the figure of 200,000 as a conservative estimate of the size of the electorate at the beginning of William's reign. Early results from computer analysis led Speck to suggest later that by 1715 it was 250,700, an estimated 4.3% of the population.<sup>250</sup> Evidence from poll-book analysis revealed a considerable turnover of voters between elections, indicating a discrepancy between those who voted and those eligible to vote.<sup>251</sup> For this reason, Holmes recommended raising the estimate to between 330,000 and 360,000. If this figure is correct it implies that approximately one in every four or five of the adult male population had the vote, a proportion, which Holmes pointed out, was higher than at any time before the reform acts of the nineteenth century.<sup>252</sup> O'Gorman argued that even this was an underestimate, claiming that at least half a million were entitled to vote in 1700.<sup>253</sup> Hayton was more circumspect. He maintained that it is impossible to make an accurate calculation on the data currently available.<sup>254</sup> However a simple comparison between the aggregated estimates for each constituency in the 1690-1714 volumes of the *History of Parliament* with those in the preceding and subsequent volumes appears to confirm that the number eligible to vote was rising.

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<sup>249</sup> *Ibid.*, I.47-61.

<sup>250</sup> Plumb, *Growth of Stability*, p.29; Speck *Tory and Whig* (1970), pp.16-17; W. A. Speck and W. A. Gray, 'Computer Analysis of Poll Books: an initial report', *B.I.H.R.* 43 (1970), 105-115.

<sup>251</sup> W. A. Speck, W. A. Gray and R. Hopkinson, 'Computer Analysis of Poll Books', *B.I.H.R.* 48 (1975), 64-90.

<sup>252</sup> Holmes, *The Electorate and the National Will*, pp.14-24.

<sup>253</sup> O'Gorman, *Voters, Patrons and Parties* (1989), pp.178-99.

<sup>254</sup> *H.o.P. 1690-1715*, 1.40-41.

Demographic factors may have been one explanation but there must have been other causes, for the electorate appeared to be growing proportionately faster than the population.<sup>255</sup> Hirst and Plumb claimed that rising land values since the 40 shilling threshold was set in the fifteenth century was a major reason for the increase.<sup>256</sup> As a result the county electorate included quite humble farmers and in boroughs with the larger franchises, urban craftsmen, tradesmen and shopkeepers. According to Plumb, the attraction of a parliamentary seat led to candidates and their patrons ‘conjur[ing] up’ voters in order to boost support and, a process that was often endorsed by the Commons who seemed to have had a preference for wider franchises.<sup>257</sup> Hayton drew attention to research which suggested that patrons fell back on such practices as splitting tenures and property transfers to increase the numbers eligible to vote.<sup>258</sup>

In *Tory and Whig* Speck drew attention to a significant floating vote in what he termed a number of ‘weathervane constituencies’.<sup>259</sup> Both Speck and Holmes were convinced that these floating voters had a significant influence not only on the outcome of local elections but also nationally.<sup>260</sup> Their views have not gone without challenge. Phillips, citing Hopkinson’s research in Westmorland and Hampshire, pointed out that Speck’s ‘floating voters’ were not

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<sup>255</sup> E. A. Wrigley and R. S. Schofield, *The Population History of England 1541-1871: a Reconstruction* (1981); Holmes, *The Electorate and the National Will*, pp.14-15.

<sup>256</sup> D. Hirst, *The Representative of the People? : voters and voting in England under the early Stuarts* (Cambridge, 1975).

<sup>257</sup> Plumb, ‘The Growth of the Electorate,’ pp.70-1.

<sup>258</sup> *H.o.P. 1690-1715*, 1.44-5; Namier suggested that one explanation for the increase was the liberal interpretation put on the term of freehold, *The Structure of Politics*, p.64.

<sup>259</sup> Speck, *Tory and Whig*, pp.76-97.

<sup>260</sup> Holmes, *The Electorate and the National Will*, pp.1-14; Holmes, *British Politics*, pp.xvi-xix; W. A. Speck, ‘The Electorate in the First Age of Party’, in Jones (ed.), *First Age of Party*, pp.45-62.

necessarily the same people changing allegiance between elections.<sup>261</sup> He said that the use of tactical voting created further difficulties in interpreting the data. Baskerville, Adman, and Beedham carried out an exercise in which they mapped information from poll books in Cheshire against tenurial records. One of their conclusions was that turnover between elections was the result of a high incidence of land acquisition and surrender.<sup>262</sup> Based on this evidence they argued that greater account should be taken of these factors in analysing turnover but accepted that the situation could be different in other areas. On another level both Landau and Colley expressed reservations about the independence of the electorate.<sup>263</sup> J. C. D. Clark went further: he ridiculed the notion that the electorate was sophisticated and independent. Like Namier, Clark was convinced that the aristocracy and the major landowners dominated the electoral process just as they controlled every other aspect of the political system.<sup>264</sup>

In 1987 Speck responded to his critics with a strong defence in favour of a participative electorate.<sup>265</sup> He acknowledged that he had taken insufficient account of discontinuity as a factor but he was not prepared to accept that this invalidated his original contention that voters were weighing up the issues before deciding how to vote. He cited evidence from Westmorland,

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<sup>261</sup> J. A. Phillips, *Electoral Behaviour in Unreformed England; Plumpers, Splitters and Straits* (Princeton, 1982), pp.19-23; R. Hopkinson, 'The Electorate of Cumberland and Westmorland in the late seventeenth and early eighteenth centuries', *North. Hist.* 15 (1979), 96-116.

<sup>262</sup> S. W. Baskerville, P. Adman and K. F. Beedham, 'The Dynamics of Landlord Influence in English County Elections, 1701-1734: the evidence of Cheshire', *Parl. Hist.* 12 (1993), 126-42.

<sup>263</sup> N. Landau, 'Independence, Deference and Voter Participation of the Electorate in early Eighteenth-Century Kent' *H.J.* XXII (1979), 569-70; L. J. Colley, *In Defiance of Oligarchy: The Tory Party, 1714-60* (Cambridge, 1982).

<sup>264</sup> J. C. D. Clark, *English Society, 1688-1832: ideology, social structure and political practice during the ancien regime* (Cambridge, 1985), pp.8-41; Namier, *Structure of Politics* (1957) pp.64-73; J. V. Beckett, 'Aristocrats and Electoral Control in the East Midlands, 1660-1832', *Midland History* XVII (1993), 65-73, for a contrary view of the position up to 1720.

<sup>265</sup> Speck, 'Electorate in the First Age of Party', in Jones (ed.), *First Age of Party*, pp.45-62.

Cheshire and Kent which demonstrated that individual voters were switching their allegiances. In his opinion they reacted this way because they were responding to issues about which they felt passionately, quoting religion as a prime example. Regular elections helped to reinforce the notion that the electorate had a significant role to play in the political process. By Anne's reign, 'party' had become an important factor in elections, for it provided a rallying slogan around which support for candidates in a contested election could be organised.

Most commentators, while accepting the notion of a participative electorate, have also recognised the importance of electoral management. O'Gorman argued that election managers were compelled to put considerable efforts into mobilising support given the social diversity of the electorate.<sup>266</sup> Hopkinson described the strenuous efforts and expenditure made to persuade voters in Westmorland and Cumberland and those from out of county to participate in the election. What is surprising is that so many were so positive in their response. Hopkinson considered it required more than the economic ties between landlord and tenant to persuade the voter to give his support, if the voter's political inclinations persuaded him otherwise. On the other hand he recognised that personal charisma and experience was important: 'to be known by one's neighbours, to live among them and enjoy their respect was a vital factor'.<sup>267</sup>

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<sup>266</sup> O'Gorman, *Voters, Patrons and Parties*, pp.126-141.

<sup>267</sup> Hopkinson, 'The Electorate of Cumberland and Westmorland', 114-5.

Baskerville *et al* reached similar conclusions in Cheshire.<sup>268</sup> They found it difficult to quantify the effect of landlord influence but considered there was some evidence of a partisan affinity between landlords and their tenants, reinforced through ‘treating’. This was more than crude dependency; it came from recognition of a mutually beneficial relationship built over time. Given the way society was structured, the reality was that the outcome of county elections was largely shaped by the views and actions of a narrow elite.<sup>269</sup> ‘Custom, concerned opinion and sophisticated calculation of self-interest generally managed to ensure that most freeholders would conform to consensual norms where such existed.’<sup>270</sup>

The extent to which a borough electorate was influenced in its decisions varied according to the franchise and local circumstances. Boroughs were more compact units than counties and, in theory, autonomous, so other factors came into play, such as the relationship of the corporation with the local territorial magnates, internal relations within the corporation and the town, and any influence exercised by neighbouring county gentry, from whose ranks many borough parliamentary representatives were drawn.<sup>271</sup> Where a powerful magnate lived close to a borough or was able to exercise control through the purchase of burgage rights or some other means, the degree of independence was limited. The borough election could be caught up in a competition between rival magnates fighting for influence. Dynastic hiatus or impoverished leadership in

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<sup>268</sup> Baskerville *et al*, ‘Dynamics of Landlord Influence’, *Parl. Hist.* 12 (1993), 126-42; S. W. Baskerville, ‘Elections and the Yeomen: the changing Identity of the English County Votes, 1700-1850’, in D. Dean and C. Jones (eds.), *Parliament and the Locality, 1660-1939* (1998), pp.48-57.

<sup>269</sup> *H.o.P. 1690-1715*, I.61; Kishlansky, *Parliamentary Selection*, p.12.

<sup>270</sup> Baskerville, ‘Dynamics of Landlord Influence’, 142.

<sup>271</sup> *H.o.P. 1690-1715*, I.119-24.

the leading families could create a vacuum, which the local gentry could fill. Boroughs with larger franchises might be less susceptible to control from outside but more prone to conflict from within, either in the corporation or between those in authority and the townspeople. The prevalence of partisan politics provided an added dimension to these internal conflicts and to the way the town related to its neighbours.<sup>272</sup>

## V

In 1987, Holmes reviewed the research carried out in the twenty years since the publication of the first edition of *British Politics in the Reign of Anne*.<sup>273</sup> He commented on the wide range of books and articles that had been published on subjects as diverse as politics, religion, political ideology, print and propaganda, urban politics, elections, Jacobitism and relations with Ireland, Scotland and other European countries. In addition he referred to a number of biographies which have helped to clarify the political roles played by the queen and key politicians in this period.<sup>274</sup> Holmes felt satisfied that the outcomes of this research had largely confirmed his and Plumb's overall conclusions in 1967. However, there were two aspects where he considered some modification of these original interpretations was required: first, the conflict between landowners and the moneyed interests and, second, the timing and pace of the transition to stability.<sup>275</sup>

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<sup>272</sup> Halliday, *Dismembering the Body Politic*, pp.3-28.

<sup>273</sup> Holmes, *British Politics*, pp.ix-lxvi.

<sup>274</sup> Holmes, *British Politics*, pp.xxii-xxix and *H.o.P. 1690-1715*, I.34-5 for biographies published since 1987.

<sup>275</sup> On the timing and pace of the transition, see below, pp.78-83.

In 1967, Holmes had argued that the prolonged period of warfare opened up divisions between those who predominantly derived their wealth from land and those who gained their living mainly from financial or commercial enterprises.<sup>276</sup> Landowners, who were expected to pay unprecedented levels of tax, saw financiers profiting from the increase in government borrowing and the burgeoning finance markets. The growth of the civilian and military arms of central government was watched with apprehension. They were also envious of the commercial benefits that merchants derived from an increase in government contracts and from new opportunities opening up in overseas' trade. Political prejudices strengthened these stereotypes, which were reflected in and reinforced the ideological positions taken up by tories and whigs.

Revisiting this aspect, Holmes admitted that he had modified his stance on this issue in the light of new research on the role played by city merchants and investors in the thirty years after the revolution.<sup>277</sup> Speck had pointed out in 1967 that Davenant, Swift and other tory propagandists were directing their criticism at those involved in the new machinery of public credit rather than the commercial world in general.<sup>278</sup> Dickson's study of public credit and De Krey's on the politics of London from 1688 to 1715 confirmed the reality of 'a new interest' in the city but their findings did not support the stark distinctions drawn by propagandists between the 'monied men' and the landowners.<sup>279</sup> While the

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<sup>276</sup> Holmes, *British Politics*, pp.148-182.

<sup>277</sup> Holmes, *British Politics*, pp.xliii-liii and lx-lxii; idem, 'Achievement of Stability', pp.18-19.

<sup>278</sup> W. A. Speck, 'Conflict in Society', in Holmes (ed.), *Britain after the Glorious Revolution*, pp. 135-54.

<sup>279</sup> P.G. M. Dickson, *The Financial Revolution in England; a study in the development of public credit, 1688-1756* (1967); G. S. De Krey, *A Fractured Society; the politics of London in the first age of party, 1688-1715* (Oxford, 1985); D.W. Jones, 'London Merchants and the Crisis of the

charge of investors profiteering at the expense of the landed interest may have had some validity in the south east where land tax assessments were high, it was less of an issue elsewhere. Investment in government funds was not confined to city investors but attracted a wider field from people with medium resources across the country. While it was true that the Bank of England and the New East India Company were dominated by whigs and therefore the target of tory criticism, tories were not averse to speculating in the market where the opportunity occurred. In raising money the government relied substantially on city merchants investing profits from trade, men whom Plumb acknowledged were 'often more traditional in background and more assimilable socially than hostile propaganda allows'. The security of government stock proved quite attractive to these men compared to the uncertain returns from overseas trade during the wars with France. There were only a small number of men whose business was confined to investment, those whom Swift called 'retailers of money' and denounced as a threat to the constitution. A relatively high proportion of these were foreign migrants, such as the Huguenots, taking refuge from religious persecution on the continent, whose life-experience may account for their reluctance at this stage to convert their liquid assets into land. Among these a number were prominent members of London Dissenting congregations and it was this characteristic that particularly attracted tory venom.

Before leaving this topic, it is appropriate to make a brief reference to the extensive debate on changes in landownership in this period, initiated by

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1690s', in P. Clark and P. Slack (eds.), *Crisis and Order in English Towns* (1972), pp.311-55; Colley, *In Defiance of Oligarchy*, pp.14-16.

Habbakuk's article in 1939.<sup>280</sup> Whilst it is not relevant here to comment on this debate in detail, it is worthwhile referring to two aspects. First is the recognition that there was a very fluid land-market in this period with considerable regional variations. Some families prospered from this situation and others suffered from the vagaries of demographic fortune and from the way they managed their affairs.<sup>281</sup> The research has shown that landowners could, if they chose, call upon a range of social, economic and legal strategies to protect and enhance their estates but it has also demonstrated that the outcomes were often far less predictable than the landowners and their advisers originally hoped. Second the debate has highlighted the problems historians face in generalising about the effects of social and economic change on particular sections of society because of the lack of categorical precision demarcating the various orders of society, even though this was a hierarchical society in which social precedence was jealously observed.<sup>282</sup> Furthermore academic attempts to generalise the experience of social groups are constantly challenged by evidence of contrary experience of individuals and families.

## VI

Subsequent research has largely confirmed Plumb and Holmes' original conclusions about 'the rage of party' but there has been less agreement about their other proposition that this turmoil was rapidly replaced by a period of

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<sup>280</sup> Holmes, *British Politics*, pp. liii-lx; Hoppit, *A Land of Liberty?*, pp. 345-368 and 375-8; J. V. Beckett, 'Review of J. Habbakuk, *Marriage, Debt and the Estates system: English Landownership, 1650-1950* (Oxford, 1994)', *H.J.* 39 (1996), 249-256.

<sup>281</sup> T. H. Hollingsworth, *The Demography of the British Peerage*, supplement to *Population Studies*, XVIII no. 2 1964; idem, 'Mortality in the British peerage families since 1660', *Population XXXII* [special issue] (1977), 323-52.

<sup>282</sup> J. V. Beckett, *The Aristocracy in England 1660-1914* (Oxford, 1986), pp. 26-40.

stability.<sup>283</sup> In his 1980 lecture, 'The Achievement of Stability' Holmes considered the effect that changes in the economy had on this transition.<sup>284</sup> He repeated Plumb's argument that for the first time since the early sixteenth century, the rate of population growth had slowed and there was a modest expansion in the economy. In his opinion, this improvement occurred, 'because a basic socio-economic equation which had defied solution in the mid-seventeenth century had at last been worked out'.<sup>285</sup> These small changes helped to moderate the social and economic pressures that had contributed to political instability in seventeenth-century society and led to 'a measure of fusion, a recognition of common interests and common identity'. As an illustration of the effect of these changes, Plumb referred to the emergence of 'a new professionalism'.<sup>286</sup> Following further research on this issue, Holmes claimed that the development of this new professionalism contributed to improvement in the quality of civic life in London and in the provinces, providing employment for the dispossessed younger sons of aristocratic and gentry families.<sup>287</sup>

Beckett, writing in 1987, supported the general proposition that economic improvement contributed to the development of political stability but cautioned against taking the argument too far.<sup>288</sup> Research carried out by the Cambridge Group for the History of Population and Social Structure had broadly confirmed

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<sup>283</sup> C. Roberts, 'The Growth of Political Stability Reconsidered', *Albion*, 25 (1993), pp.237-56 and responses by S. Baxter, pp.257-60 and N. Landau, pp.275-7 and a reply by C. Roberts, pp.275-7.

<sup>284</sup> Holmes, 'Achievement of Stability', pp.6-8.

<sup>285</sup> *Ibid.*, p.4.

<sup>286</sup> Plumb, *Growth of Stability*, pp.8-9.

<sup>287</sup> G. S. Holmes, 'The Professions and Social Change in England, 1680-1730', *Proc. of the Brit. Acad.* LXV (1981), 313-54 and *idem*, *Augustan England: Professions, State and Society, 1680-1730* (1982); Brewer, *Sinews of Power* (1989); P. Borsay, 'Urban Development in the Age of Defoe', in Jones (ed.), *First Age of Party*, pp.195-220.

<sup>288</sup> J. V. Beckett, 'Stability in Politics and Society 1680-1750', in Jones (ed.), *First Age of Party*, pp.1-18.

the demographic trends quoted by Holmes but Beckett pointed out that these findings also raised questions about the pace and timing of these changes.<sup>289</sup> There was also a question how far and how quickly the economic benefits spread through the population. It is clear that the more privileged sections of society were enjoying higher standards of material wealth and there were tangible signs of growth in craft and industrial production. However these changes had only a limited impact on the majority of families making their living from agricultural production. Beckett also questioned whether towns outside London were yet exhibiting the same general dynamism that Holmes argued was evident in his study of professional occupations.

Plumb and Holmes had argued that the rapid disintegration of the tory party at the end of Anne's reign was a key factor in the movement towards political stability for it left the way open for a long period of whig ascendancy.<sup>290</sup> It was to the advantage of the whigs that this coincided with the accession of a new monarch, who distrusted the tories and had no ideological or moral objection to permitting one party to enjoy a permanent monopoly of influence and profit. The tories therefore lost the dominant position they had occupied in the last years of Anne's reign and the new administration took advantage of the situation to replace tories by whigs in a massive purge of government appointed officials both at the centre and in the localities.<sup>291</sup> Longer intervals between

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<sup>289</sup> Holmes, 'Achievement of Stability', pp.4-6; E. A. Wrigley and R. S. Schofield, *Population History of England, 1541-1871: a Reconstruction* (1981) and their subsequent study with R. S. Davies and J. E. Oeppen, *English Population History from Family Reconstruction, 1580-1837* (Cambridge, 1997).

<sup>290</sup> Plumb, *Growth of Stability*, pp.159-73; Holmes, 'Harley St John and the Death of the Tory Party', in Holmes (ed.), *Britain after the Revolution*, pp.216-37.

<sup>291</sup> Plumb, *Growth of Stability*, pp.159-68; Glassey, *Appointment of Justices*, pp.237-55;

elections after 1716 and a period of comparative peace helped to create the conditions where, according to Plumb, 'single party government; the legislature firmly under executive control; and a sense of common identity in those who wielded economic, social and political power' could be established.<sup>292</sup> Notwithstanding the political hegemony established by the whigs, Cruickshanks and Hill argued that the tory party survived as a viable force despite efforts made by whigs to denigrate their opponents as 'Jacobites'.<sup>293</sup> Dickinson accepted that the tory party survived as an organisation but claimed that its character had changed substantially, describing it as 'a sleeping Country party rather than the High Church party of Anne's reign'.<sup>294</sup> Colley came to very similar conclusions but disputed Cruickshanks's assertion that the tory party retained its allegiance to the Stuarts. She maintained that they moved closer to the Hanoverians in the hope of securing office.<sup>295</sup> By 1779, even Holmes was convinced that research undertaken for the *History of Parliament* had confirmed that political instability continued well into the 1720s.<sup>296</sup>

Other commentators have drawn a distinction between stability within parliament and political, economic and social stability in the country as a whole. Walpole was certainly successful in securing political control over parliament but the collapse of the South Sea Company and its aftermath, the crisis over the Excise Bill and the continuing Jacobite threat showed that social and political

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J. Brewer, 'The English state and fiscal appropriations, 1688-1789', *Politics and Society* XVI (1988), pp.335-85 and idem, *Sinews of Power*, pp.74-5.

<sup>292</sup> Plumb, *Growth of Stability*, p.xviii.

<sup>293</sup> E. Cruickshanks, *Political Untouchables: The Tories and the '45* (1979); Hill, *Growth of Parliamentary Parties*, pp.147-227 and 228.

<sup>294</sup> Dickinson, *Liberty and Property* (1977).

<sup>295</sup> Colley, *In Defiance of Oligarchy* (1982), p.7.

<sup>296</sup> Holmes, 'Achievement of Stability', pp.7-9; R. R. Sedgwick (ed.), *History of Parliament: House of Commons, 1715-54* 2 vols. (1970).

tensions were not far below the surface. In Dickinson's opinion, one reason these tensions were kept in check was because the governing elite in Hanoverian Britain was very wary of social disruption among the lower orders: they were therefore careful to avoid inflaming public opinion to the point that it endangered civil security. Given this evidence, Dickinson argued that the relative absence of factional strife in parliament during the period of Walpole's hegemony could no longer be taken as a proxy for political stability in the country as a whole.<sup>297</sup>

S. Taylor claimed that one reason why there had been disagreement about the precise timing of the transition can be attributed to the sharp contrast Plumb drew between the politics of Anne's and George's reigns.<sup>298</sup> Taylor argued the case for a longer perspective. As an example, he referred to the changes that had taken place in the political culture since the middle of the seventeenth century when millenarian and republican ideas were a major cause of political instability. By the end of the century, men were looking to political solutions within a more acceptable framework that no longer depended on the 'New Jerusalem'. Taylor argued that the serious issues that contemporaries had to face in William and Anne's reign had made it difficult for them to appreciate the gradual political changes that were taking place. As evidence of this time-lag, he cited the continuing use of a political language to describe opponents inherited from this

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<sup>297</sup> Kenyon, *Revolution Principles*, p. 204; H. T. Dickinson, F. O'Gorman and J. Cannon in the discussion following Holmes' lecture on 'Achievement of Stability', pp.23-6; Dickinson 'Political Radicalism', in Jones (ed.), *First Age of Party*, pp.63-84; J. Stevenson, *Popular Disturbances in England, 1700-1870* (1979).

<sup>298</sup> S. Taylor, 'British Politics in the Age of Holmes', review article in *Parl. Hist.* 8 (1989), 132-141.

earlier period. This longer perspective serves to moderate the stark distinctions originally drawn by Plumb and Holmes.<sup>299</sup>

Halliday also questioned whether the emphasis on political instability has obscured contrary characteristics of politics in this period.<sup>300</sup> Concentration on the role of national politicians, on parliament and the London press has given the impression that the stability of the state was more gravely threatened than was in fact the case. He warned about not being taken in by contemporary propaganda. He considered that, except during the crisis of 1687-8, government in the boroughs was generally marked by continuity and stability. He did not deny the reality of partisan politics but maintained that these conflicts were absorbed within the existing structures and the energy diverted into more productive ends. The burgeoning economy both at home and abroad, the strengthening of the state and a growing consumer economy are evidence of that dynamism. To arrive at a balanced assessment Halliday considered it essential to recognise that stability and dynamism were as important characteristics of this period as conflict.

## VII

In the 1980s J. C. D. Clark launched an iconoclastic and intemperate assault on the Plumb-Holmes thesis that showed disdain for the opinions and research of other historians.<sup>301</sup> He maintained that the monarchy, the aristocracy and the established Church continued to be the dominant forces in politics held

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<sup>299</sup> See similar observations by Clark, *English Society* (1985), pp.14-15; Colley, *In Defiance of Oligarchy*, pp.290-91; Harris, *Politics under the later Stuarts* (1993), pp.1-5.

<sup>300</sup> Halliday, *Dismembering the Body Politic*, pp.11-27.

<sup>301</sup> J. C. D. Clark, 'A General Theory of Party, Opposition and Government, 1688-1832', *H.J.* 23 (1980), 295-325; idem, *English Society* (1985), pp.15-26; idem, *Revolution and Rebellion: state and society in England in the seventeenth and eighteenth centuries* (Cambridge, 1986).

together by an all-persuasive ideology that ‘legitimised social hierarchy, underpinned social relationships and inculcated humility, submission and obedience’. In his opinion, England in the eighteenth century was in many respects an ‘ancien regime’, one having much in common with its continental counterparts and argued that this analysis held true of the later Stuart period. He had no time for Plumb and Holmes’ notion of ‘party’ and refused to accept the notion of a participatory electorate. Inevitably such a violent condemnation provoked a hostile reaction.<sup>302</sup> Clark had left himself too exposed to survive unscathed: in a substantially rewritten second edition of *English Society* Clark pulled back from some of his more extreme assertions.<sup>303</sup>

Clark had overstated his case but he usefully drew attention to a weakness in what had become the received interpretation. He argued that religious belief, except as an adjunct to secular politics, had been undervalued as a driving force in politics. While it is difficult to believe that Clark’s account of religious beliefs in the eighteenth century would have had much appeal outside academic circles, nevertheless there is sufficient evidence to show that religious conviction was still a compelling force for many individuals. Its force can be seen in the visceral fear of international Catholicism but it was also evident in the passionate defence of the established Church against Protestant Nonconformity. However, as Harris pointed out, it was the inter-relationship between religious and constitutional issues that was such an important characteristic of politics in the six decades

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<sup>302</sup> J. Innes, ‘Jonathan Clark, Social History and England’s “Ancien Regime”’, *P. and P.* 115 (1987), 165-200; G. S. Rousseau, ‘Revisionist Polemics: J. C. D. Clark and the Collapse of Modernity’, in P.J. Korshin (ed.), *The Age of Johnson* 3 (New York, 1989), pp.423-52 and R. Porter, ‘English Society in the Eighteenth Century revisited’, in J. Black (ed.), *British Politics and Society from Walpole to Pitt 1742-1789* (1990).

<sup>303</sup> J. C. D. Clark, *English Society, 1660-1832: religion, ideology and politics during the ancien regime* (Cambridge, 2<sup>nd</sup> edn. 2000).

following the Restoration. Sometimes it was religious issues that came to the fore, at other times constitutional, but they were so inextricably intertwined that they cannot be easily separated. Harris considered that some of the apparently inexplicable changes in political direction and allegiances occurred as contemporaries tried to come to terms with these two contentious forces that often seemed beyond their control.<sup>304</sup>

## Part 7 County community and State Formation

### I

The final section of this review is concerned with recent research on the relationship between the locality and the centre. In 1969 A. M. Everitt described the county community as ‘a self-conscious coherent society with a distinct life of its own developing at a different pace and in different ways from the economy of the country at large’. The strong sense of local identity created what were in effect ‘county commonwealths’ but he acknowledged that this cohesion was under threat in the second half of the seventeenth century. The Restoration marked a temporary ‘compromise between the power of [this] provincial world and the power of the nation state’.<sup>305</sup> Studies by Morrill on Cheshire and Fletcher in Sussex appeared to support Everitt’s thesis but also raised concern that extrapolation from the experience of Kent ignored both variations between different parts of the country and the complexity of social relationships within a

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<sup>304</sup> Harris, *Politics under the later Stuarts*, p.8.

<sup>305</sup> A. M. Everitt, *Change in the Provinces: the seventeenth century* (Leicester, 1969), p.48; idem, *Kent and the Great Rebellion* (Leicester, 1966); idem, *The Local Community and the Great Rebellion* (Leicester, 1969); idem, *Landscape and Community in England* (1985); see also the views expressed by H. P. R. Finberg, ‘Local History’ in *Approaches to History* (1962), pp. 111-25 and idem, *Local History in the University: An Inaugural Lecture*, (Leicester, 1964) and W. G. Hoskins, *English Local History; The Past and the Future: An Inaugural Lecture*, (Leicester, 1966).

locality.<sup>306</sup> Local studies, mostly covering the first six decades of the seventeenth century, demonstrated that social and economic factors were often as significant as political in shaping allegiances within local communities. These studies also showed that evidence of specialisation, conflict and competition can be as illuminating as cohesion in understanding how local communities functioned.<sup>307</sup>

Morrill and C. Holmes criticised Everitt for failing to take account of the network of relationships that existed between the government and the leaders of local communities.<sup>308</sup> In 1980 C. Holmes said he found little evidence of ‘county’ cohesion in Lincolnshire except in times of national crises: even this unity was ephemeral and too spasmodic to offer much guarantee of freedom from central interference.<sup>309</sup> He pointed out that Everitt had ignored the fact that the gentry were part of a national caste by intermarriage, education, and administrative experience and shared political and religious ideals with a wider ‘community’. Secondly, he considered that Everitt had under-estimated the value the gentry placed in central institutions, such as the royal courts and parliament. The gentry’s horizons were not confined by county boundaries. If local sentiment was strong it was tempered with the acceptance of a national ideology of a

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<sup>306</sup> J. S. Morrill, *Cheshire 1630-60* (Oxford, 1974), pp.1-30; A. J. Fletcher, *A County Community in Peace and War: Sussex 1600-60* (1975), pp.22-60.

<sup>307</sup> P. Clark, *English Provincial Society from the Reformation to the Revolution: Religion, Politics and Society in Kent, 1500-1640* (Brighton, 1977); D. G. Hey, *An English Rural Community: Myddle under the Tudors and Stuarts* (Leicester, 1974); A. M. Hughes, *Politics, Society and the Civil War in Warwickshire, 1620-1660*, (Cambridge, 1987); S. K. Roberts, *Recovery and Restoration in an English County, : Devon Local Administration, 1646-1670* (Exeter, 1985); M. Spufford, *Contrasting Communities: English villages in the sixteenth and seventeenth centuries* (Cambridge, 1974); D. Underwood, *Somerset in the Civil War and the Interregnum* (Newton Abbot, 1973); K. Wrightson, *Poverty and Piety in an English Village: Terling, 1525-1700* (Oxford, 1976).

<sup>308</sup> J. Morrill, *Revolt in the Provinces: Conservatives and Radicals in the English Civil War 1630-50* (1980); C. Holmes, *The Eastern Association in the Civil War* (Cambridge, 1974), p.21.

<sup>309</sup> C. Holmes, ‘The County Community in Stuart Historiography’, *J.B.S.* XIX (1980), 54-73; idem, *Seventeenth-Century Lincolnshire* (Lincoln, 1980).

centralised state under a common law. Thirdly, he considered that Everitt's pre-occupation with the elite undervalued the contribution of other social groups in the political process. For his part, McFarlane suggested the concept of the 'county community' no longer had any value as a tool for historical investigation.<sup>310</sup>

## II

In her study of Sussex courts in the early seventeenth century, Herrup came to the conclusion that to study central and local institutions of government in isolation gives a distorted impression.<sup>311</sup> Through the medium of the grand jury and other less formal channels, the assizes gave local men the opportunity to present the centre with their feelings and opinions about matters of current concern. 'The result was to legitimate national power by adding the sanction of communal authority'. Other institutions, such as quarter sessions, special commissions, parliamentary elections and military musters played a similar role, in which gentry and small property owners were involved as active participants in the process of government. But she warned against the assumption that the plethora of local officials, magistrates, jurymen, voters and churchwardens, were passive partners in this process simply following central instructions. Where they were in sympathy with central government initiatives they would give their

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<sup>310</sup> A. McFarlane, 'History, Anthropology and the study of Communities', *Social History*, 5 (1977), 631-52.

<sup>311</sup> C. Herrup, 'The Counties and the Country: some thoughts on seventeenth-century historiography', *Social History* 8 (1983), 169-181; idem, *The Common Peace: participation and common law in seventeenth-century England* (Cambridge, 1987), pp.42-6; Brooks, 'Public Finance and Political Stability', *H.J.* 17 (1974), 281-300.

support, but where their interests diverged they were quite capable of interpreting policy to suit local and personal needs.<sup>312</sup>

Braddick built on these themes of interdependence and participation in a paper published in 1989.<sup>313</sup> He was critical of the way in which recent historiography of Stuart England had frequently presented the relationship between the centre and the locality in terms of conflict. In his opinion ‘the interests of the two were essentially symbiotic and institutionally inseparable’.<sup>314</sup> He believed that historians had mistakenly equated the state with the centre, an error compounded by unsustainable arguments of cohesion and unity of purpose within county communities. There was ‘no such thing as a single local community but a compound of sectional interests, sometimes complementary and sometimes conflicting, which coalesced around certain issues’. Braddick argued that it is more helpful to see the terms ‘centre’ and ‘locality’ as references to orientations of interest and identity rather than to physical locations. What distinguished state business from local was not its location but whether it was particular to one locality or applied to the whole country.

Braddick wanted to move away from the perception of the state as a discrete phenomenon and treat it ‘as one of a number of social institutions

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<sup>312</sup> Herrup, *The Common Peace*, pp.193-201 and passim; T. G. Barnes, *Somerset: A County's Government during the period of Personal Rule, 1625-1640* (Oxford, 1961); K. Wrightson, ‘Two concepts of order: justices, constables and jurymen in seventeenth-century England’, in J. Brewer and J. Styles (eds.), *An Ungovernable People: the English and their law in the seventeenth and eighteenth centuries* (New Brunswick, N. J., 1980), pp.21-46.

<sup>313</sup> M. J. Braddick, ‘State formation and social change in early modern England’, in *Social History* 16 (1991), 1-17; idem, *Parliamentary Taxation in Seventeenth-Century England* (Woodbridge, 1994), 14-17.

<sup>314</sup> Braddick, *Parliamentary Taxation*, p.15.

through which people try to pursue their goals, and control their environment'.<sup>315</sup>

In his view this was particularly appropriate in an era when the government's reach into the localities relied heavily on drawing local men of substance into partnership with the centre rather than through an expansion of its own bureaucracy. Where this partnership was successful, it had the potential to strengthen the state, for it led to the 'development [over the course of the seventeenth century] of a particularly powerful and enduring set of relations'.<sup>316</sup>

This process worked to the advantage of central government but at the same time benefited those in a position to gain access to state institutions. These men were able to use the apparatus of an enlarged state to help them achieve personal and local objectives that were beyond the scope of their personal and local resources.

'In the process, a partnership was forged between crown and gentry, and social power was organised in such a way which cemented the local hierarchy.'<sup>317</sup>

Kent's study of parish officials in Staffordshire and the research carried out by Innes and Gauci on private parliamentary legislation supported Braddick's thesis.<sup>318</sup> The use of parliament to sanction local initiatives marked an important shift in the constitutional role of parliament after 1690. Price has gone so far as to

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<sup>315</sup> Braddick, 'State formation', pp.1-2; M. Mann, *The Sources of Social Power* 3 vols. (Cambridge, 1986), 1.1-33.

<sup>316</sup> Braddick, 'State formation', pp.6 and 15; idem, 'Parliamentary lay taxation, c1590-1670: local problems of enforcement and collection with special reference to Norfolk (Univ. of Cambridge, Ph. D. thesis, 1988), pp.181-2; A. M. Coleby, *Central Government and the Localities: Hampshire 1649-1689* (Cambridge, 1987), pp.196-206.

<sup>317</sup> Braddick, 'State formation', p.15.

<sup>318</sup> P. Gauci, "For want of Smooth Language": Parliament as a Point of Contact in the Augustan Age' and J. Innes, 'The Local Acts of a National Parliament: Parliament's Role in Sanctioning Local Legislation in Eighteenth-Century Britain', both articles in D. Dean and C. Jones (eds.), *Parliament and Locality, 1660-1939* (Edinburgh, 1998), pp.12-22 & 23-27; J. Innes, 'Parliament and the Shaping of Eighteenth-Century Social Policy', *T.R.H.S.*, 40 (1990), 63-92; J. R. Kent, 'The Centres and the Locality: State Formation and Parish Government in England c1640-1730', *H.J.* 38 (1995), 363-404; S Handley, 'Local Legislative Initiatives for Economic and Social Development in Lancashire, 1689-1731', *Parl. Hist.* 9 (1990), 14-37 and idem, 'Provincial Influence on General Legislation: The Case of Lancashire, 1689-1731', *Parl. Hist.* 16 (1997), 171-184.

claim that ‘Parliament above all else was a place where local power was gathered’. It provided an arena for resolving conflict, coordinating legislation and arbitrating on disputes between and within localities. It was ‘the guardian of localism’. Although Price’s comments were made in the context of the eighteenth century there was already evidence of this change in the period covered by this study.<sup>319</sup>

During the last three decades, there has been a steady flow of locally-focussed studies covering the latter period of the seventeenth century.<sup>320</sup> These studies confirm that variations in topography, communications, social structure, economic characteristics and historical influences make it hazardous to generalise across counties and even within a single county. Proximity does not in itself guarantee an identity of interest and communities of interests frequently transcend county boundaries. Recent debate about the process of state formation has demonstrated the dangers of regarding government at the centre and in the locality in this period as discrete and oppositional phenomenon. Instead recent commentators, while recognising that there were from time to time conflicts of interest, have argued that the overall relationship between the two makes more sense when seen as reciprocal and interdependent.<sup>321</sup>

This account of the debate about the relationship between the localities

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<sup>319</sup> R. Price, *British Society 1680-1880* (Cambridge, 1999), pp.155-158.

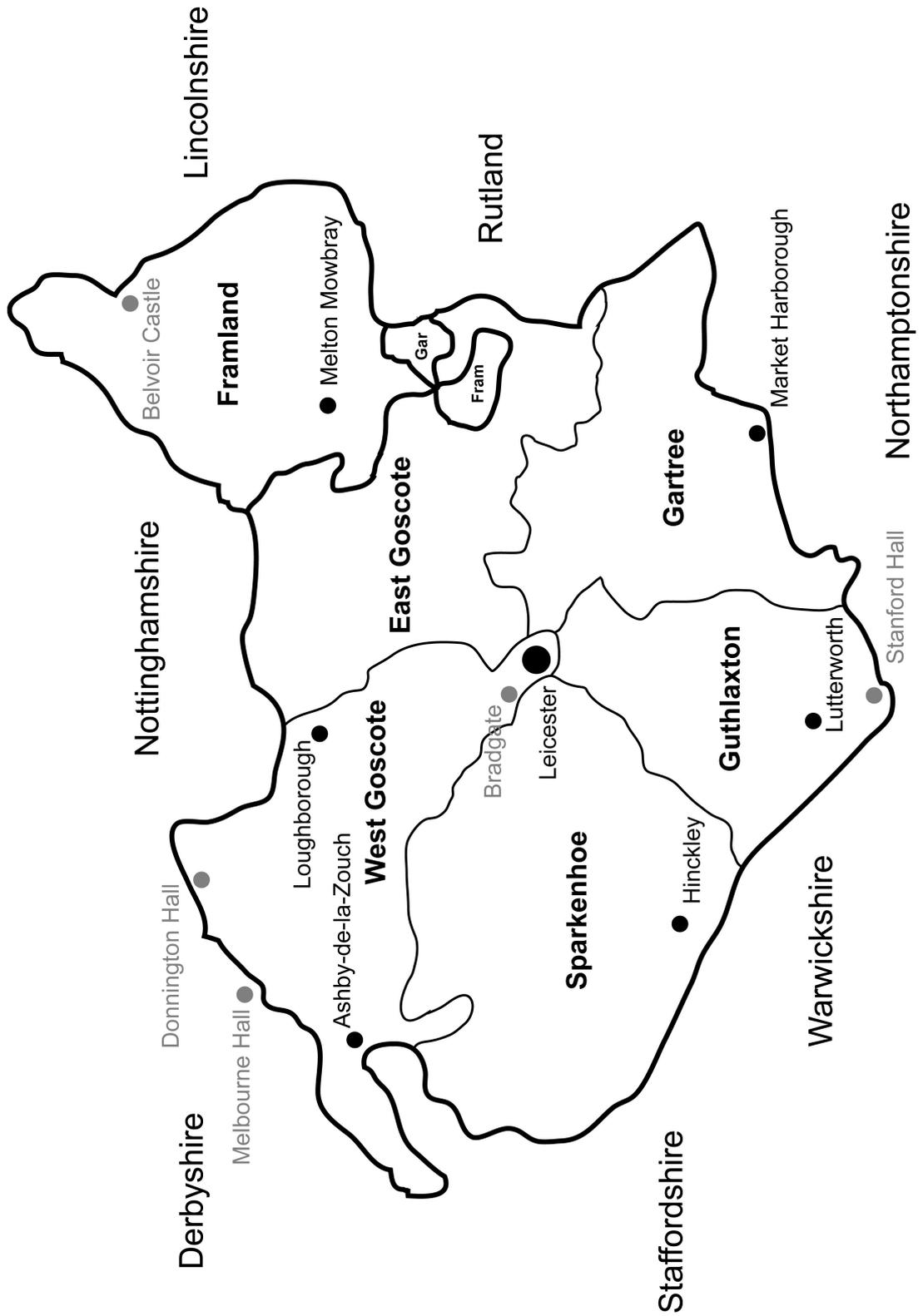
<sup>320</sup> See above, p.60 n.210.

<sup>321</sup> Braddick, ‘State formation’, pp.2-7.

and the centre provides an appropriate point to move on from the literature review to establish the local context for this study.

Chapter 2: The Local context

Figure 1 Leicestershire and its hundreds



## **Chapter 2 The Local Context**

This chapter provides contextual information about the county and the borough as a reference point for the research findings that follow in chapters 3 to 8. It opens with a brief topographical description, followed by a profile of those aristocrats and leading gentry who were best placed to provide political leadership in the county at the end of the seventeenth century. The third part examines aspects of religion in the county, in particular the relationship between the established Church and Protestant Nonconformity. The fourth describes the economy, religion and politics of Leicester, which was the only incorporated borough in the county.

### Part 1: Leicestershire's topography

#### **I**

The county of Leicestershire is situated in the centre of England immediately south of the River Trent, traditionally the boundary between the south of England and the north.<sup>1</sup> It is surrounded by seven other shires. Because the county had few natural boundaries, those parts situated on the border often had more affinity socially and economically with their neighbours than with further parts of Leicestershire. Given its location in the centre of the country then, as now, it was a county that travellers passed through on their way to or from crossing the Trent at Wilden Ferry or the bridge at Nottingham and similarly if they wished to move across the country. Two features that caught the attention of travellers were first the atrocious conditions of the roads, especially

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<sup>1</sup> See above, Figure 1, p.92 for map of Leicestershire and surrounding countries.

across the heavy clay after rain and secondly the remarkable fertility of the countryside.<sup>2</sup>

The county is bisected by the river Soar, which flows north from the hills in the south-west of the county to empty into the Trent. On either side of the river the landscape is strikingly different, especially to the north of Leicester. In the east there are the rolling uplands of the clay plateau with the level plain of the Vale of Belvoir at the north eastern extremity. To the west there is the rugged landscape of the forest of Charnwood, which in the seventeenth century extended from Leicester almost to the north western boundaries of the county. This was a relatively unpopulated wild area providing sporting opportunities for the gentry and pannage for the villages located on the fringes of this inhospitable terrain. By contrast the rest of the county was very productive. William Burton wrote in 1622 that 'it is almost all champain and yieldeth great delight and profit every way, and therein may compare with any shire adjacent'.<sup>3</sup> Similarly Celia Fiennes described the south east of the county as 'a very rich country, red land, good corn of all sorts and grass both fields and enclosure... the bottoms full of enclosures and different sort of manuring and herbage, amongst which are placed many little towns'.<sup>4</sup>

Estimates based on the hearth tax returns suggest a population of between 58,000 and 72,000 in 1670 rising to 79,123 by 1701, which would place it about

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<sup>2</sup> C. Morris (ed.), *The Journeys of Celia Fiennes*. (1947), p.163; D. Defoe, *A Tour through the whole island of Great Britain [1724-6]* (1971), pp.429-30 and 441.

<sup>3</sup> W. Burton, *Description of Leicestershire* (1622), pp.1-6.

<sup>4</sup> Morris (ed.), *Journeys of Fiennes*, p.161.

the mid-point for all English counties.<sup>5</sup> With the exception of Leicester, which had a population of about 4,500 and 5,000 in 1670 rising to 6,000 by 1712, it was predominately a county of small towns and villages. The next largest town, with about 500 families in 1670, was Loughborough, followed by five small market towns, Ashby, Melton Mowbray, Market Harborough, Lutterworth and Hinckley with less than 300 each.<sup>6</sup> Administratively the county was divided into six (formerly three) hundreds, Framland, Gartree, Guthlaxton, Sparkenhoe, West Goscote and East Goscote.<sup>7</sup>

Hoskins estimated that in this period 95% of the county was under cultivation in some form or other, the exception being Charnwood and some areas of heath to the south of this outcrop.<sup>8</sup> During the previous century the traditional mixed farming of the open fields in the county had come under pressure as more land was put under grass.<sup>9</sup> In some villages this was achieved by increasing the amount of grazing in the open fields, in others by enclosures, frequently as a result of a series of voluntary agreements between landowners and freeholders.<sup>10</sup> Although steady, the progress of conversion between 1660 and 1730 was relentless, as farmers responded *inter alia* to the growing demands of

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<sup>5</sup> Victoria County History, *The County of Leicester* 5 vols. (1907-64), vol. 3, C.T. Smith, 'Population', pp.142-7; P. Deane and W. A. Cole, *British Economic Growth, 1688-1959* (Cambridge, 1967), p.103, Table 24; J. V. Beckett, *The East Midlands from AD 1000* (1988), pp.103 and 354.

<sup>6</sup> V.C.H., *Leicestershire*, vol. 3, C.T. Smith, 'Population', pp.144-5.

<sup>7</sup> See above, Figure 1, p.92 for location of hundreds.

<sup>8</sup> W. G. Hoskins. 'The Leicestershire Farmer in the Seventeenth Century', in idem, *Provincial England* (1963), pp.149-69.

<sup>9</sup> V.C.H., *Leicestershire*, vol. 2, J. Thirsk, 'Agrarian History', pp.189-228; W. G. Hoskins, *Studies in Leicestershire Agrarian History* (Leicester, 1949), articles by L. A. Parker, 'The Agrarian Revolution at Cotesbach, 1501-1612', G. E. Fussell, 'Five Centuries of Leicestershire Farming' and M. Beresford, 'Glebe Terriers and the Open Fields in Leicestershire'; C. Howell, *Land, Family and Inheritance in Transition: Kibworth Harcourt, 1280-1700* (Cambridge, 1983); J. D. Goodacre, *The Transformation of a Peasant Economy: Townspeople and Villagers in the Lutterworth Area, 1500-1700* (Leicester, 1994).

<sup>10</sup> W. G. Hoskins, *Midland Peasant: The Economic and Social History of a Leicestershire Village* (London 1957), p.xiv.

the London market for meat, leather and draught animals.<sup>11</sup> Visitors were full of admiration for the number and size of the animals reared in the county.<sup>12</sup> By 1730 60% of the county had been enclosed, compared to only 10% in 1607. In an article on farming in Leicestershire in the sixteenth century, Hoskins had commented on the high proportion of peasant landowners in the county in the previous century and noted how the enterprising yeoman farmer in the sixteenth was steadily able to improve his position, helped by rising prices for food products and an active land market.<sup>13</sup> This resulted in increasing differentiation between the more prosperous yeomen and their less well endowed neighbours. Defoe was impressed with the social and economic effects of this expansion in pastoral farming, noting that 'even most of the gentlemen are graziers, and in some places the graziers are so rich they grow gentlemen'.<sup>14</sup>

In the north west of the county, around Whitwick and Coleorton, local landowners and entrepreneurs had for some time exploited the coal deposits on the flanks of Charnwood. However coal extraction and some associated iron smelting remained comparatively small-scale because of problems over transportation.<sup>15</sup> At the end of the seventeenth century efforts were being made to improve navigation on the Derwent and the upper Trent but those who wanted to

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<sup>11</sup> J. Throsby, *Memoirs of the Town and County of Leicester* 6 vols. (1777), vol.5, pt.2 on the horse trade of Leicestershire; E. A. Wrigley, 'A simple model of London's importance in changing English society and economy, 1650-1750', in idem, *People, Cities and Wealth: The Transformation of Traditional Society* (Oxford, 1987), pp.133-56.

<sup>12</sup> R. Bloome, *Britannia* (1673); R. Chamberlayne, *Anglia Notitia* (1694); Defoe, *Tour*, pp.408-9; E. Lisle, *Observations in Husbandry* (1757) based on notes collected between 1693 and 1713.

<sup>13</sup> W. G. Hoskins, 'Leicestershire Farmer in the Sixteenth Century', in W. G. Hoskins, *Essays in Leicestershire History* (Liverpool, 1950), pp.150-9 and idem, *The Midland Peasant* (1957), pp.211-215; G. E. Mingay, 'The East Midlands', in J. Thirsk (ed.), *Agrarian History of England* (1985), vol. 5, pp.89-128.

<sup>14</sup> Defoe, *Tour*, p.408.

<sup>15</sup> C. C. Owen, *Leicestershire and South Derbyshire Coalfield, 1200-1900* (Ashbourne, 1984), pp.62-120.

open up the river had to battle against vested individual and corporate interests who feared they would suffer economically from these changes.<sup>16</sup> This period also saw the spread of hosiery manufacture in the county which so impressed Defoe when he visited the county in Anne's reign.<sup>17</sup> This development will be described in more detail later in this chapter.

## Part 2: Profile of the county's leading families

### I

The profile presented in this next section is based on the records of more than 200 men from about 150 families who were appointed as local governors in the militia, to the commission of the peace and to the office of sheriff between 1680 and 1719.<sup>18</sup> Given the size of this sample, it is reasonable to assume that the list includes most of the leading families in Leicestershire but, as Beckett warned, such records exclude those who failed to make office for personal, financial or legal reasons.<sup>19</sup> The commissions rarely record more than the first and the family name of the justice. The biographical material has been gathered from a variety of sources to establish dates of birth and death, place of residence and family connections.<sup>20</sup> In some instances it has been possible to draw further detail from Nichols' *History of*

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<sup>16</sup> A. C. Wood, 'History of Trade and Transport on the River Trent', *Trans. of the Thoroton Society* LIV (1950), 1-44; C. C. Owen, 'The Early History of the Upper Trent', *Transport History* 1 (1968), 234-52.

<sup>17</sup> Defoe, *Tour*, p.408; J. Simmons, *Leicester: The Ancient Borough to 1860* (1983 edn.), pp.96-8; W. G. Hoskins, *Midland Peasant* (1957) on Wigston; D. Levine, *Family Formation in the Age of Nascent Capitalism* (New York, 1977) on Shepshed.

<sup>18</sup> See below, Appendix 1, p.406, and Tables 1, 2 and 5, pp.411-440.

<sup>19</sup> J. V. Beckett, *Aristocracy in England, 1660-1914* (1986), pp.18-42 on the problems of defining the social and political elite.

<sup>20</sup> See above, pp.9-11.

*Leicestershire* and a range of other sources but, with the exception of the family archives quoted in the introduction the information is fragmentary.<sup>21</sup>

## II

Eight English and Irish peers had their principal seats in Leicestershire in this period.<sup>22</sup> Three of these, the earls of Rutland, Huntingdon and Stamford, stood well above the others in status and in wealth. For at least three centuries the county's politics had been dominated by the rivalry between the Hastings and the Greys: this was played out on a national as well as a local stage.<sup>23</sup> In what Fleming regarded as a continuation of this feud, the sixth earl of Huntingdon and the first earl of Stamford were on opposing sides during the civil war, when the county was a frontier zone between the royal forces in the north and the parliament's armies in the south and east.<sup>24</sup> The Hastings family suffered economically and politically for being on the losing side. Their estates were sequestered and Ashby Castle, which had been badly damaged in the war, was so badly damaged that the family took up residence at Donington Hall. To add to their troubles, Henry, Lord Hastings, the only surviving son of the sixth earl of Huntingdon, died of small-pox, in July 1649.<sup>25</sup> A year later, on 12 December 1650, the earl's wife had another son, Theophilus, who inherited the title after the sixth earl's death in February 1656. During his long minority Theophilus was

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<sup>21</sup> J. Nichols, *The History and Antiquities of the County of Leicestershire* 4 vols. [1795-1815] (reduced facsimile edn. 1971).

<sup>22</sup> The earls of Huntingdon (Hastings), Rutland (Manners), Stamford (Grey), Ferrers (Shirley) and Denbigh (Feilding) held English peerages. Viscount Swords (Beaumont), Viscount Cullen (Cockaine) and Lord Sherard of Leitrim held Irish peerages. In 1714 Sherard was given an English peerage as Viscount and then in 1719 created earl of Harborough.

<sup>23</sup> *V.C.H., Leicestershire*, vol. 2, J. H. Plumb, 'Political History, 1530-1885', pp.120-125; Simmons, *Leicester*, I.77-9.

<sup>24</sup> D. Fleming, 'Faction and Civil War in Leicestershire', *T.L.A.H.S.* LVII (1981-2), 26-35.

<sup>25</sup> Nichols, *Hist. Leics.* III.604-5.

brought up by his mother and her daughters with the support of her brother-in-law, Lord Loughborough, until his death in 1666.<sup>26</sup> In 1672, Theophilus married Elizabeth Lewis, daughter and co-heir of Sir John Lewis of Ledstone in Yorkshire. For three years he served as a volunteer with the French army.<sup>27</sup> It was therefore some time before he took an active part in national politics. On 13 February 1673 he took his seat in the Lords *in absentia*, the duke of York acting as his proxy. In 1675 Heneage Finch judged him to be a loyal supporter of the administration.<sup>28</sup>

The inheritance and experience of Huntingdon's contemporary, Thomas Grey, second earl of Stamford, could hardly have presented a greater contrast. During the civil war both his grandfather and father had been very active, politically and militarily, in support of parliament.<sup>29</sup> His father, Lord Grey, was one of the regicide judges: his complicity in the king's death continued to cast a shadow over the family after the Restoration. During the Protectorate, Lord Grey and his father were both implicated in plots against the regime. Lord Grey died in 1657 but Thomas did not inherit the title until his grandfather's death in 1673.<sup>30</sup> During Thomas' minority, his uncle, Hon. John Grey, acted as his guardian. In April 1675 Thomas took his seat in the Lords, where, from the outset, he made

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<sup>26</sup> H. C. G. Matthew and B. Harrison (eds.), *Oxford Dictionary of National Biography* 60 vols. (Oxford, 2004), XXV.770-1, 'Hastings, Lucy, countess of Huntingdon, (1613-1679)'.

<sup>27</sup> *Oxf. D.N.B.*, XXV.780-1, 'Hastings, Theophilus, 7<sup>th</sup> earl of Huntingdon (1650-1701)'; G.E.C. *Complete Peerage*, VI.658-60.

<sup>28</sup> *H.M.C., Reports on the Manuscripts of the late Reginald Rawdon Hastings Esq.* 4 vols. (1928-47), II.169, 8 May 1675, Finch to Huntingdon.

<sup>29</sup> Nichols, *Hist. Leics.*, III.676-80; *Oxf. D.N.B.*, XXIII, 882-7, 'Grey, Thomas, baron Grey of Groby (1622-1657)'; G.E.C. *Complete Peerage*, XII.217-221.

<sup>30</sup> Nichols, *Hist. Leics.*, III.678-81; *Oxf. D.N.B.*, XXIII.887-8, 'Grey, Thomas, 2<sup>nd</sup> earl of Stamford (1653/4-1720)'.

clear his intention to align himself with critics of the government by voting against accepting the king's speech.

The Manners' family originated from Northumberland.<sup>31</sup> In the sixteenth century they had risen in prominence through royal service and began to amass a large estate that ultimately included land in Yorkshire, Lincolnshire, Derbyshire and Leicestershire.<sup>32</sup> When the seventh earl of Rutland died without issue in 1641, the title and estates passed to John Manners (1604-79), a descendent in a cadet line from the first earl. It was through this line that John Manners inherited Haddon Hall in Derbyshire. In the civil war the eighth earl sided with parliament but politically and militarily kept a low profile. As a consequence the family escaped sequestration of their estates. However, Belvoir Castle suffered from occupation, first by royalist and then by parliamentary forces, before parliament eventually ordered its demolition in 1649. After the war, the eighth earl concentrated on improving his estate, including re-building the castle as a domestic residence. He spent little time on political activities outside the county. His appointment as lord lieutenant of Leicestershire in 1666, after the death of Lord Loughborough, was recognition of the leading place the family now occupied in the county.<sup>33</sup>

His heir and successor was his third son, John, born in 1638 (two older brothers died in infancy). John passed his childhood during the war confined to the family homes and had no formal education outside the family. In 1661 he

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<sup>31</sup> O. R. F Davies, 'The Dukes of Devonshire, Newcastle and Rutland, 1688-1714' (Univ. of Oxford, D. Phil. thesis, 1971).

<sup>32</sup> G.E.C. *Complete Peerage*, XI.263-6; Davies, 'Devonshire, Newcastle and Rutland', pp.122-4.

<sup>33</sup> *Oxf. D.N.B.*, XXXVI.464-5, 'Manners, John, 8<sup>th</sup> earl of Rutland (1604-1679)'; Nichols, *Hist. Leics.* II.58-59; Davies, 'Devonshire, Newcastle and Rutland', pp.124-8.

was elected to represent the county in the Commons where he played only a limited role and, on his father's death in 1679, became the ninth earl at the age of 41. He showed little inclination to engage in national politics and, after his elevation, rarely attended the House of Lords. He appears to have been a very private person, who enjoyed the life of a country gentleman.<sup>34</sup> Except for a large household, his life style was frugal and his approach to estate management cautious and conservative. By 1700 the earl was one of the fifteen wealthiest landowners in England: at his death in 1711 his estates were valued at nearly £20,000. These estates spread over more than five counties but in Leicestershire amounted to only 6% of the total landholdings in the county and were concentrated in the north-east.<sup>35</sup>

John Manners's first marriage to Anne Pierrepont brought a dowry of £10,000 but was a disaster, culminating in a divorce granted in a very humiliating and public fashion through an act of parliament.<sup>36</sup> His second wife, Diana, died in childbirth in 1672 less than a year after the marriage.<sup>37</sup> Two years later he married Katharine Noel, daughter of Viscount Camden, who outlived her husband. The earl and the countess were very successful in the marriages they negotiated for their children, though the cost was a considerable burden on the

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<sup>34</sup> Nichols, *Hist. Leics.* II.59-62; *Oxf. D.N.B.*, XXXVI.465-6, 'Manners, John, 1<sup>st</sup> Duke of Rutland (1638-1711)'; B. D. Henning (ed.), *History of Parliament: House of Commons, 1660-1690* 3 vols. (1983), III.14-16, 'John Manners, Lord Roos'; Davies, 'Devonshire, Rutland and Newcastle', pp.128-38.

<sup>35</sup> Dr. H. Felton, *The Hope of Christians ... A sermon preached at the Funeral of His Grace the Duke of Rutland* (1711) [part printed in Nichols, *Hist. Leics.* 11.61-2]; L. Stone, *Family and Fortune: studies in aristocratic finance* (1973), pp.165-208; Davies, 'Devonshire, Rutland and Newcastle', pp.139-234.

<sup>36</sup> *Oxf. D.N.B.*, XXXVI.465.

<sup>37</sup> Lady Diana was a daughter of the first earl of Ailesbury and the widow of Sir Seymour Shirley (d.1667) of Staunton Harold, Leics.

estate.<sup>38</sup> It was through this network of relations that the family maintained its contact with the court and the political community in London, for the earl turned his back on the capital. Its value was demonstrated when eventually in 1703 the queen agreed to award the earl a dukedom.<sup>39</sup>

None of the minor peers came anywhere near matching the three principal aristocrats in status or wealth. Robert Shirley inherited the Ferrers' baronetcy and the estate at Staunton Harold in the north-west of the county in 1669.<sup>40</sup> In 1677 he received a summons to the Lords and in 1711 was elevated to an earldom.<sup>41</sup> During James II's reign he was stripped of the lord lieutenancy of Staffordshire when he opposed the repeal of the disabling legislation: later he joined the rising in Nottingham. Subsequently he held various minor offices in the royal household and was a member of the privy council during William and Anne's reigns. Macky described him as 'a very honest man, a lover of his country: a great improver of gardening and parking: a keen sportsman; never was yet in business but is very capable'.<sup>42</sup> Less charitably, Holmes described him as one of the group of 'backwoods peers ... who had neither the talent nor the ambition to aspire to political office, and who could afford to be disdainful of Court largesse'.<sup>43</sup> Basil Feilding, the fourth earl of Denbigh, whose seat was at

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<sup>38</sup> His eldest son married Catharine, daughter of William Russell and sister of the duke of Bedford; his daughter, Katharine, married John Leveson Gower, later lord Gower; and her sister, Dorothy, Baptist Noel, later earl of Gainsborough.

<sup>39</sup> *H.M.C., Rutland*, II.166-175, for correspondence relating to the award of the dukedom

<sup>40</sup> R.O.L.L.R., 26 D 53, Shirley family estate papers.

<sup>41</sup> G.E.C. *Complete Peerage*, V.329-332; Nichols, *Hist. Leics.* III.715 and 718-9.

<sup>42</sup> J. Macky, *Memoirs of the Secret Services of John Macky* (1733), reprint by Roxburghe Club, 1895), p.73. R. A. Scott MacFie, who accepted the proposition that Macky's character sketches were prepared for Electress Sophia of Hanover, questioned an earlier attribution to Mr. Davis, a gentleman of Venice. Macfie suggests that Jonathan Swift was the author and that they were compiled between 1703 and 1706, *Notes and Queries* (9<sup>th</sup> series) V.165-6 and 364, 3 Mar. and 5 May 1900.

<sup>43</sup> Holmes, *British Politics*, p 252.

Newton Paddox, just over the border in Warwickshire, served as a colonel in the regiment of dragoons in William's reign and as a teller of the exchequer from 1713-5 under a tory administration. He and his family were on very intimate social terms with their near neighbours, the Caves of Stamford Hall with whom they shared many interests.<sup>44</sup> Macky described him as a great drinker and Holmes identified him as one of a group of 'poor lords'.<sup>45</sup> Both Ferrers and Denbigh were committed loyalists and it was as tories that they made their contribution to local politics in Anne's reign.

The Sherards were moderate whigs with close relationships with the Rutland family.<sup>46</sup> Both the second baron and his son (both called Bennet) served as knights of the shire during this period: the father from 1679 to 1695 and the son for a brief period at the end of William's reign when he partnered Rutland's eldest son, Lord Roos, in the infamous second election of 1701.<sup>47</sup> Sherrard failed to retain his seat in 1702 but in 1713 returned to the Commons as an MP for Rutland. An advantageous marriage in 1696 brought him manors and estates in the north to add to the existing family estates in Leicestershire, Lincolnshire and Rutland.<sup>48</sup> Shortly after George I's accession, Sherrard was given an English barony and, in 1719, an earldom. Another family with links by marriage to the Rutlands were the Noels, the earls of Gainsborough, who had property in the county, but by the end of the century their centre of interest had moved to

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<sup>44</sup> M. Verney, *Verney Letters of the Eighteenth Century*, I.219, 234, 244, 299, 359 and 342.

<sup>45</sup> *Ibid.*, pp.22, 391, 392; Macky, *Memoirs*, p.62.

<sup>46</sup> Nichols, *Hist. Leics* II.335, 346.

<sup>47</sup> *H.o.P. 1660-90*, II.431-2; E. Cruickshanks, S. N. Handley and D. W. Hayton (eds.), *History of Parliament: House of Commons, 1690-1715* 5 vols. (Cambridge, 2002), V.467-8. For 1701 election, see below, pp.303-6.

<sup>48</sup> R.O.L.L.R., 2G40, Sherard family estate papers.

Hampshire.<sup>49</sup> Other peers with national influence lived close by in neighbouring counties but had few interests in the county and therefore rarely engaged in Leicestershire's politics.<sup>50</sup>

### III

In addition to those enrolled as honorary justices, 193 individuals from approximately 140 families were named in the county's commission of the peace between 1680 and 1719.<sup>51</sup> Two qualifications need to be made about these figures. First it includes the exceptional commission of 1688 in which ten men were named who appear in no other commission, the majority of whom were Catholics.<sup>52</sup> Second, at least 15 of the 193 lived outside the county but given their proximity to the border they may have held land in Leicestershire. Even when these 25 are discounted, the numbers indicate that a radical change had taken place in recruiting practice since the early part of the seventeenth century, when, according to Fleming's calculation, the justices were drawn from only 32 families.<sup>53</sup> There are two main reasons for this change. After 1689 the commission almost doubled in size: secondly the turnover of justices increased as a result of growing politicisation. These changes will be investigated in more detail later in the study.

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<sup>49</sup> Nichols, *Hist. Leics*, III.251-2 and 254.

<sup>50</sup> e. g. the dukes of Devonshire and Newcastle and the earls of Nottingham, Chesterfield and Lindsey. Tory candidates also looked for support to Lord Crewe, Bishop of Durham, whose family had property in the county at Newbold Verdon but it is not clear what influence he commanded. He was described by Horace Walpole as 'as abject a tool as possible'; Nichols, IV.839; G. E. C. (ed.), *Complete Baronetage* (1900-06), III.534; R.O.L.L.R., *Braye MSS.*, 23D57, f.2907, Canvassing list, 1714-5.

<sup>51</sup> See below, 'Justices of the Peace, 1680-1719', Table 1, pp.411-17, and Table 5, pp.434-40; L. K. J. Glassey, *Politics and the Appointment of the Justices of the Peace 1675-1720* (Oxford, 1979), pp.2-15 for the process of appointment.

<sup>52</sup> See below, pp.214-219.

<sup>53</sup> Fleming, *Faction and Civil War*, p.26; Glassey, *Appointment of Justices*, pp.15-9; see below, pp.162-4 and 263-5.

Fleming also remarked on the number of new families who came into the county during the seventeenth century.<sup>54</sup> Only 26 out of 87 families represented in the commission between 1680 and 1719, whose origins have been traced, were living in Leicestershire before 1600. Sixteen of these can be traced back at least to the fifteenth century, among who were the Ashbys, the Beaumonts of Stoughton, the Charnells, the Caves, the Hartopps and the Villiers. Another nine moved in the sixteenth century, including the Dixies, the Skeffingtons, the Wigleys and the Wollastons. The remaining 61 settled in the county in the seventeenth century. Among these were the Boothbys, the Hudsons and the Packes, who had used money accumulated as London merchants to establish themselves and their successors as country gentry.<sup>55</sup> Two families that supported parliament during the civil war, the Palmers of Wanlip and the Winstanleys, moved into the county from the north in the early part of the century. William Palmer bought an estate in Wanlip in 1625, where his son, William, was suspected of succouring Dissenters in Charles II's reign.<sup>56</sup> The Winstanleys moved from Lancashire during the interregnum, at which time James Winstanley, by then recorder of Leicester, bought the manor of Braunstone.<sup>57</sup> This formed the nucleus of a substantial estate which the family built up over the next century. James' grandson served as a deputy lieutenant and sheriff and an

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<sup>54</sup> Fleming, *Faction and Civil War*, p.27.

<sup>55</sup> Nicols, *Hist. Leics.* IV.177-8 for the Boothbys of Tooley Park and Potters Marston; *ibid.*, II.246 for the Hudsons of Melton Mowbray; J. and B. Burke, *A Genealogical and Heraldic History of the Commoners of Great Britain and Ireland* 3 vols. (1965-72), I.156-7 for the Packes of Prestwold.

<sup>56</sup> R.O.L.L.R., DG 41, estate records of the Palmer family of Wanlip; Nicols, *Hist. Leics.* III.1099 and 1101 and *H.o.P. 1690-1715*, V.73-4; see below, 164-6.

<sup>57</sup> Nichols, *Hist. Leics.* IV.619,-22 and 629 for the Winstanleys of Braunstone; Burke, *Commoners*, I.636-4 and *H.o.P. 1690-1715*, V.903-4; R.O.L.L.R., D G 5 and 16 D 66, estate records of the Winstanley family; also see below, pp.306-7.

MP for the town from 1701 to 1719. Another family who moved into the county in 1670 on the back of a successful law practice were the Byrds of Claybrooke in the south of the county.<sup>58</sup> Both William and his son Thomas were very involved in local politics, standing as whig parliamentary candidates in partnership with George Ashby in 1695 and 1715.

John Verney, Gilbert Pickering and Geoffrey Palmer were all settled with estates in their own right in Leicestershire during their fathers' lifetimes.<sup>59</sup> All three served as MPs for the county, Verney and Palmer, as deputy lieutenants and Pickering, as sheriff. Nathan Wright, a native of Leicestershire, bettered himself through a career in law, becoming recorder of Leicester in the early 1680s, a serjeant-at-law and, to universal surprise, lord chancellor from 1700 to 1705.<sup>60</sup> He laid out nearly £50,000 on land, including purchasing the Villiers' estate at Brooksby. As remarkable, if not quite as meteoric, was John Wilkins' rise from local yeoman stock via profits from coalmining and a lucrative marriage, to achieving integration into the county's landed gentry.<sup>61</sup>

Thirty-one out of the 193 justices, who served between 1680 and 1719, were baronets, all but two of whom had inherited their titles.<sup>62</sup> These

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<sup>58</sup> Nichols. *Hist. Leics.* IV.104-5 for the Byrds of Claybrooke; also see below, ch.7 passim and p.350, n.23 et seq.

<sup>59</sup> *H.o.P. 1690-1715*, V. 726-9, 'John Verney', V.74-5, 'Geoffrey Palmer' and V.143-4, 'Gilbert Pickering'; see below, for Verney, pp.196-7 et seq. and for Palmer, pp.339-40 and ch.8 passim. The Verney family estates were in Warwickshire, those of the Palmers and Pickering were in Northamptonshire.

<sup>60</sup> *Oxf. D.N.B.*, LX.473-4, 'Wright, Sir Nathan (1654-1721)'; Plumb *Growth of Political Stability*, pp.83-4.

<sup>61</sup> Nichols, *Hist. Leics.*, III.931-7 and 1125, IV.541; *H.o.P. 1690-1715*, V.864-5; C.C. Owen, *Leicestershire and Derbyshire Coalfields, 1200-1900* (1984), pp.97-9 and 108-9. In c1680, John Wilkins married Rebecca, co-heir to William Wollaston of Shenton.

<sup>62</sup> The names of the justices were listed in the commission in order of precedence, commencing with the honorary justices. In order to compare membership over time, the names of the justices

came from 19 families. Twenty three of these baronets had their principal residence in the county, the remaining eight lived outside. They included Sir Justinian Isham and Sir William Boughton, who were brought in under a tory administration in 1711, and Sir William Ellis and Sir Thomas Parkyns, who were appointed during a period of whig control in 1715. Some justices, like Sir John Hartopp, had an estate in Leicestershire but spent much of their time away from the county.<sup>63</sup> Others, such as Sir John Chester of Chicheley, Buckinghamshire and Sir Henry Atkins of Clapham, Surrey, were drawn into the county network through marriage.<sup>64</sup> Nineteen of these baronets also served at some stage as deputy lieutenants, four as sheriffs and nine as MPs (five in the county and four in the borough).<sup>65</sup>

Next in order of precedence were 14 knights.<sup>66</sup> Knighthood was an honour given to an individual for life. Sir Christopher Packe received his from Cromwell after serving as Mayor of London in 1654-5. Sir Henry Firebrace, Sir William Hartopp (1660), Sir William Yorke (1674) and Sir Richard Verney (1685) were rewarded for personal service to the monarch, Sir Richard receiving his after he presented a loyal address to James II on behalf of the county of Warwickshire. Sir Edward Abney (1673), Sir Ambrose Phillips, Sir Nathan Wright and Sir John Meres (1700) received their honour in recognition of legal services provided to the crown.

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of those of the rank of baronet and below have been listed alphabetically in the tables in the appendices.

<sup>63</sup> *H.o.P. 1660-90*, II.503; D. R. Lacey, *Dissent and Parliamentary Politics* (New Brunswick, 1969), pp.408-9.

<sup>64</sup> G. E. C. (ed.), *Complete Baronetage*, I.139, 'Sir John Chester', who made a lucrative match with Anne, co-heir to William Wollaston of Shenton and III.39 'Sir Henry Atkins' who married Rebecca Maria, daughter of the late Sir Wolstan Dixie, in 1707.

<sup>65</sup> See below, Table 2, pp.418-24.

<sup>66</sup> See below, Table 1, pp.411-17, and Table 5, pp.434-40.

While rank was important in determining status, local reputation and wealth were also important factors in determining a man's standing in the county.<sup>67</sup> Men like George Ashby of Quenby Hall, Thomas Babington of Rothley Temple, Richard Lister, Henry Tate of Burleigh and James Winstanley may not have acquired a title but enjoyed high status in the county. All served as deputy lieutenants and Ashby and Tate were also sheriffs.<sup>68</sup> At the other end of the scale were justices who had modest incomes and struggled to maintain their status. This was most noticeable towards the end of Anne's reign.<sup>69</sup> Although there was an expectation that only men of social and economic substance would be appointed as justices, a recurrent complaint was that 'men of mean estate' had been added to the commission.<sup>70</sup> However, as will be demonstrated later, 'men of mean estate' may sometimes have been a convenient cover for more political reasons. Others fell from grace when they ran into serious financial difficulties.

The portrait of Sir Thomas Cave that emerges from his correspondence is probably typical of many of his colleagues in the commission: a substantial country gentleman, whose main interests were his family, his estates and his social and recreational activities but one who accepted the public responsibilities that went with his social position.<sup>71</sup> On the other hand, several justices had

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<sup>67</sup> Beckett, *Aristocracy* pp.18-22; F. Heal and C. Holmes, *The Gentry in England and Wales, 1500-1700* (1994), chs.1-4.

<sup>68</sup> Nichols, *Hist. Leics.*, III.295, 299-300 and *H.o.P. 1690-1715*, III.65-6, 'George Ashby'; Nichols, III. 954-5 and *H.o.P. 1660-90*, I.578, 'Thomas Babington of Rothley'; Nichols, II.283, 370, 378 and 385, 'Richard Lister of Thorpe Arnold'; Nichols, III.903 and 909 and Burke, *Commoners*, II. 492 'Henry Tate of Burleigh Park, Loughborough'; for Winstanley, see above, p.105, n.57.

<sup>69</sup> See below, Table 5, pp.434-40.

<sup>70</sup> Glassey, *Appointment of Justices*, pp.132, 207-9, 238; Herts. R.O., *Panshanger MSS.*, D/EP f.152-3, 3 Jan. 1715, Rutland's recommendations.

<sup>71</sup> For information on Sir Thomas Cave, see below, pp.346-7 and 356-90.

interests that extended beyond the county. Matthew Johnson of Withcote was Clerk of the Parliaments from 1691-1716.<sup>72</sup> Sir Edward Abney was a judge on the king's bench, Ambrose Phillips, Lawrence Carter junior, Henry Turner, Henry Tate and Nathan Wright all served as sergeants-at-law and John Oneby and Lawrence Carter senior were local attorneys.<sup>73</sup> Charles Jennens was the first to reside at Gopsall Hall purchased out of the fortune made by his father, Humphrey, who was an iron-master in Warwickshire. Richard Cheslyn had a foundry in London and purchased Langley Hall in Leicestershire in 1686.<sup>74</sup>

Then there were the demands of public service. A total of 25 men served as MPs in this period, of whom only five were sons of peers. Regular and longer annual parliamentary sessions after 1689 demanded that MPs give more time to business at Westminster. Approximately half of the justices served in some other official capacity within the county whether as an officer in the militia, as a magistrate or as sheriff (the proportion was much higher among the baronets). It was rare in this period for clergy to be called upon to serve as justices. Dr. John Gery, who doubled his clerical duties with his service as an agent to the earl of Huntingdon, was one of three in the 1680s.<sup>75</sup> Between 1689 and 1707 no clergy were appointed as justices but in 1707 a whig administration named John Rogers,

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<sup>72</sup> Nichols, II.393, 710, 760-3 for the Johnsons of Withcote.

<sup>73</sup> *H.o.P. 1690-1715*, III.5-6 and Burke, *Commoners*, I.573, 'Sir Edward Abney'; Burke, *Commoners*, IV.97-9 and Fletcher, *Leicestershire Pedigrees*, p.194. 'Sir Ambrose and William Phillips'; Nichols, *Hist. Leics.* I.318-9, *H.o.P. 1690-1715*, III.478-480 for Lawrence Carter sen. and jun. and *Oxf. D.N.B.*, X.360, 'Carter, Sir Lawrence (bap.1668, d.1745)'.

<sup>74</sup> Nichols, IV.856, 'Humphrey and Charles Jennens'; *ibid.*, III.756 and 863-4, 'Richard Cheslyn'.

<sup>75</sup> For information on Dr Gery, see H.L.C., *The Hastings Collection of MSS. on microfilm* (1986), m/f.12-15 and below, chs.3, 4 and 5 *passim*; J. H. Pruett, *Parish Clergy under the Later Stuarts* (Chicago, 1978), p.157 and D. R. Hainsworth, *Stewards, Lords and People* (Cambridge, 1992), pp.20-1, 182-3 and 257-8.

the archdeacon of Leicester, who surprisingly held on to his place during the period of tory ascendancy.

These brief comments on the gentry indicate that they were a varied mix, a point made by Fleming in his study on the county gentry during the civil war.<sup>76</sup> Fleming could detect no obvious correlation between the length of time a family had spent in the county and the way the gentry divided in their support for king or parliament, nor did he detect any geographical pattern in the incidence of support. He estimated that there appears to have been more support for the king than for parliament, although Fleming noted that the level of commitment for either side was light. Local loyalties to the Hastings, who supported the king, and the Greys, who supported parliament, seem to have had more influence on the way the gentry divided than the parties engaged in the national struggle.

By the 1680s a new generation had taken over from those who lived through the middle years of the century and yet another before the last years of Anne's reign. Yet this study will show that the Leicestershire gentry continued to be chary of committing themselves outside their own sphere of influence.<sup>77</sup> But this is not to say that they were insular. The range of their interests described above demonstrates that many were connected to a wider national network, centring particularly on London, and reinforced by their educational experience and marriage alliances.

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<sup>76</sup> Fleming, *Faction and Civil War*, pp.31-5.

<sup>77</sup> See below, 241-44.

Between 1692 and 1713 171 individuals were named in the commission of assessment, the body responsible for supervising the allocation and collection of the land tax. One hundred and forty three also served as justices but, in recruiting commissioners of assessment, the government reached further down the social scale into the ranks of the minor gentry.<sup>78</sup> The government clearly regarded such men as sufficiently important to charge them with this responsibility, yet few can be traced through Nichols' pedigrees. Among these would have been men who also served as jurors, constables and church wardens. Their contribution was vitally important in the operation of local governance yet largely remains hidden from view.

#### IV

The 200 individuals referred to so far were the pinnacle of a much larger group of freeholders whose individual and collective choices decided the outcome of elections in the county. Among these freeholders would have been many of those enterprising and prosperous yeomen identified by Hoskins in his Leicestershire studies.<sup>79</sup> The *History of Parliament* for 1660-1690 estimated the number casting their votes in 1679 was c.3,400 and that for 1715-54, c.5,000 in 1715.<sup>80</sup> The *History of Parliament* covering the period from 1690-1715 uses the 4,827 votes cast in 1708 as the minimum size of the electorate.<sup>81</sup> This suggests that the 1715 figure may be on the low side. These

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<sup>78</sup> *Statutes of the Realm 1691-1713*, where the names of the commissioners are listed at end of each Land Tax Act: VI.273, 337-8, 525-6, VII.24, -5, 327-8, 478, VIII.108-9, 407, 662-3, IX.11, 291-2, 830-1. The list of commissioners for 1714-15 are in BL, BSRref3 Public General Acts, 1Geo.1,1714-6, pp.59-60 and p.539 and for 1716 in BL SPRmicP27, 3 Geo.1, pp.97-9.

<sup>79</sup> See above, pp.95-6.

<sup>80</sup> *H.o.P. 1660-90*, I.294; R. R. Sedgwick (ed.), *History of Parliament: House of Commons, 1715-1754* 2 vols. (1970), I.274.

<sup>81</sup> *Ibid.* II.346.

figures put Leicestershire in the top fifth of all counties for the number eligible to vote.<sup>82</sup> Between 1679 and 1719 the county was called upon to nominate its representatives on 18 occasions, 16 in general elections and twice in by-elections.<sup>83</sup> Six of these were settled without a poll but at least 12 were contested, nine in the period between the Triennial Act in 1694 and the Septennial Act in 1716. In 1679 and 1715 the results of the initial election were so contentious that the Speaker ordered a fresh election. This evidence suggests a high level of competition compared to the national average of 40% contested elections quoted by Hayton.<sup>84</sup> The reasons for this will be examined in the chapters that follow.

### Part 3: Religion in the county and the borough

#### I

Throughout the period covered by this study, conflicting views about organisation and practice of religion were a significant factor in political divisions in both the county and the borough. These differences had their origin in the reformation of the sixteenth and seventeenth centuries but it was legislation in the 1660s that had brought them into sharp political focus.<sup>85</sup> These laws, designed to protect the established Church, restricted alternative forms of worship and denied access to public office to those who refused to conform. Catholics were one target but this legislation was also driven by Anglican fear and loathing of Protestant Nonconformity. By establishing a legal boundary

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<sup>82</sup> *Ibid.* I.44.

<sup>83</sup> For a schedule of elections held in the county of Leicestershire between 1660 and 1720, see *H.o.P. 1660-90*, I.294-5; *H.o.P. 1690-1715*, I.346-7; *H.o.P. 1715-1754*, I.274.

<sup>84</sup> *H.o.P. 1690-1715*, I.64-6.

<sup>85</sup> M. G. Finlayson, *Historians, Puritans and the English Revolution: the religious factor in English politics before and after the Interregnum* (Toronto, 1983).

between Dissent and the established Church, the Clarendon Code institutionalised Nonconformity and set its practice outside the bounds of acceptability without banning it completely. The parish clergy and the resurrected ecclesiastical courts were expected to maintain conformity, while the justices of the peace and the borough corporations were charged with enforcing the penal laws.

Within two years of the king's return, the established Church was restored with the same organisation, responsibilities and privileges it had before the 1640s.<sup>86</sup> Former incumbents turned out in the previous two decades, were reinstated and those appointed in their place were evicted. One-fifth of the clergy in Leicestershire lost their places in this process, sometimes with active lay connivance.<sup>87</sup> At the same time, liturgical and ceremonial orthodoxy was imposed through the Act of Uniformity of 1662. Some clergy and laymen found these changes difficult to accept and abandoned the Church to set up their own congregations. Others stayed within the Church without ever becoming fully reconciled to the new order.<sup>88</sup> J. H. Pruett asserted that the religious settlement caused 'the rift in the fabric of the nation's life [to] grow wider than necessary, exacerbating social and political problems that would trouble the country for years to come'.<sup>89</sup> In Leicestershire over time a new generation of clergy, 'trained to distrust Dissent', came to form a majority among the county's parish clergy. Yet among the minority were clergy who would have preferred the Church to

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<sup>86</sup> R. S. Bosher, *The Making of the Restoration Settlement: The Influence of the Laudians, 1649-1662* (1951); A. O. Whiteman, 'The Re-Establishment of the Church of England, 1660-1663', *T.R.H.S.* (5<sup>th</sup> series) V (1955), 111-32; I. M. Green, *The Re-Establishment of the Church of England, 1660-1663* (1978).

<sup>87</sup> Pruett, *The Parish Clergy*, pp.16-28, an excellent monograph on this subject.

<sup>88</sup> *Ibid.*, pp.25-6.

<sup>89</sup> *Ibid.*, p.28.

change in order to accommodate 'those who were not at too great a distance from it'.<sup>90</sup> The laity was as divided as the clergy.<sup>91</sup>

## II

The established Church in Leicestershire was part of the large diocese of Lincoln. During these four decades there were four bishops, among whom Thomas Barlow was virtually invisible, while Wake, who went on to become Archbishop of Canterbury, was very assiduous in both his spiritual and pastoral roles.<sup>92</sup> The archdeaconry of Leicester, which was an administrative subdivision of the diocese, was virtually coterminous with the county.<sup>93</sup> To meet the spiritual needs of the county, there were 205 parishes and 65 chapels-of-ease. One-third of these were held in plurality: as a result one in five of parishes was without a resident parson. The livings varied considerably in value, which encouraged the more ambitious clergy to move on in order to improve their position. The county's clergy were recruited from across the country and from a variety of social backgrounds but by 1714 most had had university training, the majority in Cambridge.<sup>94</sup> In the same year 40 % of the livings were in the gift of the crown or the bishops: the remainder were in the hands of laymen, a third of whom lived outside the county.<sup>95</sup>

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<sup>90</sup> Burnet, *History*, IV.392; Pruett, *Parish Clergy*, pp.159-63.

<sup>91</sup> Pruett, *Parish Clergy*, pp.166-9; J. Miller, *Cities Divided, Politics and Religion in English Provincial Towns, 1660-1722* (Oxford, 2007), pp.133-155.

<sup>92</sup> Bishops Barlow (1675-91), Tenison (1692-5), Gardiner (1695-1705) and Wake (1705-16); N. Sykes, *William Wake, Archbishop of Canterbury, 1657-1737* 2 vols. (Cambridge, 1957), I.159-82; Pruett, *The Parish Clergy*, pp.7 and 132.

<sup>93</sup> *Ibid.*, pp.7-8 and 133.

<sup>94</sup> *Ibid.*, pp.32-48.

<sup>95</sup> *Ibid.*, pp.57-60, 69-70 and 99-100: peers controlled one Leicestershire living in five, baronets and knights one in ten, esquires one in four and gentlemen one in twenty.

Given its ubiquity, its resources, its legal status and the notional support of the majority of families in the county, the established Church was in a very strong position to compete with any rivals.<sup>96</sup> Estimating the number of non-conformists in the county is problematic, despite two censuses carried out by the Church authorities in 1669 and 1676 and a third, in 1715, by Nonconformists.<sup>97</sup> R. H. Evans concluded on this evidence that the incidence of Dissent in Leicestershire was less than in some of the neighbouring counties and involved probably less than 10% of the population. The Presbyterians and Independents were the most numerous but there were also smaller congregations of Baptists and Quakers, dispersed across the county. The records of the archdeaconry court suggest that concentrations of Dissenters were to be found in Leicester, spreading north along the Soar valley towards Loughborough, around Market Harborough in the southwest, Claybrooke in the south, Coleorton in the northwest and along the Nottinghamshire borders north of Melton.<sup>98</sup> Welch and Evans claimed that Dissent attracted small tradesmen and artisans rather than rural labourers but pointed out that it also enjoyed the patronage of some of the gentry, such as the Palmers at Wanlip, the Onebys in Hinckley and the Byrds in Claybrooke. Despite the small number of Dissenters eligible to vote (in Leicester, Wykes estimated that there were no more than 100 in an electorate of nearly 900<sup>99</sup>), the

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<sup>96</sup> J. Hoppit, *A Land of Liberty? England 1689-1727* (2000), pp.208-16.

<sup>97</sup> C. E. Welch, 'Early Nonconformity in Leicestershire', *T.L.A.H.S.*, XXXVII (1963), 29-43; D. Wykes, 'Reappraisal of the reliability of the 1676 census in Leicestershire', *T.L.A.H.S.* LV (1981), 72-7; A. Whiteman *The Compton Census of 1676* (Oxford, 1986); A. Rogers and M. Watts, 'The Evans list and Dissenting Congregations in the East Midlands, 1715-29', *Bull. of Local History, East Midlands' Region* 13 (1978), 14-27.

<sup>98</sup> R.O.L.L.R., *Archdeaconry Court Records, 1660-1721*, 1 D41/11 and 13; R. H. Evans, 'Nonconformists in Leicestershire, 1669', *T.L.A.H.S.*, XXV (1949), 110-15; idem, 'The Quakers of Leicestershire, 1660-1714', *T.L.A.H.S.* XXVIII (1952), 63-83; D. L. Wykes, 'Religious Dissent and the Trade and Industry of Leicester, 1660-1720' (Univ. of Leicester, Ph.D. thesis, 1987), pp.32-80.

<sup>99</sup> D. L. Wykes, quoted in *H.o.P. 1690-1715*, II.351 n.1.

'Dissenting interest' played a significant part in the electoral politics of the county throughout the period.

By comparison the number of Catholic families in the county was tiny, probably no more than 1% of the population.<sup>100</sup> Among these were several established gentry families but they appear to have had little wish to exert any political influence.<sup>101</sup> It was only when James II tried to form an alliance of Catholics and Dissenters to force through the repeal of the legislation, which barred them from public office, that members of these families were unwillingly dragged into public service. After James' downfall, these families once again withdrew into obscurity but this did not stop the civil authorities searching their houses and compounding their horses whenever there were scares of a French invasion or Jacobite uprising.

However it was not so much the numbers of Catholics and Dissenters that worried loyalists but what they represented and how they were perceived. Catholics were seen as potential fifth columnists in the ideological conflict with international Catholicism, whose foremost champion was the French king, Louis XIV. On the other hand loyalists, both lay and clerical, viewed Dissenters as an abomination, a threat to authority in Church and State, a cancer in society that would spread unless the law was rigorously applied.<sup>102</sup> They were appalled when the Toleration Act weakened the ability of the Church courts to enforce

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<sup>100</sup> J. Miller, *Popery and Politics in England, 1660-88* (Cambridge, 1973); *C.S.P.D. Jan. 1686-May 1687*, pp.317, 338 and 379-80, 10 Dec. 1686, 9 Jan. and 4 Mar. 1687, 'List of recusants issued with a discharge'.

<sup>101</sup> H.L.R.O. *Main Papers* p.321 (65).

<sup>102</sup> Pruett, *Parish Clergy*, pp.25-7, 160-3 and 177-8.

conformity and this made them all the more determined to restrict the practice of occasional conformity and keep Dissenters out of public office.<sup>103</sup>

#### Part 4: The Borough of Leicester

### I

Leicester lies at the centre of the county, where the Fosse Way crosses the river Soar. For two centuries the town had experienced economic stagnation and decay, following the collapse of the cloth trade, despite attempts to revive its manufacture earlier in the century.<sup>104</sup> The town also suffered from two destructive sieges and continuous military occupation during the civil war from which it was slow to recover.<sup>105</sup> However its location meant that it was well placed to fulfil its principal economic function as a market town and service centre for the surrounding countryside but it suffered from poor communications, the roads were inadequate and the Soar not yet suitable for navigation.<sup>106</sup>

In the seventeenth century, Leicester was a community of modest merchants, small traders and craftsmen, struggling to make a living by serving the needs of the town and its immediate hinterland.<sup>107</sup> During the previous century, the systems that had previously regulated economic development were gradually eroded but the corporation remained vigilant in defending the

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<sup>103</sup> Williams, *Eighteenth Century Constitution* pp.42-6; Hoppit, *Land of Liberty?*, pp.32-3; Pruett, *Parish Clergy*, p.154.

<sup>104</sup> V.C.H., *Leicestershire*, vol. 4, W. A. Jenkins and C. T. Smith, 'Leicester: Social and Administrative History, 1660-1835', pp.153-200; Simmons, *Leicester*, I.57-93; M. Bateson, *Records of the Borough of Leicester, 1509-1603*, 5 vols. (Cambridge, 1905), III.441.

<sup>105</sup> E. S. De Beer (ed.), *The Diary of John Evelyn* 6 vols. (1959), I.122-3; *H.M.C. Portland*, II.308-9 'Baskerville's comments'; Simmons, *Leicester*, I.94-101; Beckett, *East Midlands*, p.134.

<sup>106</sup> W. Burton, *Description of Leicester*, (1622) p.169; Beckett, *East Midlands*, pp.149-50; J. Thirsk and J. P. Cooper, *Seventeenth-Century Economic Documents* (Oxford, 1972), pp.349-51.

<sup>107</sup> V.C.H., *Leicestershire*, vol. 4, E. Kerridge, 'Leicester: Social and Economic History 1509-1660', pp.99-104; Wykes, 'Religious Dissent, Leicester, 1660-1720', pp.125-76.

privileged position of the town's craftsmen and traders from outside competition.<sup>108</sup> Although there was some commercial specialization, many traders and craftsmen were only able to make a living by engaging in more than one activity and virtually every household retained some link with farming.

Kerridge identified husbandry as the main occupation in 16% of 129 inventories drawn up between 1640 and 1679: only those engaged in textiles (18.6%) and victualling (18.6%) exceeded this percentage. The most prosperous of these farmers were among the wealthiest men in the town, the largest employers of labour and an important source of capital for local enterprises. With so much importance attached to agriculture, the 2,800 acres of arable, meadow and pasture surrounding the town (six times the area of the urban centre) were vital to the town's economy.<sup>109</sup> The more substantial farmers were growing crops for fodder and brewing, as well as corn and hay. As the livestock market expanded so these farmers bought up grazing land elsewhere in the county in order to share in the profits of the livestock trade.

Leicester's economic well-being was closely bound up with the prosperity of the surrounding countryside. The development of pastoral farming stimulated the growth of the livestock markets in the town and the corporation put considerable energy into regulating and expanding this area of the town's activities. The town was keen to profit from the developing trade in draught

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<sup>108</sup> Bateson, *R.B.L.*, III.276, 301, 368 and 409-10; *C.S.P.D. 1699*, p.301, 28 Nov. 1699, 'Market at Harborough'.

<sup>109</sup> W. G. Hoskins 'An Elizabethan Provincial Town', in *Provincial England: Essays in Social and Economic History* (1963), p.89.

horses for the London market.<sup>110</sup> When a new charter was issued in 1684, the corporation's priority was to secure the right to a spring fair 'for all beasts and other merchandise and wares whatsoever'.<sup>111</sup> This grant bought the number of fairs to five per annum, in addition to regular markets in corn, cattle and meat on three days in the week.<sup>112</sup> Apart from the income the corporation derived from fees, the development of the town's markets and fairs was important in giving it a competitive advantage over its local rivals. The cattle trade also stimulated secondary trades in meat and leather.<sup>113</sup>

Although the town was heavily dependent on agriculture, there were indications by the turn of the century that its traders and shopkeepers were responding to changes in consumer demand and to the quickening of inland trade. One development, destined to become a vital element in Leicester's economic revival, was the establishment of hosiery manufacture in the town and surrounding villages.<sup>114</sup> By the mid-seventeenth century the trade had come under the control of master hosiers, many of them based in Leicester. They controlled the sale of raw materials and the distribution of the finished products. From the 1670s the master hosiers were in a position to invest in knitting frames, which they hired out to the knitters for use in their own homes or in communal workshops. Due to demand the trade grew rapidly. A petition of 1696 spoke of 'many thousands of poor people in the town and neighbourhood' occupied in the

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<sup>110</sup> Defoe, *Tour*, pp.408-9.

<sup>111</sup> H. Stocks, *Records of the Borough of Leicester, 1603-1688* 5 vols. (Cambridge, 1923), IV.490, 16 Nov. and n/d, Two letters from Mayor to Browne, and p.577 reference to the grant in the 1684 charter; R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.153, 4 Oct. 1684, Minutes of meeting.

<sup>112</sup> *Leicestershire and Rutland Notes and Queries I* (1889-91), p.30.

<sup>113</sup> Hoskins, 'Elizabethan Town', in idem, *Provincial England*, pp.96 and 108-9.

<sup>114</sup> V.C.H., *Leicestershire*, vol. 4, Jenkins and Smith, pp.168-70.

manufacture of stockings.<sup>115</sup> By George I's reign there were said to be 500-600 frames and over 7600 employed in the industry, which implies that its manufacture had spread well beyond the town.<sup>116</sup> This development was also politically significant for the future, for it was creating a body of masters and workers who were dependent for their livelihood on an occupation that was radically different from the traditional trades of the market town.

Despite the poor impression the town gave to visitors at the end of the century, there were some signs of economic recovery during Anne's reign. In 1698 Celia Fiennes observed some new development in the precincts of the castle. Here she saw 'several good houses some of stone and brick in which some lawyers live franck', and the new brick frontage to the castle hall, where the assizes were held.<sup>117</sup> Steady but unspectacular growth in population was further evidence of economic improvement but it was some time in the future before Leicester experienced those changes that Borsay and others have described as an urban renaissance.<sup>118</sup> Leicester was not in the same league as provincial towns like Exeter, Norwich and York but Jonathan Swift, visiting the town in 1707 after an interval of four years, was surprised to find 'that all things appear new to me. The buildings, the improvements, the dress and countenance of the people put a new spirit into one, *et tacite circum praecordia ludit*'.<sup>119</sup>

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<sup>115</sup> *C.S.P.D. 1700-2* Appendix. p.596 'Petition 1696'; cf. Defoe, *Tour*, p.408.

<sup>116</sup> Simmons, *Leicester*, I.97.

<sup>117</sup> Morris (ed.) *Journeys of Celia Fiennes*, p.163, it was well into the next century before brick was widely used in Leicester for house building; L. Fox, 'Leicester Castle', *T.L.A.S.* XXI (1942-3), 160.

<sup>118</sup> Pruett, *Parish Clergy*, p.47; Bodleian, *Willis MSS.*, f.365, 12 Mar. 1716, Carte to Browne Willis; P. N. Borsay, *The English Urban Renaissance: Culture and Society in the English Town, 1660-1770* (Oxford, 1989).

<sup>119</sup> Hoskins, 'An Elizabethan Town', in idem, *Provincial England*, p.103; D. Woolley (ed.), *The Correspondence of Jonathan Swift D.D.*, 4 vols. (Frankfurt on Main, 1999), I.163-6, 6 Dec. 1707

## II

The third earl of Huntingdon, a devout Protestant, left a significant legacy in his efforts to promote a godly reformation in both the county and the town.<sup>120</sup> He was particularly attentive to the spiritual needs of the town, where in 1561 he launched a fund to improve the quality of preaching through the appointment of lecturers who would spread the new doctrine. He also used his influence to secure the appointment of incumbents who shared his religious convictions and he was personally involved in drafting the new regulations for the reformed Wyggeston Hospital and the free Grammar School.<sup>121</sup> The earl's immediate successors and the corporation continued to favour the reformed Protestantism promoted by the third earl and these developments appear to have found favour with the inhabitants, some of whom pressed for reform to go further. Bishop Williams' reluctance to enforce conformity within his diocese and his preference for compromise appears to have shielded the town from Laud's attempts to impose discipline on the Church and to root out the more extreme manifestations of puritan practice.<sup>122</sup>

By the middle of the seventeenth century, several sectarian congregations were established in the town. D. L. Wykes estimated that about 150/170 families in the borough were Dissenters, accounting for between one-sixth and one-

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Swift to A/Bp. King. Woolley states that the Latin text ('and silently caresses my heartstrings') is loosely based on a line from a poem by Aulus Persius Flaccus (Rome, A.D. 34-62).

<sup>120</sup> C. Cross, *The Puritan Earl: the Life of Henry Hastings, third Earl of Huntingdon, 1536-1595* (1966); idem, *T.L.A.H.S.* 36 (1960), 6-21; R. W. Greaves, *The Corporation of Leicester* (Oxford, 1939), pp.5 and 8-9.

<sup>121</sup> The six town's livings were in the gift of the crown but the corporation exercised some influence on account of the supplements it paid to enhance the meagre endowments of these livings.

<sup>122</sup> Bishop of Lincoln from 1621 to 1641.

seventh of the total population. Although a smaller proportion than in neighbouring Nottingham and Coventry, Wykes pointed out that the Leicester congregations included some of the wealthiest traders in the borough.<sup>123</sup> The Presbyterians and the Independents accounted for about four-fifths of the total number of Dissenters and there were also smaller congregations of Congregationalists, Baptists and Quakers.<sup>124</sup> The freedom they had enjoyed during the interregnum changed decisively after 1660. Several of the town's clergy and the master of Wyggeston Hospital were ejected for refusing to subscribe to the Act of Uniformity while other clergy only survived by outward conformity.<sup>125</sup> However, it was the provisions of the Corporation Act of 1661, designed to weed out Nonconformists that were to have important political consequences for the borough.<sup>126</sup> A local commission, comprising five gentlemen from the county, was appointed to oversee the implementation of the act.<sup>127</sup> By the autumn of 1662, 15 out of 23 serving aldermen had been ejected and 25 of the 48 common councillors.<sup>128</sup> This purge accomplished what the legislators hoped to achieve, for it left 'Church and King' loyalists dominant in

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<sup>123</sup> Wykes, 'Religious Dissent, Leicester, 1660-1720', ch II, esp. pp.68-80 and Table 2.3 and 2.4 and p.452; Wykes based his calculations on the presentment lists in the archdeacon's court in the 1680s (R.O.L.L.R., *Archdeaconry Court Records, 1660-1721*, 1D41/ 13), the returns made for Bishop Wakes's visitation in 1706 (Lincolnshire Archives Office, SPE/1, *Speculum Dioeceseos Lincolnensis sub Gul, Wake et Ed. Gibson 1705-33*) and the Evans's list of 1715 (D.W.L., Ms.34.4 List of Dissenting Congregations, 1715-1729). According to Wykes, approximately one quarter of the inhabitants in both Nottingham and Coventry were Dissenters, see Wykes, 'Religious Dissent, Leicester, 1660-1720', pp.73-8.

<sup>124</sup> Wykes, 'Religious Dissent, Leicester, 1660-1720', p.72 and Table 2.4; Simmons, *Leicester*, I.106; G. L. Turner, *Original Records of Nonconformity* (1911) pp.70, 758-9, 767, 769 and 772

<sup>125</sup> Simmons, *Leicester*, I.105; Pruett, *Parish Clergy*, pp.25-6; Stocks, *R.B.L.*, IV.470.

<sup>126</sup> J. P. Kenyon (ed.), *The Stuart Constitution*, (2<sup>nd</sup> edn. 1986) pp.351-3; Hutton, *The Restoration: A Political and Religious History, 1658-1667* (Oxford, 1985), pp.160-1; Simmons, *Leicester*, I.106-7; Wykes, 'Religious Dissent, Leicester, 1660-1720', pp.251-6.

<sup>127</sup> Stocks, *R.B.L.*, IV.479, 8 Sept. 1662 'Order for regulating the Corporations'. The commissioners were John Bale, Thomas Merry, George Faunt, William Whalley and Richard Orton.

<sup>128</sup> Stocks, *R.B.L.*, IV.606-7 where there are comparative lists of the corporation in 1660 and 1662. Wykes pointed out that some of these changes were for other reasons than ejection. The numbers quoted above are based on Wykes's interpretation in 'Religious Dissent, Leicester, 1660-1720', p.251.

the corporation. For the next century and a half, a religious test effectively marked out a political fault line in the borough between an oligarchic corporation, dominated by loyalists, and a group of inhabitants who were effectively disenfranchised as far as local government was concerned.<sup>129</sup>

### III

Compared to neighbouring boroughs in the midlands, Leicester came late to incorporation.<sup>130</sup> The pressure for change came in the middle of the sixteenth century when the town began to acquire property and wanted a more solid legal basis to hold these assets. The first charter, issued in 1589, confirmed the corporation's right to hold property and the grants of rents and properties from the Duchy of Lancaster to the corporation. The second in 1599 enhanced the corporation's rights but stopped short of giving the borough full county status. These charters preserved the existing two companies (the 24 are described as Aldermen in the 1589 document and the 48 as the Common Council in 1599) but designated them as:-

one body corporate and politic in fact and in name, and a perpetual community of one Mayor, two bailiffs and the burgesses of the borough of Leicester, and by the same name they shall have constant succession.<sup>131</sup>

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<sup>129</sup> Greaves, *Leicester*, p.8.

<sup>130</sup> Simmons, *Leicester*, I.67. Coventry, Nottingham and Northampton received their charters between 1345 and 1460.

<sup>131</sup> Bateson, *B.R.L.*, III, pp.247-52 and 359-64, 'Charters of 1589 and 1599'.

They also extended the corporation's authority over the three liberties without the borough, which created problems for the future by protecting the 'rights heretofore given to others'. Simmons maintained that, despite some imperfections, these charters were 'a valuable acquisition. They fortified the corporation's authority over the general body of citizens and accurately reflected the gradual withdrawing of the ancient power of the lords [Duchy of Lancaster]. They consolidated the oligarchy that prevailed in the town until 1836'.<sup>132</sup>

The 24 were vested with authority to appoint the mayor and various officials out of their own assembly. They also had the right to choose new members to replace vacancies in both companies. The 1599 charter confirmed the borough's long-standing right to its own bench separate from the county commission, to be made up out of the mayor and last four aldermen who had previously served as mayor.<sup>133</sup> Thus a self-perpetuating oligarchy was given authority in law to act in the name of the borough. While many of the members were drawn from people with status in the town, none of them appear to have had much influence in county politics. As members of the corporation their focus was inward, principally concerned with protecting the borough's privileges and promoting the economic interests of the town. With the exception of the three liberties, at no time did the corporation entertain any political ambitions beyond the borough.

By contrast the corporation had to be vigilant about encroachments on their own autonomy. Even as late as 1768 it had to fend off the Chancellor of the

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<sup>132</sup> Simmons, *Leicester*, I.69; Greaves, *Leicester*, pp.7-8

<sup>133</sup> Greaves, *Leicester*, p 20.

Duchy of Lancaster, who asserted his right to nominate places in the Trinity Hospital.<sup>134</sup> The relationship the corporation had with the local aristocracy and gentry had to be handled with care. It could not afford to offend its powerful neighbours, yet it needed their support in defence of the borough's interests. At the same time it had to ensure that they were not required to pay a high price for such help. This is illustrated by the campaigns in 1664 and 1684 to prevent the county justices from extending their jurisdiction over the borough.<sup>135</sup> Yet when it came to choose representatives for parliament it was to the local gentry that the borough turned. The two Lawrence Carters, father and son, were the only townsmen to serve as MPs but even they, as lawyers, came from a different social background from the majority of members. While the corporation had to handle its relationships with the neighbouring gentry with care, this was even more important with the county's aristocracy on account of the rivalry that existed between the leading families. The corporation came close to offending the earl of Huntingdon in 1684 when he heard that they were contemplating asking earl Ferrers for his advice over the surrender of the charter. It was only after Huntingdon's fall from grace in 1689 that the corporation turned to its neighbour, the earl of Stamford, for his political support. At the same time the corporation had to be careful to pay due respects to the ninth earl of Rutland.

Sixteen times between 1679 and 1716 the borough was called upon to choose its parliamentary representatives in general elections: as well as two by-

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<sup>134</sup> *Ibid.*, p.89.

<sup>135</sup> Stocks, *R.B.L.*, IV.490-1, 16 Nov. 1664 'Mayor and Aldermen to Browne'; *H.L.C., Hastings*, HA3972, 31 Oct. 1684, Gery to Huntingdon.

elections in 1677 and 1719.<sup>136</sup> Contested elections were less common in the borough than the county except in 1701 to 1705 but this should not be taken as evidence that the borough was without factional conflict. The most significant controversies centred on the franchise. Up to 1660 the Corporation had the right to choose its MPs but at this time there were those in the town arguing for a broader franchise. The mayor was sufficiently worried to plead with Lord Loughborough not to nominate a stranger as a candidate for fear this would only encourage the popular vote.<sup>137</sup> There were three candidates at this election. During the campaign Sir John Pretyman, who was challenging the two existing MPs, argued the case for a wider franchise, while the mayor appealed to the Chancellor of the Duchy of Lancaster among others, to use his influence ‘for some redress of the disorders which such popular elections will introduce here’.<sup>138</sup> The Hon. John Grey and Sir William Hartopp were chosen by the corporation and Sir William and Sir John Pretyman by the inhabitants. The presiding official declared Hartopp elected but referred the matter to parliament to decide who should be the second MP. The Commons ruled in favour of Sir John and the wider franchise.<sup>139</sup> Despite the corporation’s attempts to reverse this decision over the next fifty years, the franchise remained with the freemen and the householders paying scot and lot.<sup>140</sup> There is no information on the size of the electorate in the period covered by this study but the *History of Parliament* uses the number of voters recorded in 1705, 935, as a minimum figure. This would

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<sup>136</sup> *H.o.P.* 1660-90, I.296; *H.o.P.* 1690-1715, II.350-1; *H.o.P.* 1715-1754, I.275-6.

<sup>137</sup> Stocks, *R.B.L.*, IV.470-1 and *H.L.C. Hastings Papers* m/f.11 HA 3963, 4 Jul. 1676, Gery to Huntingdon.

<sup>138</sup> J. Thompson, *History of Leicester to the end of the Seventeenth Century* (1849), pp.421-2.

<sup>139</sup> *C.J.*, viii pp.251 and 304.

<sup>140</sup> Stocks, *R.B.L.*, IV.521-3, 10 Sept. 1670 ‘Mayor and others to Ingram’; R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.153, Minutes relating to the new charter.

place the franchise in Leicester in the top 10% for all boroughs.<sup>141</sup> One effect of the Commons' decision in 1661 was that more Dissenters were qualified to vote in parliamentary elections in the borough. According to the information collected in the Nonconformist survey of 1715, 141 Dissenters had the right to vote.<sup>142</sup> While only a minority, their votes could have a significant influence on the outcome of an election. Taken together the change in the franchise and the purge of the corporation in the 1660s thus had a profound effect on the town's politics. It institutionalised those religious and political differences which already existed within the town and determined the context in which local politics would operate during the rest of the period covered by this study and beyond.

## Conclusion

With what appears to be a hint of metropolitan superiority, Defoe sums up Leicestershire (along with Northamptonshire and Warwickshire) as 'not so full of antiquities, large towns and gentlemen's seats'.<sup>143</sup> However it was probably an accurate observation. A minority of the gentry families were long-standing residents but most of those who feature in this study were newcomers who had bought property in the seventeenth century. For some the money for these purchases had come out of the proceeds of trade or the law. Like the enterprising yeoman, who was using the profits from farming to improve his family's position, these new families were able to take advantage of a fluid land market. As a contrast to this picture of economic and social change, the politics

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<sup>141</sup> For a schedule of elections held in Leicester between 1660 and 1720, see *H.o.P. 1660-90*, I. 296; *H.o.P. 1690-1715*, I.350-1; *H.o.P. 1715-1754*, I.275-6.

<sup>142</sup> Rogers and Watts, 'The Evans list and Dissenting Congregations in the East Midlands, 1715-29', 14-27, drawn from D.W.L. Ms.34.4 'List of Dissenting Congregations, 1715-1729'; Wykes, 'Religious Dissent, Leicester, 1660-1720', p.71, Table 2.4 and pp.188-9.

<sup>143</sup> Defoe, *Tour*, p.408.

of Leicestershire appear to reflect those of an earlier generation. Loyalists were fearful that religious nonconformity would undermine the existing order in Church or State if left unchecked. This fear resulted in the steps taken to weed out of local office anyone suspected of disloyalty. A series of elections between 1677 and 1681, which will be described in the next chapter, brought these divisions into the open.

### **Chapter 3: Politics in Leicestershire, 1677-1681**

#### **I**

The opening section of this chapter provides some examples that illustrate personal relationships between the heads of the three leading aristocratic families in the county. It also examines their stance, locally and nationally, during the national crisis that raged from 1678 through to 1681. The second section contains an account of the elections that took place in the county and the borough in this period, beginning with a by-election in the borough in 1677. This election, which Huntingdon tried to exploit with the aim of restoring his family's influence in the town, shows the tensions existing between the corporation and the county aristocracy and gentry. Three general elections between 1679 and 1681 provide further valuable information about alignments in the two constituencies during the national political crisis. By 1680 Charles II was beginning to win back the initiative. This process is examined at a local level through changes in the county militia and the commission of the peace and from evidence of petitioning activity. From 1679, Huntingdon was an active member of the political opposition until he pleaded for the king's mercy in 1681. His reconciliation with Charles II is covered in the final section of this chapter.

#### **II**

In the late 1670s, aristocratic leadership in the county had passed to three very different personalities, with different political interests and differing commitments to national and local politics. However, all three shared a common aspiration to secure and advance the standing and reputation of their families in

the county. In pursuing these ends, the earls of Rutland, Huntingdon and Stamford were in competition for a share of political influence. The earl of Rutland shunned the public arenas of the court and Westminster but was prepared to exercise some influence in local politics. In marked contrast Huntingdon considered that his political ambitions would be better served by staying close to the court, where initially he was regarded as a supporter of the government. He moved to London in December 1677 and six months later bought a property in Pall Mall in order to be close to Whitehall and Westminster.<sup>1</sup> This, and a rural retreat in Weybridge, Surrey, became his permanent base for the next thirteen years. Although prepared to intervene decisively in local politics, he made only occasional visits to the county during the 1680s and conducted his business principally through his confident and friend, Dr. Gery, his steward, Gervase Jaquis and various other local agents.<sup>2</sup> The earl of Stamford, as the son of one of the regicides, had a reputation to live down but chose instead to be an outsider following in the family tradition of opposition to the court from the day he took his seat in the Lords.<sup>3</sup> His seat at Bradgate was close to Leicester, which gave him the opportunity to exert some influence in the borough. By temperament and tradition these three men were reluctant to work together, except in a temporary alliance against the third. Their rivalries will be a theme running through the next four chapters.

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<sup>1</sup> *H.M.C. Reports on the Manuscripts of the late Reginald Rawdon Hastings Esq.* 4 vols. (1928-47), IV.353; H.L.C., *The Hastings Collection of MSS. on microfilm* (1986), m/f.12, HA 5950, 21 May 1678.

<sup>2</sup> P. Walker, 'The Political Career of Theophilus Hastings 1650-1701, 7th Earl of Huntingdon', *T.L.A.H.S.* 71 (1997), 60-71.

<sup>3</sup> H. C. G. Matthew and B. Harrison (eds.), *Oxford Dictionary of National Biography* 60 vols. (Oxford, 2004), XXIII.887-8, 'Grey, Thomas, 2<sup>nd</sup> earl of Stamford (1653/4-1720)'.

Two examples provide some indication of the competitive nature of their relationships. The first relates to the rivalry between Huntingdon and Rutland over the office of lord lieutenant, the senior representative of the crown in the county. Early in 1677, Huntingdon heard that, for health reasons, the eighth earl of Rutland was contemplating resigning his post as lord lieutenant. Huntingdon drafted a letter, addressed to 'His Royal Highness', in which he sought support for his candidature as Rutland's successor.<sup>4</sup> Huntingdon claimed that when Lord Loughborough, his uncle and guardian, was appointed lord lieutenant in 1661, Loughborough secured 'the King's gracious permission and promise' to resign in favour of his nephew once the latter came of age. However on Lord Loughborough's death in 1666, Theophilus was still a minor and the office was given to the earl of Rutland. Now with the impending vacancy, Huntingdon was approaching 'His Royal Highness (sic)... to plead with the King to appoint him to the Lord Lieutenancy'. enquiring 'how proper it may be to move his Majesty for any succession in this change.' He maintained that he had more right to this post than any other person in the county by virtue of his family's long association with this office but assured his Royal Highness that his prime motivation in raising this matter was to be of service to the king. Huntingdon asked his mother to comment on the draft for she added a note advising him to leave out anything that might 'offend Lord Rutland, Lord Roos and friends'. It is not clear whether

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<sup>4</sup> H.L.C. *Hastings*, m/f.13 HA 6044, n/d but incorrectly indexed at the end of 1684 as 'c.1684-8'. In view of Huntingdon's earlier connections with the duke of York, there is a strong presumption that this draft was intended for the latter. Walker, *Huntingdon*, (1997), p.67 n. 31 considered that the earl's mother was responsible for the draft.

he pursued the matter but, if he did, he failed in his objective. Much to Huntingdon's annoyance Lord Roos, the eighth earl's eldest son, was appointed.<sup>5</sup>

The lord lieutenancy was a prestigious appointment, which gave the holder access to official patronage, notably in influencing appointments in the militia and in the commission of the peace. It was also an important recognition of the holder's standing in the county. The prestige and political influence attached to this post was illustrated in a letter that the earl of Lindsey wrote to Lord Roos in March 1678, shortly before the Commons was to hear an appeal against the decision in the Grantham by-election.<sup>6</sup> He begged Roos to put in an appearance at the Commons to show his support for Sir Robert Markham. Failure to do so, Lindsey said, would cede an advantage to Sir Robert Carr for the king would conclude that Carr carried greater influence in Lincolnshire:-

notwithstanding he hath lately conferred upon your Lordship the  
Recordership of Grantham and the Lord Lieutenancy of Leicestershire ...  
Besides, my Lord, your appearance will absolutely make (sic) Sir  
William Hartopp [currently an MP for the county] and several members  
of Leicestershire, which is your Lieutenancy, and who in your absence  
will favour the other party.<sup>7</sup>

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<sup>5</sup> See below, Appendix 1, p.406; *C.S.P.D. 1677-8*, pp.200 and 206, 19 & 21 June 1677; *H.M.C., The Manuscripts of His Grace the Duke of Rutland at Belvoir Castle* 4 vols. (1888-1905), II.41, 21 June 1677, Campden to Roos.

<sup>6</sup> B. D. Henning (ed.), *History of Parliament: House of Commons 1660-90* 3 vols. (1983), I.301-2; G. Davies, 'The By-election at Grantham, 1678', *H.L.Q.* 7, (1943-44), 179-82; C. Holmes, *Seventeenth-Century Lincolnshire* (1980), 241-2 and n.17.

<sup>7</sup> *H.M.C. Rutland*, II.48, 31 Mar 1678, Lindsey to Roos.

There is very little evidence in either Huntingdon or Rutland's correspondence of direct contact between the two men and little opportunity for informal discourse since the former spent much of the year in London and the latter rarely left the county. Manners' reluctance to engage with political life in London surprised Huntingdon as he noted in a letter to Gery in July 1678:-

I hear no mention of Lord Roos neither have I met with him in any public place except at dinner once with my Lord Treasurer (the earl of Danby). I believe he is at the top of his ambition except he expects to be a privy counsellor as well as my Lord Berkeley who was sworn yesterday.<sup>8</sup>

In John Manners' defence it has to be said that his personal misfortunes may have reinforced his aversion to public exposure in London. But to the despair of his family and friends, who were trying to promote his interests at court, he showed no more enthusiasm for engaging in national politics when he was elevated to the Lords in 1679.<sup>9</sup>

The second example indicates the strained relationship existing between Huntingdon and Stamford. During the late sixteenth and early seventeenth centuries the earls of Huntingdon had nurtured their interests in the town but civil war and the seventh earl's minority had weakened the family's authority in the town.<sup>10</sup> At a time when Huntingdon wanted to re-establish his interest in the town, it is possible he regarded Stamford's involvement in borough politics with

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<sup>8</sup> H.L.C. *Hastings*, m/f.12, HA 5952, 20 July 1678.

<sup>9</sup> G.E.Cokayne., *The Complete Peerage*, XI.264-6; *H.M.C. Rutland*, II.85, 87, 138, 160,164, 166 and 169 and above, p.101 and n.36 for references to his first marriage and subsequent divorce.

<sup>10</sup> J. K. Gruenfelder, 'The Electoral Influence of the Earls of Huntingdon 1603-40', *T.L.A.H.S.* 50 (1974-5), 17-29.

suspicion. Whether this or some other slight was the reason for the ill feeling between the two men, Huntingdon made no attempt to conceal the contempt he felt towards Stamford. Shortly before the meeting of the Oxford Parliament in 1681, he complained to Gery, that 'It was those things you mentioned [at the 1681 election] which are truly scandalous; and I believe you know there are but few things relating to government either in Church or State wherein we [Stamford and I] agree.'<sup>11</sup> What is remarkable is that he made these comments at a time when both men were closely associated with Shaftesbury and those politicians who were causing such difficulties for Charles II.

### III

In the summer of 1676 rumours were circulating in the county that Sir John Pretyma, one of the MPs for the borough, was seriously ill. His death in December precipitated a by-election.<sup>12</sup> This presented the first opportunity for this new generation of county aristocrats to test their influence in a local election. In particular, Huntingdon saw it as a chance to resurrect his family's interest in the borough by promoting his own candidate. Soon after the news broke of Sir John's illness, Dr. Gery advised Huntingdon on 4 July that Pretyma's son-in-law, Sir William Halford of Welham, had indicated his interest in standing should a vacancy become available.<sup>13</sup> This news alarmed Thomas Babington who had ambitions of his own. Gery tried to persuade Huntingdon that his chance of success would be improved if he were to join forces with Babington, because the corporation preferred somebody they knew. He advised Huntingdon

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<sup>11</sup> H.L.C. *Hastings*, m/f.12, HA 5988, 9 Mar. 1681.

<sup>12</sup> *H.o.P. 1660-90*, I.296-7, 'Leicester' and III.284, 'Sir John Pretyma'.

<sup>13</sup> H.L.C. *Hastings*, m/f.11, HA 3963, 4 July 1676.

to be very sensitive in approaching the members. Despite this sensible advice the earl persisted in putting forward his own nominee. He was convinced that the corporation would come round to his recommendation when it could see that that his candidate was someone who would defend the borough's rights.<sup>14</sup>

The candidate Huntingdon had in mind was Heneage Finch, younger son of the lord chancellor and brother to Daniel, later to become the second earl of Nottingham.<sup>15</sup> On 17 July 1676 Huntingdon told Daniel that he had informed the mayor and aldermen that he would be recommending someone for the vacancy, in case anyone else should declare their candidature.<sup>16</sup> However, Huntingdon was careful not to mention a name at this stage, because it had yet to be confirmed that Sir John was dead. His pre-emptive move proved justified for only two hours later the Hon. John Grey, Stamford's uncle and former guardian, who had represented Leicester in Charles II's first parliament, approached the mayor to register his interest. It is possible that the Finch brothers had already had second thoughts about fighting an election in Leicester, for Huntingdon tried to assure Daniel that it would not prove insuperable to secure the election of someone from outside the county, even if the size of the electorate meant that there would have to be a suitable outlay on entertainment and drink, 'especially for the meaner sort'.<sup>17</sup> Further action had to await confirmation of Sir John's death.<sup>18</sup>

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<sup>14</sup> *Ibid.*, HA 5924, 7 July 1676, Huntingdon to Gery.

<sup>15</sup> *H.o.P. 1660-90*, II.322-4, 'Heneage Finch'.

<sup>16</sup> H.L.C. *Hastings*, m/f.11, HA 5925, 17 July 1676.

<sup>17</sup> *Ibid.*, HA 5925, 17 July 1676.

<sup>18</sup> *Ibid.*, HA 5924, 7 July 1676, Huntingdon to Gery; *ibid.*, HA 5929, n/d [Dec] 1676.

On receiving this confirmation, Huntingdon summoned Gery to meet him urgently to discuss how to take his design forward.<sup>19</sup> A few days later the earl's plans were thrown into confusion when Daniel Finch wrote, thanking him for the extreme favour he had done their family but saying that he and his brother now considered it would neither be in Huntingdon's nor Heneage's interest for the latter to stand:-

certainly the countenancing of a stranger and supporting his interest against the gentlemen of the country will betray too great a partiality for one to show, whom I hope shall one day see Lord Lieutenant of the county. So that whatever success you may [have] though it ended in victory, yet the attempt of it may be ill interpreted.<sup>20</sup>

Finch's comments indicate the fine judgements a prospective candidate and his patron sometimes had to make before committing themselves in public. Faced with this refusal, the earl turned to Gery to identify a suitable replacement.<sup>21</sup>

It may have been the threat of having a stranger forced on the borough that encouraged the mayor to ask the recorder to investigate the legal position, to take soundings of men of eminence and to report back. In his first report, Harding described the conversations he had with a Mr. Dearing in the lord chancellor's office and with Heneage Finch, in which he had attempted to reassure him about the corporation's good faith in a difficult position where they

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<sup>19</sup> Ibid., HA 5927, 19 Dec. 1676.

<sup>20</sup> Ibid., HA 3163, 23 Dec. 1676.

<sup>21</sup> Ibid., m/f.12, HA 5930, 8 Jan. 1677.

were under pressure from several interests.<sup>22</sup> After further investigations, Harding sent a second letter to the mayor on 30 January in which he described the unfortunate consequences this could have for the corporation and offered an alternative explanation for Finch's reluctance.<sup>23</sup> Harding had been told that Finch had changed his mind when he learnt that the corporation threatened to re-assert its sole right to choose the borough's representative. He feared that this reaction had offended Huntingdon and 'some other great persons of quality' who had been taken aback that the corporation had spurned such a generous offer.

Harding endeavoured to counter this impression by arguing that the corporation had not taken sides in this matter but had only reserved their right not to declare their choice until the day of the election. He warned the mayor that those 'persons of quality' were far from convinced that the corporation was above reproach. 'I still perceive there is unkindness taken, which I will endeavour to mollify as much as can but [he warned them] if you shall choose any that opposed Mr. Finch, it will not be forgotten.' He reminded them that the lord chancellor had the authority to order a writ of *Quo Warranto* should he consider the corporation had acted improperly. No doubt Harding felt it unnecessary to add that Finch's father held that office.

The dilemma that faced the corporation was yet another episode in the long running dispute over the franchise.<sup>24</sup> From his enquiries, Harding was able to confirm that that 'the election is in the Mayor, Aldermen Common Council

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<sup>22</sup> R.O.L.L.R., *Hall Papers*, BR/ II/18/34, f.62, 25 Jan. 1676.

<sup>23</sup> R.O.L.L.R., *Hall Papers*, BR/ II/18/34, f.61, 30 Jan. 1677.

<sup>24</sup> J. Simmons, *Leicester: The Ancient Borough to 1680*, (Gloucester 1974), p.101; Victoria County History, *The County of Leicester* 5 vols. (1907-64), vol. 4, J. H. Plumb, 'Political History, 1530-1835', p.112.

and Burgesses that are sworn Freemen and in none other.’ Therefore the corporation would be acting within its rights in nominating one of themselves or even the recorder. However in the disputed election of 1661 parliament had ruled that the selection belonged to the wider electorate of householders.<sup>25</sup> In Harding’s opinion there was therefore little the corporation could now do to assert their original right, since the Commons’ ruling was conclusive, even if, in his opinion, misguided. He promised to do everything possible to prevent this matter developing into a crisis but advised the members of the corporation to be very circumspect in their conduct and stick to proper procedures of corporate governance. In an act of self-preservation, Harding made it clear that he was not prepared to stand as the corporation’s candidate against Grey or Finch.

There is no indication in the Hall Papers how the mayor and the corporation reacted to this advice but they may have decided to let matters take their course, since no one came forward to challenge their preferred candidate. After a minor delay over the writ the election was eventually held on 2 March 1677.<sup>26</sup> The Hon. John Grey had the backing both of his nephew, the earl of Stamford, and the Rutland interest.<sup>27</sup> Lord Roos wrote to the deputy lieutenants, asking them to give ‘your votes for Mr. Grey at the election and in the meantime to use your best endeavours to procure others to do the like.’

It is not clear what opposition Grey faced and there is no record of a poll. Nevertheless Grey’s considerable outlay on the election suggests he was

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<sup>25</sup> See above, pp.126-7.

<sup>26</sup> R.O.L.L.R., *Hall Papers*, BR/ II/18/34, ff.63 and 64, 21 Feb. and 1 Mar. 1677, Sir William Hartopp to the mayor.

<sup>27</sup> *H.M.C. Rutland*, II.33, 20 & 22 Dec. 1676.

determined not to repeat the humiliation he had suffered in the election of 1661, when the Commons had ruled in favour of Pretyman.<sup>28</sup> Even Grey's friends admitted that the money he had spent was excessive. Lady Roos informed her husband that more than £800 had been spent, which she acknowledged was 'a great sum, yet being we carried it is not so much as the least repined of.'<sup>29</sup> It appears that the mayor asked Harding what level of treating was acceptable, to which the recorder provided this equivocal reply:-

As for the expense of a noble treat to the whole Corporation upon the election, no man will deny it but to hire or engage votes unduly by drinking on any side is so great a crime 'tis not to be suffered, but all other civilities, which must needs occasion some expense, will not be scrupled.<sup>30</sup>

Apart from Huntingdon's threat of securing a *Quo Warranto* against the corporation, there is no evidence to suggest that the result was challenged.

The reports, which Sir William Hartopp and John Grey sent back to the mayor from London, confirm bishop Parker's recollections of this time when '... two things, which like Circe's Cups, bewitched Men and turned them into Brutes, viz. *Popery* and *French Interest*: and if either of these happened to be whispered in the House of Commons, they ... ran immediately into Clamour and

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<sup>28</sup> See above, p.126.

<sup>29</sup> *H.M.C. Rutland*, II.40, 3 Mar. 1677.

<sup>30</sup> R.O.L.L.R., *Hall Papers*, BR/ II/18/34, f.61, 30 Jan. 1677.

High Debates.<sup>31</sup> On 6 March Sir William Hartopp reported that the House had approved an address warning the king of the threat posed by France and encouraging him to enter an alliance against that country ‘to defend the kingdom and quiet the fears of his people...’<sup>32</sup> On the day Grey took his seat in the House, he reported that the Commons had passed two bills, one against the growth of popery and the other to require members of both houses to take the oath of Allegiance and Supremacy or else relinquish their seats.<sup>33</sup> Ten days later he mentions that the *Habeas Corpus* bill had been sent to the Lords. Both commented on the way the Commons were using their hold over supplies as a lever to gain concessions from the government. They also referred to the progress on the bill to prevent abuses in the collection of Hearth Tax and another on the export of leather.<sup>34</sup> Although apparently minor compared to the major issues of the day, this was the type of business that was relevant to householders and traders in the town and to the corporation, who looked to their representatives to look after the borough’s interests.

The earl of Shaftesbury was pessimistic about the support he might expect to have from Leicestershire’s members in both houses of parliament. In a list, which Haley considered Shaftesbury drew up during his imprisonment in 1677, the earl indicated that he held out little hope of support from Lord Roos, George Faunt and Sir William Hartopp, whom he marked as ‘doubly vile’, but

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<sup>31</sup> R.O.L.L.R., *Hall Papers*, BR/ II/18/34, ff.63-82, 21 Feb. to 7 Apr. 1677, Four letters from Hartopp and six from Grey with copies of addresses etc. presented to the king; Samuel Parker. *Bp. Parker’s History of his Own Time*, (London 1728) p.244, quoted by H. Horwitz, *Revolution Politicks: The Career of Daniel Finch, Second Earl of Nottingham, 1647-1730*, (Cambridge 1968), p.13.

<sup>32</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/34, f.67, 6 Mar. 1677.

<sup>33</sup> *Ibid.*, f.68, 8 Mar. 1677.

<sup>34</sup> *Ibid.*, f.71 and 73, 24 and 27 Mar. 1677.

had high expectations of John Grey. He believed that Rutland and Stamford could be counted on in the Lords for lukewarm support but wrote off Huntingdon as 'triple vile', a judgement that he would soon have cause substantially to revise.<sup>35</sup>

#### IV

Over the next two years the political controversy intensified: those opposed to the court took advantage of the violent reactions that followed the revelations of a 'Popish Plot' to bring further pressure on the government. In an attempt to regain the initiative Charles II dissolved parliament in January 1679 and sent out writs calling for elections to a new parliament, the first to be held since 1661.<sup>36</sup>

In Leicester this election appears to have proceeded without any of the problems experienced in 1677.<sup>37</sup> Having served as an MP and reliable court supporter for two decades, Sir William Hartopp decided to stand down, a decision possibly brought on because he was heavily in debt.<sup>38</sup> His replacement was Sir Henry Beaumont of Stoughton, a gentleman whose father had served as an MP for the county during the Interregnum.<sup>39</sup> John Grey and Sir Henry were elected and continued to represent the borough in all three parliaments between 1679 and 1681. However behind this apparent consensus, there is some evidence,

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<sup>35</sup> K. D. H. Haley, 'Shaftesbury's List of the Lay Peers and the Commons, 1677-8' *B.I.H.R.* 43 (1970), 92-105.

<sup>36</sup> J. R. Jones, *The First Whigs: the Politics of the Exclusion Crisis, 1678-1683* (Oxford, 1961), pp.34-48.

<sup>37</sup> *H.o.P. 1660-90*, I.296, 'Leicester'.

<sup>38</sup> *Ibid.*, II.504-5, 'Sir William Hartopp'; H.L.R.O. *Main Papers*, 274, f.25, 9/20 Nov. 1680, Commissions of the Peace: Leicestershire.

<sup>39</sup> *H.o.P. 1660-90*, I.613, 'Sir Henry Beaumont'; J. Nichols, *The History and Antiquities of the County of Leicestershire* (1795-1815), II.860; G. E. C, *Complete Baronetage*, III. 164.

which will be examined later, that partisanship continued to be a feature of borough politics.<sup>40</sup>

It was quite a different situation in the county. At first matters progressed smoothly. The gentry held a meeting in advance to choose two candidates 'so trouble and charge might be prevented.'<sup>41</sup> There appears to have been no difficulty in agreeing on Lord Roos but a replacement had to be found for George Faunt, whose financial problems prevented him from standing again. The meeting put forward Lord Sherard, provided that the choice 'would be acceptable to the rest of the inhabitants of the county.'<sup>42</sup> At this point Sir John Hartopp, the owner of a substantial estate at Freathby in the north east of the county, decided to set himself against the two nominees.<sup>43</sup> His intervention was to have a dramatic impact. Sir John was a Presbyterian, who had strong links with John Owen's meeting in Leadenhall Street in London.<sup>44</sup> His London home was raided in 1686 when the authorities suspected it was being used for a conventicle.<sup>45</sup> Roos and Sherard tried to make political capital from the fact that Sir John spent much of his time in London but Sir John was able to counter this by the strong appeal he had to Dissenters in the county, especially those living in the northeast.<sup>46</sup> Although there is no evidence to link Hartopp's candidacy to the national drive to secure the return of candidates opposed to the court, there must

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<sup>40</sup> See below, pp.149-51.

<sup>41</sup> P.R.O., SP 29/411 pt.2/120, quoted by M. A. Kishlansky, *Parliamentary Selection: social and political choice in early modern England* (Cambridge, 1986), p.144.

<sup>42</sup> Nichols, *Hist. Leics.*, II.60 n.5, 22 Feb 1679, Canvassing letter from Lords Roos and Sherard.

<sup>43</sup> *H.o.P. 1660-90*, III.14-16, 'John Manners, Lord Roos'; *ibid.*, III.431-3, 'Bennet Sherard, 2<sup>nd</sup> Baron Sherard of Leitrim (1621-1700)' and *ibid.*, I.294-5 and II.503, 'Sir John Hartopp'; Jones, *First Whigs*, pp.43-5.

<sup>44</sup> D.R. Lacey, *Dissent and Party Politics, 1661-1689* (New Brunswick N. J., 1969), App III p.408-9; Nichols, *Hist. Leics.*, II.123-4 and 128.

<sup>45</sup> D.W.L., MS 31.P, Roger Morrice's *Ent'ring Book*, 1.530.

<sup>46</sup> Northants R.O. IC1168b, 15 Mar. 1679, Eyre to Sir Thomas Isham.

be a strong supposition that this was the case, given his London connections. Certainly his candidature aroused the fury of some loyalists in the county. His opponents attacked him for encouraging the fanatics and being 'no friend of the Church of England.'<sup>47</sup> His marriage to a daughter of Cromwell's general Fleetwood would have put him even further beyond the pale with loyalists.

The poll took place in Leicester and four other towns in the county. Lords Roos and Sherard made considerable efforts to rally their supporters, offering accommodation at the White Lyon and Crane and other inns in Leicester for those who had difficulty in travelling to the town within the day. A Mr. Eyre from East Farnham commented on a report that 'there was great confusion and knocking at Harborrow, many hurt, one man since dead, several persons bound over to the sessions for a riot.' The two lords received strong support from the gentry, Lord Roos securing 2,585 votes and Lord Sherard 2,389. Hartopp, whose principal support came from the freeholders, could only muster 1,831.<sup>48</sup> According to Eyre 'the phanaticks at Harborrow are down in the mouth missing of their man and frustrated in their ends' but he was overly optimistic in predicting that the new parliament would consist overwhelmingly of 'men of loyalty and estate.' Despite his defeat, Hartopp challenged the result. He complained to the House of 'many undue and illegal practices in the sheriff and other persons of quality'. After a lengthy examination of witnesses, the Commons confirmed the election of Sherard but refused to endorse the election

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<sup>47</sup> Nichols, *Hist. Leics.*, II.683, 22 Feb. 1679, Roos and Sherard to Staveley.

<sup>48</sup> Northants; R.O., IC 1168b, 15 Mar. 1678/9, Eyre to Sir Thomas Isham; *H.o.P. 1660-90*, I.294-5, 'Leicestershire'.

of either Roos or Hartopp.<sup>49</sup> The House ordered the Speaker to issue a warrant for fresh elections to fill the second place.<sup>50</sup> Roos appears to have accepted the verdict and decided not to stand at the new election. Shortly after this he was summoned to the Lords, in a personal capacity, as Baron Manners of Haddon.<sup>51</sup> Five months later, following the death of his father, took his seat as the ninth earl of Rutland.<sup>52</sup>

There were two contenders in the second election in April 1679, Sir John Hartopp and John Coke, who stood in place of Lord Roos.<sup>53</sup> Coke's main seat was in Derbyshire but for at least two generations, the family had strong social and political connections with Leicestershire: in 1668 this connection was strengthened when the family purchased a significant estate in northwest Leicestershire.<sup>54</sup> This election also proved a contentious affair. Despite the quality of the support Coke was able to call upon from gentlemen such as Lord Beaumont, Richard Lister, Samuel Cotton and Thomas Babington, Coke was unable to secure sufficient votes and Hartopp was declared the winner.

Coke challenged the result, claiming that the sheriff had shown partiality by closing the poll early on the Saturday despite representations from Coke's own supporters to adjourn it until Monday.<sup>55</sup> He accused his rivals of intimidating both officials and voters. For example he cited the sheriff

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<sup>49</sup> T. Carew, *An Historical Account of the Rights of Election* 2 vols. (1755), I.319-20; H.L.C. *Hastings*, m/f.12, HA 5961, 15 Apr. 1679, Huntingdon to Gery.

<sup>50</sup> *H.M.C. Ormonde*, (ns) V.49-59, 15 Apr. 1679, Cooke to Ormonde; P.R.O. *State Papers* 29/411 F 120 and *CJ*, IX p 597, 616; Jones, *First Whigs*, p.43.

<sup>51</sup> H.L.C. *Hastings*, m/f.12, HA 5962, 6 May. 1679, Huntingdon to Gery.

<sup>52</sup> G.E.C., *Complete Peerage*, XI.264-6.

<sup>53</sup> *H.o.P. 1660-90*, I.295, 'Leicestershire' and II.100, 'John Coke II'.

<sup>54</sup> *Nichols, Hist. Leics.*, III.784 and II.246 [the date of purchase is given erroneously as 1688].

<sup>55</sup> B.L., *Add. MSS* 69954, *Coke Papers*, ff.1-61, Documents related to Leicestershire election appeal, 1679.

threatening Babington after Willam Palmer of Wanlip had had a word in the sheriff's ear. On another occasion a crowd 'armed with sticks and stones' called out 'A Hartopp, a Hartopp! If the King has no need of a Hartopp, we have no need of a King'. He also claimed to have identified nearly several hundred instances of illegal votes cast for his rival.<sup>56</sup> A petition was lodged with the Commons on behalf of 'all those [in Leicestershire] legally entitled to have free voices in the choice of a Knight of the Shire in Parliament' for 'such relief as shall be agreeable to equity and justice'. In spite of the effort Coke and his supporters put into preparing the appeal, there is no evidence that the matter was taken any further.

In advance of the parliamentary session, Shaftesbury drew up another assessment of MPs, in which he was more optimistic about Leicestershire MPs than two years previously, although he continued to dismiss Lord Roos as 'vile'.<sup>57</sup> He identified the two new MPs, Sir John Hartopp and Sir Henry Beaumont, as 'honest' but was 'doubtful' about Lord Sherard. He again noted Grey as 'worthy', however with less enthusiasm than before. His confidence proved justified for in May 1679 Grey, Sir John Hartopp and Sherard all supported the bill to exclude the duke of York from the succession.<sup>58</sup> The fourth member, Sir Henry Beaumont, was less committed to the opposition: he pressed for Danby's impeachment but was absent when the vote was taken on the

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<sup>56</sup> *Ibid.*, ff.45-8.

<sup>57</sup> J. R. Jones, 'Shaftesbury's 'Worthy Men': a Whig view of the Parliament of 1679', *B.I.H.R.* 30 (1957), 232-241. Both Roos and Hartopp appear in this list, thus reinforcing Jones' opinion that this was a working document.

<sup>58</sup> A. Browning and D.J. Milne, 'An Exclusion Division List', *B.I.H.R.* 23 (1950), 205-225; K. Feiling, *History of the First Tory Party, 1640-1714*, (Oxford, 1924), pp.494-5; Jones, *First Whigs*, pp.71-3.

exclusion bill. As those politicians in opposition became more extreme, so he appears to have moved closer to the court.<sup>59</sup>

## V

The government was at a disadvantage in the first election of 1679 for the mood across the country favoured the opposition and the court had limited resources at its disposal to promote loyal candidates. As a result the opposition emerged even stronger and the new parliament was even more volatile than the last.<sup>60</sup> It sat for only two months before it was prorogued and then finally dissolved in July. Charles II then called for elections in August 1679 for a fresh parliament.<sup>61</sup> In both the county and the borough, this second election appears to have passed without incident. The four sitting MPs, Lord Sherard and Sir John Hartopp in the county and Hon. John Grey and Sir Henry Beaumont, were re-elected without competition. However in common with their fellow MPs they had to wait over a year before the summons to Westminster during which time opposition leaders led a vigorous campaign country-wide demanding that parliament should meet. This took the form of a petitioning campaign, which in turn provoked a reaction from those who were becoming increasingly suspicious of the tactics and objectives of the opposition. Charles II was able to take advantage of this shift in opinion in the country, first to dismiss those opposition politicians whom he had been forced by circumstances to take into his administration earlier in the year and secondly to purge the county commissions of the peace of anyone associated with the opposition.

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<sup>59</sup> *H.o.P. 1660-90*, 1.613, 'Sir Henry Beaumont'.

<sup>60</sup> Jones, *First Whigs*, pp.48-9.

<sup>61</sup> *Ibid.*, pp.86-7 and 92-106.

## VI

At some point between 1678 and 1679 Huntingdon made a radical decision: he turned his back on the court and gave his wholehearted support to the opposition.<sup>62</sup> It is not clear what prompted this move, although failure to secure the lord lieutenancy may have been a contributory factor. In late November 1679 reports were circulating that a group of eight lords, including Shaftesbury and Huntingdon, had met at the Swan in Fish Street on the 26 November to form a club to ‘associate for ends and purposes of public good’.<sup>63</sup> This took place at a time of considerable political tension: Charles II was continuing to prevaricate over the convening of parliament and had begun the process of clearing prominent opponents of the court out of his administration with the dismissal of Shaftesbury from the lord presidency and the council on 15 October.<sup>64</sup> Anti-catholic hysteria was re-ignited by the revelation that the Meal-tub Plot was a papist fabrication, which was openly displayed in two massive demonstrations in London, first on 17 November (the celebration of Queen Elizabeth’s birthday) and secondly in the spontaneous welcome accorded to the duke of Monmouth on his defiant return from exile eleven days later, whose cause Huntingdon was now openly supporting.<sup>65</sup> Out of the meeting at the Swan came a plan to launch a mass petitioning movement to put pressure on the king to convene parliament on the 26 January 1680.

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<sup>62</sup> Haley, ‘Shaftesbury’s List 1676-8’, 92.

<sup>63</sup> *C.S.P.D. 1679-80*, pp.295-6, Newsletter from London; *H.M.C. Ormonde.*, IV.561, 25 Nov. 1679, Southwell to Ormonde; K. H. D. Haley, *The First Earl of Shaftesbury* (Oxford, 1968), p.557; also see above, pp.16-21.

<sup>64</sup> Jones, *First Whigs*, pp.107-9.

<sup>65</sup> R. W. Blencowe (ed.), *Diary of the Times of Charles II by the Honourable Henry Sidney* (1843), 1. 194-5; Jones, *First Whigs*, pp.109-115.

On 7 December 1679, Huntingdon led a delegation of nine peers to present a petition to Charles II asking him to call parliament at the appointed time ‘... that the minds of your Majesty’s subjects may be settled and their fears removed’.<sup>66</sup> This action, coming shortly after a notorious incident at the Mayor’s Dinner, where Huntingdon had openly cast aspersions on the duke of York’s Catholicism, together with his record of opposition in the Lords where he was prominent in protests against the government, inevitably caused offence.<sup>67</sup> Charles II was reported to have received the delegation with great coldness. Accused of being involved in treasonable correspondence with Monmouth, Huntingdon was banished from the court and stripped of all his offices except that of High Steward of Leicester.<sup>68</sup>

This disgrace did not deter Huntingdon from continuing to oppose the government. In a draft speech that is preserved in his political papers, which dates from November 1680 when the Lords were debating the Exclusion Bill, the earl argued in favour of exclusion: an indication how far he had travelled since 1678 when he had opposed further restrictions on the civil liberties of Catholics.<sup>69</sup> Later in the month he was one of the Lords who protested against the

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<sup>66</sup> *H.M.C., Reports on the Manuscripts of the late Reginald Rawdon Hastings Esq.* 4 vols. (1928-47), IV.302, 6 Dec. 1679, Draft Address; *H.M.C. Ormonde*, IV. 566, 25 Nov. and 9 Dec. 1679; D.W.L, Ms 31.P, Roger Morrice’s *Ent’ring Book*, pp.244-5; *The True Domestic Intelligence*, no. 45, 9 Dec. 1679; Haley, *Shaftsbury*, pp 559-61; Lacey, *Dissent and Parliamentary Politics*, pp.135-6; M Knights, *Politics and Opinion in Crisis, 1678-81* (Cambridge, 1994), pp.227-9 (and n.15).

<sup>67</sup> *Correspondence of the Family of Hatton*, Camden Society (1878), XXIII.207-11, 11 Dec 1679, Charles Hatton to Lord Hatton; N. Luttrell, *A Brief Relation of State Affairs*, (1857 edn.), 1. 29, Dec. 1679; J. E. T. Rogers, *A Complete Collection of the Protests of the Lords* (London 1875), 1. 61 and also 64 and 65.

<sup>68</sup> *Oxf. D.N.B.*, XV.780-1, ‘Hastings, Theophilus, 7<sup>th</sup> earl of Huntingdon (1650-1701)’.

<sup>69</sup> *H.M.C. Hastings*, IV.296-7 and IV.302-307; Jones, *First Whigs*, pp.140-3; Bodleian, *Carte MSS.* 77, ff.649-51, quoted by E. S. de Beer, ‘The House of Lords in the Parliament of 1680’, *B.I.H.R.* 20 (1943-5), 31-7.

rejection of the Exclusion Bill.<sup>70</sup> He offended the earl of Clarendon during the 1681 campaign when he and Shaftesbury had attempted to unseat the sitting candidates in the Christchurch election.<sup>71</sup> Clarendon was furious that they were interfering in his borough by campaigning against two MPs who had shown 'good intentions to the Church and State'. Huntingdon was also one of sixteen signatories to a petition protesting about the removal of the new parliament to Oxford.<sup>72</sup> Subsequently an informer accused him of plotting with Shaftesbury to prevent the king from dissolving parliament.<sup>73</sup> His action shows that Huntingdon was a determined critic of the government but his contribution should be seen in context. Although he was both committed and active in his opposition to the government he was a follower rather than a leader. His subsequent recantation suggests that his association with Shaftesbury owed more to opportunism than conviction.<sup>74</sup>

## VII

It would appear from his correspondence that Huntingdon's involvement in national politics left him little time to pay attention to local matters. Given his involvement in the national campaign, he may have encouraged the corporation to prepare a draft petition, filed in the *Hall Papers*, requesting the king to convene parliament on 26 January 1680:-

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<sup>70</sup> *L.J.* XIII.666.

<sup>71</sup> Jones, *First Whigs*, p.165; Clarendon Correspondence. 1.182, quoted in *H.o.P. 1660-90*, I.247-9, 'Christchurch'.

<sup>72</sup> E.E.B.O. [Wing V725- (10)], 13 Apr. 1681, *Vox Patriae*, pp.4-6, Petition requesting Parliament's return to Westminster. [http://gateway.proquest.com/openurl?ctx\\_ver=Z39.88-2003&res\\_id=xri:eebo&rft\\_id=xri:eebo:image:51840:5](http://gateway.proquest.com/openurl?ctx_ver=Z39.88-2003&res_id=xri:eebo&rft_id=xri:eebo:image:51840:5)

<sup>73</sup> *C.S.P.D. 1680-1*, p.666, Blood to York.

<sup>74</sup> In the notes he prepared for an autobiography, the earl glided over this period in his life, *H.M.C. Hastings*, IV.353.

In order to try those responsible for the most damnable and hellish plot...against your majesties most sacred person, the Protestant religion and the well established [peace] of this your realm' and 'do most humbly pray that the Parliament which is prorogued until the 26 day [defaced] may then sit to try the offenders and to redress all our most pressing grievances no otherwise to be addressed.<sup>75</sup>

The draft is not dated but the reference to the date of prorogation suggests it was drawn up towards the end of 1679, when the petitioning campaign was at its height.<sup>76</sup> The draft indicates that it came from 'subjects in the County of Leicester whose names are signed' but no names are given. Apart from this brief attribution there is nothing to indicate the document's provenance or what happened to it subsequently. The corporation would have been aware that Charles II disliked the petitioning campaign for a copy of the royal proclamation of 12 December 1679, which blamed petitioning for 'promot[ing] discontents among the people', was kept with the records.<sup>77</sup> While it is possible that Huntingdon may have had a hand in promoting this petition, there is no concrete evidence that either he or the earl of Stamford or the borough MPs were directly involved.

A clearer example of his intervention in local matters comes from the 1681 election. It is better documented than the first but raises as many questions as answers. The *History of Parliament* has no reference to any other candidates

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<sup>75</sup> R.O.L.L.R., BR/II/18/34, *Hall Papers*, ff.212 and 213, *n/d*, Petition to the king (two copies); Knights, *Politics and Opinion*, p.233.

<sup>76</sup> Jones, *First Whigs*, pp.115-20; Knights, *Politics and Opinion*, pp.227-242.

<sup>77</sup> R.O.L.L.R., *Hall Papers*, BR/ II/18/34, f.174, 12 Dec. 1679, Proclamation.

putting themselves forward for the borough election in 1681 but on 12 February Huntingdon wrote to Gery informing him that Sir Edward Abney intended to stand.<sup>78</sup> He commended him as a worthy candidate, asked Gery to do what he could to rustle up support and sent £5 towards Abney's expenses. The earl and Sir Edward probably discussed the plan in London but they might well have known each other through family connections in Leicestershire, because Abney's family home was at Willesley, close to Ashby. As a younger son Sir Edward had begun to carve out an academic career in Cambridge, before moving to London. Since 1670 he had held a lucrative post as one of the six clerks in chancery and for his service received a knighthood in 1673.<sup>79</sup> The *History of Parliament* described him as a Presbyterian and there is evidence in the 1685 election that he attracted considerable support from the Dissenting interest in the county but was this the reason why Abney decided to stand for the borough in 1681? It is not clear how vigorously Abney pursued his candidature but three weeks later Huntingdon said how much Sir Edward had appreciated Dr. Gery's support. The earl praised Abney 'as a person of as fair a character and ingenious principles in relation to the government as you would desire.'<sup>80</sup> His comment suggests the earl thought Abney might prove to be a more reliable MP than Sir Henry Beaumont, who had been absent when the vote was taken on the Exclusion Bill in November.

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<sup>78</sup> H.L.C. *Hastings*, m/f.12, HA 5986, 12 Feb. 1681, Huntingdon to Gery.

<sup>79</sup> E. Cruickshanks, S. N. Handley and D. W. Hayton (eds.), *History of Parliament: House of Commons, 1690-1715* 5 vols. (Cambridge, 2002), III.5-6, 'Sir Edward Abney'; see also III.6-8, 'Sir Thomas Abney', younger brother of Sir Edward, a successful London merchant, prominent member of the Silver Street congregation in the city.

<sup>80</sup> H.L.C. *Hastings*, m/f.12, HA 5986 and 5988, 12 Feb., 24 Feb. and 9 Mar. 1681, Huntingdon to Gery.

## VIII

In the first six weeks of 1680 the government carried out a review of the commissions of peace, which appears to have had three objectives.<sup>81</sup> The first was to weed out those who, in Luttrell's words, 'had been for petitioning, or opposed to the duke of York's succession or the court interest and many clergy brought in'.<sup>82</sup> This was the case in Leicestershire, where the earls of Huntingdon, Stamford and Buckingham were left out of the commission in February and the Hon. John Grey was removed in May.<sup>83</sup> The earl of Lindsey was quite clear what he and other loyalists wanted this purge to achieve, 'If some justices were removed, this county [Lincolnshire] would be absolutely at the king's command and the royal party might once more hope to carry elections.'<sup>84</sup> Annotations on the *Liber Pacis* lists of November 1680 suggest that a second objective was to remove justices who were no longer resident in the county, those with small estates and anyone heavily in debt, though, as Glassey has pointed out, such descriptions might well be an excuse for a political motive.<sup>85</sup> The removal of Sir William Halford, Thomas Pochin, William Skeffington and William Hartopp from the Leicestershire commission in March and further changes over the next three years gives the impression that the government intended that the magistracy should consist only of those with a substantial stake in the community, whose loyalty was beyond question.<sup>86</sup> The third objective was to include men who could

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<sup>81</sup> L. J. K. Glassey, *Politics and the Appointment of the Justices of the Peace, 1675-1720* (Oxford, 1979), pp.45-54; N. Landau, *The Justices of the Peace 1679-1760* (1984), pp.73-8; Blencowe, *Diary by Henry Sidney*, I.253, quoted by Knights, *Politics and Opinion*, pp.260-1.

<sup>82</sup> Luttrell, *Brief Relation*, 1. 37, 26 Mar. 1680; *H.M.C. Ormonde*, IV.574, 13 Jan. 1680, Southwell to Ormonde.

<sup>83</sup> H.L.R.O. *Main Papers*, 274, 9/22 Nov. 1680, Commissions of the Peace: Leicester [shire].

<sup>84</sup> *C.S.P.D. 1682*, pp.137-8, 24 Mar. 1682, Lindsey to Jenkins; C. Holmes, *Seventeenth-Century Lincolnshire* (Lincoln, 1980), pp.245-7.

<sup>85</sup> P.R.O. C193/12/4, 18 Nov. 1680, Alterations to Commission for the Peace.

<sup>86</sup> See below, Table 1, pp.411-17.

be relied on to support the government. This was probably explains the addition of Geoffrey Palmer, Andrew Noel, Thomas Boothby and Roger Rooe in May 1680. Leicestershire's experience certainly supports Glassey's view that the government wanted to secure 'a preponderance of magistrates sympathetic towards the court' in each county.<sup>87</sup> Solid, dependable and safe seems to sum up the quality of those who served on the county benches in the last years of Charles II's reign.

## IX

When parliament eventually met on 21 October 1680 it proved as intransigent as Charles II had anticipated. Within three months he had dissolved it (18 January 1681) and immediately issued writs for new elections.<sup>88</sup> By this stage Charles II was winning back the initiative as more of the monarchy's natural supporters rallied to the crown, anxious about the opposition's tactics.<sup>89</sup> In Leicestershire, the sitting MPs were re-elected for the third time in both the county and the borough.<sup>90</sup> There is very little documentary evidence to show what opposition the candidates faced, but *Smith's Protestant Intelligence* reported an incident in Market Harborough, which suggests that the county campaign was not free from partisan conflict. It was reported that a neighbour of Sir John, who objected to his political views, nearly killed him in Market Harborough 'by discharging a pistol with a brace of bullets... which missed his head very narrowly, swearing that all Phanaticks should be sent to the Devil with

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<sup>87</sup> Glassey, *Appointment of Justices*, p.52.

<sup>88</sup> Jones, *First Whigs*, pp.159-73.

<sup>89</sup> Harris, *Politics under the Later Stuarts*, pp.106-108.

<sup>90</sup> *H.o.P. 1660-90*, I.294-8, 'Leicestershire'. In the summer of 1680, Huntingdon asked Gery to check whether a report was true that Sherrard and Sir John Hartopp had agreed to stand together in the event of a new election, H.L.C. *Hastings*, m/f.12, HA5977, 27 May 1680, Huntingdon to Gery.

bullets ere long.’<sup>91</sup> While a single example cannot be used to prove widespread division, it is nevertheless a useful corrective to the view that Hartopp and Sherard’s re-election passed off without opposition.<sup>92</sup>

In advance of the election Lord Sherard and Sir John Hartopp were presented with an address signed by ‘the freeholders of Leicestershire’, commending the two MPs for their zeal in the last two parliaments in standing up for the defence of Protestantism and liberty. The freeholders urged their representatives to support the exclusion of the duke of York and to fight to secure the frequent sitting of parliament.<sup>93</sup> This was one of a number of similar addresses that were published country wide, which arose from concerns about the sudden dissolution in January. Apart from their value as propaganda, these addresses were also used to secure candidates’ commitment to policies in advance of the parliamentary session.<sup>94</sup> Such addresses, reprinted in certain newspapers and published as *Vox Patriae*, led to a fierce counter-attack by loyalists, who accused their authors of setting ‘rules to King, Lords and Commons what bills to prepare and offer, and what to pass’.<sup>95</sup> As a precautionary measure, Charles II decided to hold parliament in Oxford and, to the anger of the opposition, dissolved it within the week.

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<sup>91</sup> *Smith’s Protestant Intelligence*, no. 12, 7-10 Mar. 1680/1; Knights, *Politics and Opinion*, p.288.

<sup>92</sup> *H.o.P.1660-90*, I.295.

<sup>93</sup> E.E.B.O. [Wing 522:10] *Vox Patriae*, 24 Feb. 1681 pp.13-4.

[http://gateway.proquest.com/openurl?ctx\\_ver=Z39.882003&res\\_id=xri:eebo&rft\\_id=xri:eebo:image:51840:8](http://gateway.proquest.com/openurl?ctx_ver=Z39.882003&res_id=xri:eebo&rft_id=xri:eebo:image:51840:8)

<sup>94</sup> Knights, *Politics and Opinion*, pp.294-99.

<sup>95</sup> *Ibid.*, p.308, quoting from L’Estrange’s *Observer*, no. 41, 10 August 1681.

X

Three weeks later, Charles II set out the reasons for his decision in a Declaration, which the clergy were instructed to read out in church.<sup>96</sup> Deliberate efforts had been made to tone down earlier drafts, in order to win the support of moderates.<sup>97</sup> It prompted a flurry of loyal addresses from across the country, congratulating Charles II on his action and, with the notable exception of London, very little sign of hostility.<sup>98</sup> Two of these, representing divergent views, came from Leicestershire. The first, dated 31 May 1681, was from the nobility, gentry and freeholders at the General Sessions at Leicester Castle and praised the king for his ‘royal wisdom and resolution to obstruct and defeat the designs of those persons [who] have endeavoured by strange artifices to invade the rights of the crown, the liberties of the subjects and the constitution of the Church of England as it is now established in law’.<sup>99</sup> Its authors, by signing it ‘on behalf of the Justices and Grand Jury, nobility, clergy and freeholders of Leicestershire’, intended to convey the impression that this Address represented the views of men of quality and estate. It was also claimed that 1600 had signed the Address, which would have represented the equivalent to approximately half the electorate. The second was quite different in both purpose and tone. Luttrell recorded that in July ‘A petition from the county of Leicestershire, signed by several thousands of hands, was presented to his Majesty on the 15<sup>th</sup> [of July],

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<sup>96</sup> Luttrell, *Brief Relation*, 1. 73, 8 Apr and p.77, 17 Apr 1681.

<sup>97</sup> Knights, *Politics and Opinion*, pp.316-24.

<sup>98</sup> *Ibid.*, pp.325-6.

<sup>99</sup> E.E.B.O. [Wing V711], *Vox Angliae or ‘The Voice of the Kingdom’* 1682 p.21, Address from Leicestershire, 31 May 1681.

[http://gateway.proquest.com/openurl?ctx\\_ver=Z39.882003&res\\_id=xri:eebo&rft\\_id=xri:eebo:image:187077:13](http://gateway.proquest.com/openurl?ctx_ver=Z39.882003&res_id=xri:eebo&rft_id=xri:eebo:image:187077:13)

desiring him speedily to call a Parliament.’<sup>100</sup> It is highly likely that, in both documents, the number of subscribers was exaggerated but these petitions provide further confirmation of the existence of competing forces in the county trying to get their political views heard at the centre and in the process mobilising local support.

There is also evidence of petitioning activity in the borough. At the end of May and into June 1681 the corporation records contain several references to the preparation, approval, sealing and dispatch of an address to be presented to the king (also referred to as abhorrence).<sup>101</sup> There is no indication of its contents but on 11 June Luttrell named Leicester as one of the boroughs that had sent an address thanking the king for his Declaration.<sup>102</sup> There is also an undated paper recording the voting on the ‘Abhorrence’ showing 30 in favour and four against.<sup>103</sup> If it were correct to link this record with the 1681 Abhorrence (see footnote below), it would appear that a majority of members considered it important to show their loyalty to the crown. Cruickshanks and Henning claimed that its preparation is evidence of a tory majority but there may be a more pragmatic explanation.<sup>104</sup> Shortly before it was drawn up the corporation was waiting on a response to its reply to a government enquiry to establish whether it had correctly enforced the requirements of the 1661 Corporation Act. It was therefore in the corporation’s interest to appear loyal. Despite this, a small number voted against the proposal and others may have abstained. The document

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<sup>100</sup> Luttrell, *Brief Relation*, 1.110.

<sup>101</sup> R.O.L.L.R., *Hall Papers*, BR/ II/18/35 f.20, 23 May 1681, Minutes of Common Hall; Stocks, *R.B.L.* IV.558-9, Chamberlains’ Accounts 1681-2, recording various payments related to the address.

<sup>102</sup> Luttrell, *Brief Relation*, 1.97 and 103, 11 & 25 June 1681.

<sup>103</sup> R.O.L.L.R., *Hall Papers*, BR/ II/18/35 f.61, *n/d.*, Voting Papers. The R.O.L.L.R. index tentatively assigns this to 1682 but it is more likely to relate to the 1681 abhorrence.

<sup>104</sup> *H.o.P.* 1660-90, I.297, ‘Leicester’.

does not record names, so it is impossible to do more than speculate about which members rejected this proposal and why.

In the three county elections of 1679-81 the 'fanatical party' had been strong enough to challenge the 'Church and King' party for a share in the electoral spoils but by the early 1680s loyalists in the county were beginning to fight back with help from the clergy. Loyalists listening to Nicholas Alsop's uncompromising sermon at the Leicester Assizes in 1682 would have approved his condemnation of those who had challenged royal authority and tried 'by a most fulsome Flattery of the People to insinuate in them an Opinion that all Sovereignty and Power, all honour and Authority, as to the first Ownership is theirs'.<sup>105</sup> His call for 'perfect loyalty, unstinting obedience and non-resistance to royal will' may have relied heavily on Filmer but it also chimed in with the political convictions of some of his listeners. In another sermon in the same year, Thomas Ashendon would have been aware that certain members of his congregation strongly supported his analysis that 'our present divisions, and our manifold menacing mischiefs we may chiefly date from the late Toleration'.<sup>106</sup> But there were others in the county who held very different views, such as the 'schismatic and disaffected party in these parts' whom an informer reported gathering at William Palmer's house at Wanlip and the men in the borough whose support the earl of Stamford canvassed in the autumn of 1683.<sup>107</sup>

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<sup>105</sup> J. H. Pruett, *The Parish Clergy under the Later Stuarts*, (Chicago, 1978), pp.156 and 170 (Nicholas Alsop was vicar of Carlton Curliou in Leicestershire).

<sup>106</sup> Thomas Ashendon's sermon to Leicester assizes in 1682 (vicar of Dingley in Northamptonshire), quoted by Harris, *Politics under the Later Stuarts*, p.123.

<sup>107</sup> *C.S.P.D. 1683-4*, pp.50-1, 22 Oct. 1683, Stephens to Jevon, for further information, see below, pp.165 and 170.

## XI

By the autumn of 1681 Huntingdon had begun to regret his association with the opposition and decided the time had come to change tack. It is not clear whether he did so because he saw the approaching danger or whether he had come to a more realistic assessment about where his own best interests lay. On 21 October, he took the decisive step by placing himself at the king's mercy, repenting his misdemeanours, pleading forgiveness and promising future fidelity.<sup>108</sup> Charles II responded positively, allowing the earl to kiss his hand. Later Huntingdon wrote with pride that 'from that time [I] had access to him on all occasions.'<sup>109</sup> His aunt and mentor, Bridget Croft, was relieved to hear that her godson had detached himself from Shaftesbury. Later in 1683, after the revelation of the Rye House Plot she returned to this theme, when she reminded him, 'had you gone on longer with the party ... you might be as deeply in it ... God of his infinite mercy preserve you still in the right way'.<sup>110</sup>

The way Huntingdon treated his former associates demonstrated the extent of his *volte-face*. A report in the *Intelligence* on 25 October 1681 alleged that the earl had said 'he found by experience that they who promoted the Exclusion Bill were for the subversion of Monarchy itself'. The duke of Monmouth, Lord Grey and Lord Herbert were quick to disassociate themselves from this monstrous allegation, although Huntingdon denied making any such statement. He was forced eventually to publish a public denial and took his

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<sup>108</sup> *H.M.C. Ormonde*, 1(pt.1).204, 18 Oct. 1681, Longford to Ormonde; Luttrell, *Brief Relation*, 1.38.

<sup>109</sup> *H.M.C. Hastings*, IV.353.

<sup>110</sup> *H.L.C. Hastings*, m/f.12, HA1782, n/d, Croft to Huntingdon. In the m/f., it is placed at end of 1682. Bridget Crofts' reference to the 'horrid plot' suggests her letter dates from the latter half of 1683. See also, *ibid.*, HA7637, 20 Oct. 1681, Anne Jaquis to Huntingdon.

complaint against the printer to the lords in council.<sup>111</sup> Another instance concerned Shaftesbury, who was facing charges of treason in the autumn of 1681. He appealed to Huntingdon to appear before the grand jury ‘to give countenance to the defence and the jury’. The earl had already performed this task on behalf of Stephen College but on this occasion excused himself on grounds of ill-health. Huntingdon thus signalled that the break was complete.<sup>112</sup>

After his submission, Huntingdon worked hard to cultivate contacts at court. Bridget Croft had heard from a friend ‘...that you apply yourself very much to my Lord Marquis Halifax by which expression I fancy they think you desire some court advantage by it’. While she thought her godson could not but ‘be a gainer from such conversation’, she warned him not to expect too much from his lordship he ‘having three sons of his own and a son-in-law and other near friends.’ She feared if he pressed too far ‘it will lessen rather than gain you an esteem from him’. She was also concerned to hear rumours that you live ‘very low and unhandsome’. She told him he should be able to live well enough on an outlay of £1000 p.a., including wages, and still have sufficient to reduce his debts.<sup>113</sup> His diligence at court began to bring rewards. He informed John Gery on 18 November that he would shortly be nominated *custos rotulorum* in a new commission, which was about to be issued.<sup>114</sup> In June 1682 he was appointed captain of the band of gentleman pensioners (for which he paid £4500), not in

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<sup>111</sup> *H.M.C. Ormonde*, I.pt.I.215, 22 Oct. 1681, Arran to Ormonde and 217, Longford to Ormonde; *C.S.P.D. 1680-1*, pp.545-6, 2 Nov. 1681, Declaration by Monmouth, Grey and Herbert and p.571, 19 Nov. 1681, Newsletter to Roger Garstell; *H.M.C. Hastings*, p.173, 7 Nov. 1681, Huntingdon’s Advertisement

<sup>112</sup> Jones, *First Whigs*, p.190, quoting from *Shaftesbury Papers*, VI B 400, Huntingdon to Stringer.

<sup>113</sup> H.L.C. *Hastings*, m/f.12, HA1782, n/d., for the date of this letter, see above, p.158 n.110.

<sup>114</sup> H.L.C. *Hastings*, m/f.12, HA6000-1, 10 and 18 Nov. 1681.

itself a significant political post but a useful vehicle of patronage and one that advertised his favour at court.<sup>115</sup> On 28 February 1683 he was sworn into the privy council.<sup>116</sup> Over the next nine years more rewards in the form of both national and local offices came his way, which further served to enhance his reputation.

## XII

Some of the principal features of Leicestershire politics have been identified in this chapter, competition between the leading aristocrats for political influence, the existence of a significant division in the electorate in both the county and the borough and a determined effort by the borough corporation to limit external interference in its political affairs. Although competition for office, influence and patronage was commonplace in those counties where more than one leading aristocratic family was looking for a share in the spoils, what is significant about Leicestershire's experience at this time was the reluctance and inability of the three earls to engage with politics in a way that would promote their interests, thus leaving a potential vacuum in local leadership. Huntingdon was the most active of the three but the way he mishandled the 1677 by-election and his decision to throw in his lot with Shaftesbury suggests a degree of political naivety. Sir John Hartopp and Sir Edward Abney's participation in the elections and the addresses and petitions that originated from the county may be cited as evidence of external influences but such initiatives would have had limited impact had the local environment not been sympathetic to partisan

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<sup>115</sup> H.L.C. Hastings, m/f.12, HA1370, 26 June 1682, Charles II to Huntingdon [G. E. C. (ed.), *Complete Peerage* gives the date as Feb. 1683]. Huntingdon was confirmed in this post after James II's accession, see *C.S.P.D. Feb. Dec. 1685*, 21 Feb 1685, p.35.

<sup>116</sup> *H.M.C. Hastings*, II.173, 28 Feb. 1683; G. E. C. (ed.), *Complete Peerage*, VI.659-60.

politics. There is conclusive evidence that significant divisions already existed in both the county and the borough. Huntingdon was rebuffed in his clumsy effort to influence the by-election in the borough but, once he had regained a reputation at court, he sought to re-assert his authority over the corporation: how he did this will be described in the next chapter. The first signs that the king was beginning to win back the initiative became apparent in the county when those known for their opposition were left out of the commission of the peace in May 1680. The government wanted to ensure that the administration of justice and the supervision of local officials were firmly in the hands of men on whose loyalty it could depend.

## **Chapter 4: Leicestershire governors, the borough charter and the 1685 election**

This chapter covers the first half of the 1680s when Charles II and his brother were attempting to reassert royal authority after the crisis of 1678-81. It starts with a social and political profile of those who were occupying positions of authority in the county and the borough at this time and provides some examples to show how these officials responded to their responsibilities. Among the measures taken by the government to weaken the opposition was to carry out a major revision of borough charters. The earl of Huntingdon took advantage of this process to strengthen his personal influence in Leicester. The revision of the Leicester charter is described in detail in the second part of this chapter. The chapter concludes with an account of the parliamentary elections of 1685, which followed James II's accession, and the local reaction to Monmouth's rebellion.

### Part 1: Local governors in the county and the borough in the early 1680s

#### I

In 1684 Huntingdon asked William Browne to supply him with a list of those currently serving on Leicestershire's commission of the peace.<sup>1</sup> It contained 70 names.<sup>2</sup> Thirty-six of these were honorary justices, (six of whom

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<sup>1</sup> H.L.C., *The Hastings Collection of MSS. on microfilm* (1986), m/f.13, HA1078, 16 Aug. 1684, Browne's list, copied from commission issued on 12 Jan. 1684. Huntingdon had appointed Browne deputy clerk to the peace, H.L.C., *Hastings*, m/f.12, HA7730, 24 Mar. 1683, Jacquis to Gery; see below, p.168.

<sup>2</sup> See below, Table 1, pp.411-17.

were closely associated with the county<sup>3</sup>) and 34 were working justices, a reduction of seven from the number serving in 1680.<sup>4</sup> Those named were drawn from some of the most eminent gentry families in the county, men such as Sir Henry Beaumont, Sir Beaumont Dixie, Sir Richard Verney, Thomas Babington, Richard Lister, William Boothby, Roland Browne, Thomas Caldecotte, William Cole, John de la Fontaine, Edward Hudson, Geoffrey Palmer, Roger Rooe, Roger Smyth and Christopher Packe. With the exception of the unique circumstances of 1688, most of these men or their heirs continued to serve as justices to the end of the century and beyond. There were further changes during the next two years. Sir Thomas Heselrige, John Verney (son of Sir Richard) and Dr John Gery, were brought in to replace three justices, who had died since the 1684 commission and three others, identified in 1680 as ‘men of small estates’, were left off.<sup>5</sup> The government wanted only to appoint justices, who were substantial landowners and whose loyalty to Church and King was assured. A similar preference is reflected in the appointment of the deputy lieutenants and other commissioned officers in the militia.<sup>6</sup>

Further evidence of a partisan bias in the selection of justices comes from comparing the 1684 county commission with that issued during the first year of William III’s reign.<sup>7</sup> With 49 working justices, the 1689 commission was substantially larger than that of 1684. It was also politically more inclusive.

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<sup>3</sup> The earls of Rutland, Huntingdon (now restored to the commission) and Denbigh, viscount Swords and lords Ferrers and Sherard.

<sup>4</sup> The term ‘working justices’ is used in this study to describe all those of the rank of baronet and below, who were not ‘honorary justices’.

<sup>5</sup> P.R.O. C193/12/5 *Liber Pacis*, c 10 Oct. 1685 ‘Commission of the Peace for Leicestershire’; T. G. Barnes and A. H. Hassell Smith, ‘Justices of the Peace from 1558 to 1688; a revised list of sources’ *B.I.H.R.*, 32 (1959), 221-242.

<sup>6</sup> See below, Table 2, pp.418-24.

<sup>7</sup> See below, Table 1, pp.411-17.

While twenty-five of those nominated in 1689 had served as justices during the 1680s, the other 24 were new and represented a wider political spectrum.<sup>8</sup> It could be argued that William's government was simply broadening the social net from which justices were drawn but there is no reason to believe that these new members were greatly inferior in substance or in status to those who served in 1684. Like their colleagues of 1684, many continued to serve throughout William's reign and beyond. The fact that they were overlooked in the early 1680s leaves open the distinct possibility that whoever was influencing the selection, at the centre or from within the county, was deliberately ignoring men whose commitment to 'Church and King' was at best lukewarm or who were identified as supporters of 'the fanatics'.

It is difficult to ascertain from the surviving evidence what part local influence had in the selection of these justices. During the privy council's countrywide review in April 1680, Rutland, as lord lieutenant, was asked for his comments.<sup>9</sup> There is no indication that he pressed for a wider political representation, though he probably welcomed the dismissals of Huntingdon and Stamford. It is not clear if Denbigh was consulted as *custos rotulorum* but he was likely to be very sympathetic to what Charles II was trying to achieve, as was the reformed Huntingdon when he replaced Denbigh in November 1681. It seems therefore that the senior local officials were broadly supportive of the selection of justices.

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<sup>8</sup> See below, 256-8, for further comment on the 1689 commission.

<sup>9</sup> *H.M.C. Rutland*, II.54, 13 Apr. 1680, Sunderland to lords lieutenant.

The earliest sessions rolls date from 1714, so it is not possible to examine the formal business that engaged the attention of the Leicestershire bench in the early 1680s. However anecdotal information suggests that local officials were active in pursuing people whom they and the government regarded as a threat to public security. In October 1683 an informer, Tyr Stephens, sent a report to Secretary of State Jenkins via Edward Jevon on, 'a more than ordinary flocking together of the schismatic and disaffected party in these parts and more especially at Mr. Palmer's house in Oneleap [Wanlip], whose principles you are not ignorant of'.<sup>10</sup> In addition to visitors from Derbyshire and Shropshire, Stephens identified Clarke, formerly from Little Bowden near Market Harborough and Jennings, chaplain both to Mr. Pheasant and to Mr. Hubbard at Rearsby. In his opinion, 'Palmer's house is now the receptacle for all the disaffected in these parts, and its situation and privacy make in more convenient for the ill purposes they meet about'. He recommended that the lord lieutenant or one of his deputies should investigate further. In November 1683 Richard Roberts reported to Huntingdon on a search carried out by John Hackett on the house of Mrs. Pheasant at West Langton, where he found a letter in a closet, dated 19 May 1683, addressed to Matthew Clark at Little Bowden, whom he describes as a Nonconformist minister.<sup>11</sup> The letter reflects the fear of further persecution in the Dissenting community, following the failure of the appeal

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<sup>10</sup> *C.S.P.D. Oct.1683-Apr.1684*, pp.50-1, 22 Oct. 1683, Stephens to Jevon at the Temple. Tyr Stephens was linked to the gang of informers working in London between 1682 and 1686, M. Goldie, 'The Hilton Gang and the purge of London in the 1680s', in H. Nenner (ed.), *Politics and the Imagination in later Stuart Britain* (Rochester, N. Y., 1997).

<sup>11</sup> *Ibid.*, 14 Nov. 1683, Roberts to Huntingdon. Hackett was carrying out the search on instructions of lord lieutenant and deputy lieutenants. This letter was sent to Huntingdon in London via his cousin Henry Halford.

against London's *Quo Warranto*.<sup>12</sup> Three justices, Thomas Lord Beaumont of Coleorton, William Cole of Lutterworth and Richard Lister of Thorpe Arnold near Melton Mowbray, appear to have been particularly strenuous in their pursuit of Dissenters.<sup>13</sup> One contemporary claimed that over 700 'fanatics' were due to be prosecuted at the assizes in June 1680. The figure was probably exaggerated but it is clear that the writer wanted to draw attention to the severity of the campaign.<sup>14</sup> The persecution of Quakers in the county appears to have been particularly brutal, with a prominent role played by an informer, John Smith, from Nottinghamshire, whose strong-arm tactics were notorious.<sup>15</sup> In 1684, according to Besse, 33 Quakers, including children, were in gaol in Leicester on charges relating to absence from worship, refusal to swear and to pay tithes.<sup>16</sup> A number of clergy were also very active in the campaign against Dissenters, often in consort with lay officials. The Rev William Cotton, for example, was closely involved with Justices Cole and Cotton and other lesser officials in 1680-1 in disrupting Quaker meetings in Broughton.<sup>17</sup> In some instances the clergy took the initiative, as in the case of the Rev. Henry Noble of Frolesworth, who ordered the constable to suppress a conventicle in 1682.<sup>18</sup> In the summer of 1682, the *Loyal Impartial Mercury* reported that meetings of Dissenters had been taking place in

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<sup>12</sup> P. J. Halliday, *Dismembering the Body Politic; Partisan Politics 1650-1730* (Cambridge, 1998), pp.204-11.

<sup>13</sup> J. Whiley, *Persecution Exposed* (1725), p.133 refers to Beaumont and Cole; J. Gratton, *A Journal of the Life...of John Gratton* (1720), p.79 refers to Lister; R. H. Evans, 'The Quakers of Leicestershire, 1660-1714', *T.L.A.H.S.* XXVIII (1952), 81-2 (and ns.).

<sup>14</sup> *Newdigate Newsletter*, l.c.942, 1 June 1680, quoted by M. Knights, *Politics and Opinion in Crisis, 1678-81*, p.269.

<sup>15</sup> J. Besse, *A Collection of the Sufferings of the People called Quakers* 2 vols. (1753), 1.337-45; Evans, 'Quakers in Leicestershire', 80-83

<sup>16</sup> Besse, *Sufferings*, I.345.

<sup>17</sup> *Ibid.*, 1.337-9.

<sup>18</sup> J. Nichols, *The History and Antiquities of the County of Leicestershire* 4 vols. [1795-1815] (reduced facsimile edn. 1971) IV.184; J. H. Pruett, *Parish Clergy under the Later Stuarts* (Chicago, 1978), pp.25-7 for further examples of clerical hostility towards Dissenters in the county.

Leicester.<sup>19</sup> The corporation had recorded the names of those involved but, uncertain about the limits of its authority in pursuing forfeitures, the corporation sought the advice of Mr. Holt.<sup>20</sup>

One consequence of this persecution was that the gaols became very overcrowded, especially in Leicester, and, in 1682, the assize judge criticised the magistrates for failing to provide adequate provision. Some gentlemen present suggested that the Newarke gatehouse (one of the few surviving buildings of Leicester castle) had been purchased for use as a county gaol. Rutland was furious when he learnt of this, claiming that the county had paid for it to be used as a magazine. As lord lieutenant he was concerned to protect this usage. In his opinion the people who gave this advice did so ‘on purpose to give me disturbance in that which I think is as useful to the King’s service as that they would put it to’. In the end he must have proved his case because twelve months later he received an indenture confirming the use of the building as a magazine and, in his reply, nominated nine deputy lieutenants as trustees.<sup>21</sup>

Another example that illustrates the attitude of certain local governors was a petition in which seven gentlemen of the county lobbied for the

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<sup>19</sup> *Loyal Impartial Mercury*, 27/30 June 1682, quoted by J. Miller, *Cities Divided: Politics and Religion in English Provincial Towns, 1660-1722* (Oxford, 2007), p.152.

<sup>20</sup> H. Stocks, *Records of the Borough of Leicester*, IV.557, 30 Jan. 1683, Questions answered by Mr. Holt. As a barrister at the King’s Bench (1664-84), John Holt regularly represented urban corporations but he also upheld royal authority during the charter campaign in the 1680s, see H. C. G. Matthew and B. Harrison (eds.), *Oxford Dictionary of National Biography* 60 vols. (Oxford, 2004), XXVII.830-4, ‘Holt, Sir John (1642-1710)’.

<sup>21</sup> Nichols, *Hist. Leics.* II.60-1, n. 8, 7 June 1682 and 18 July 1683, two letters from Lord Roos about the magazine. In the second, Rutland names as trustees: Lords Beaumont, Ferrers and Sherard, Charles Cockayne, John de la Fontaine, Richard Lister, Thomas Boothby, Thomas Babington and Richard Roberts Esqs. When Celia Fiennes passed through Leicester in 1698, she commented that the Newarke gate was still used to store arms and ammunition, C. Morris (ed.), *The Journeys of Celia Fiennes* (1947), p.163.

appointment of William Parker of Kibworth Harcourt as clerk of the peace to fill the vacancy created by the dismissal of Edward Palmer ‘for some displeasure given to the earl of Denbigh.’ They described William Parker as ‘a person very well affected to the government, a true churchman and very capable and fit to execute the said office’.<sup>22</sup> While it can be argued that they chose their words to secure the lord chancellor’s support, the political record of these men, four of whom were justices, suggests that these sentiments reflected their personal political opinions. If Parker was appointed, he served only a short time, for in December 1682 Huntingdon nominated his steward, Gervase Jacquis, as clerk of the peace.<sup>23</sup> He also contemplated offering the deputy clerk’s post to a Leicester lawyer, Lawrence Carter, until Gery advised him about Carter’s reputation for defending Dissenters.<sup>24</sup> Thanking Gery for this warning, Huntingdon stated that he was not prepared ‘to approve anyone who is a fanatic or a [supporter] of them.’<sup>25</sup> Three weeks later he settled on William Browne for this post. Browne had a reputation of being active against conventicles, ‘which as the thing so much desired at Whitehall that nothing can recommend a man more than to prosecute them.’<sup>26</sup>

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<sup>22</sup> *H.M.C. Finch* II.166 n/d but prior to Nov. 1681 when Huntingdon replaced Denbigh as *custos*. Four of the signatories were justices, Sir Richard Roberts, Richard Verney, Geoffrey Palmer, Richard Lister; the other three, were Sir George Villiers, H. Halford, and [Christopher Lord] Hatton. On 30 Aug. 1681, Huntingdon asked Gery if Mr. Palmer was still in post as clerk of the peace, H.L.C., *Hastings*, m/f.12, HA5998.

<sup>23</sup> H.L.C., *Hastings*, m/f.12, HA7729, 8 Jan. 1683, Jacquis to Huntingdon. Sir E. Stephens, *Clerks of the Counties, 1360-1960* (1961), p.115, has no record of any incumbent between Palmer’s dismissal and Jacques’s appointment.

<sup>24</sup> *Ibid.*, HA6015, 13 Jan. 1683, Huntingdon to Gery.

<sup>25</sup> *Ibid.*, HA6016, 25 Jan. 1683, Huntingdon to Gery.

<sup>26</sup> *Ibid.*, HA6017 and HA7730, 15 Feb. 1683, Huntingdon to Gery and 24 Mar. 1683, Jacquis to Gery, referring to Browne’s appointment as clerk of the peace.

## II

The militia was kept busy during this period and anecdotal evidence suggests that that Rutland, as lord lieutenant, was diligent in his duties.<sup>27</sup> On 13 September 1680, for example, he instructed the mayor of Leicester to give notice of a muster on 14 October to those gentlemen responsible for providing foot soldiers and to the petty constables. The letter gave detailed instructions about the men's equipment, pay and preparation.<sup>28</sup> Three days later Marmion Gee sent a similar letter to the mayor, referring to musters in Leicester, Ashby and Melton.<sup>29</sup> A militia order book in the Leicestershire Record Office, used from 1660 to 1695, records the administrative actions that the lord lieutenant and his deputies took to ensure that individuals were clear about their responsibility for providing men, horses and equipment and the steps they took to ensure that the militia received training.<sup>30</sup>

In the summer of 1683, the militia were put on a national alert, following the disclosure of the conspiracy to assassinate the king and his brother on their way back from Newmarket.<sup>31</sup> On 23 June, instructions were sent to the lords lieutenant to call out the militia.<sup>32</sup> Rutland immediately passed on these orders to the deputy lieutenants, who, in turn, called out the troops.<sup>33</sup> As anxiety mounted

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<sup>27</sup> For the national context concerning the militia, see A. Fletcher, *Reform in the Provinces* (Yale 1986), pp.286-348.

<sup>28</sup> R.O.L.L.R., *Hall Papers*, BR/11/18/34, f.219, 13 Sept. 1680, Rutland to the mayor.

<sup>29</sup> *Ibid.*, f.220, 16 Sept. 1680.

<sup>30</sup> R.O. L.L.R. *Militia Order Book, 1667-95*, LM2/1, ff.104-36, copies of 104 orders issued by the deputy lieutenants during 1680-85.

<sup>31</sup> D. Ogg, *England in the reign of Charles II*, 2 vols. (Oxford, 1963) II.640-54; T. Harris, *Restoration: Charles II and his Kingdoms* (2005), pp.309-16.

<sup>32</sup> *H.M.C. Rutland*, II.79, 23 June 1683, Jenkins to Rutland; *C.S.P.D. January-June 1683* p.343, 25 June 1683, Rutland's reply to Jenkins.

<sup>33</sup> *H.M.C. Rutland*, II.79, 26 June 1683, Rutland to Sherard etc.; R.O.L.L.R., LM2/2-5 and 6, 28 June 1683, Rutland to deputy lieutenants; R.O.L.L.R., LM2/1, f.119, *Militia Order Book, 1667-*

about the 'notoriety and universality of the conspiracy', the council sent out further instructions to the lords lieutenant on the 10 July to search the houses of those suspected of being ill-affected towards the government.<sup>34</sup> The order sent to Rutland on 16 July named the earl of Stamford as one of the suspects.<sup>35</sup> Lords Beaumont and Sherard were deputed to carry out the search of Stamford's house. It revealed nothing untoward but Rutland made no attempt to conceal his suspicions. 'It is the opinion of all the Deputy Lieutenants and officers that the ill-affected party [i.e. Stamford] had private notice of it some way or other from London...because several in the county that were well known to be very well provided of arms before, upon the searching of them had very few found in their houses'. Accordingly, Rutland offered to set up a rota of a horse or foot troop on permanent stand-by if needed and promised to be very vigilant in tracking the movements of suspected persons.<sup>36</sup>

It is hardly surprising that Stamford attracted the attention of the authorities, given the way that he behaved from the day he took up his seat in the Lords. Unlike Huntingdon he was unrepentant. He was suspected of stirring up popular unrest in London during the shrievalty election in 1682 and also of complicity in a conspiracy, led by Monmouth and Shaftesbury, to preserve the Protestant succession. It was alleged that he met the two peers in Chichester in February 1683.<sup>37</sup> Stamford denied this but was kept under surveillance, which explains why his house was searched and why there were rumours that a warrant

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1695, 2 July 1683, Two orders from deputy lieutenants summoning (a) Lord Roos's troop to muster at Melton on 9 July, (b) Lord Beaumont's troop at Loughborough on 16 July.

<sup>34</sup> *C.S.P.D. July-Sept. 1683*, p.93, 10 July 1683, Jenkins to lords lieutenant.

<sup>35</sup> *Ibid.*, p.93, 10 July 1683, Warrant to search Stamford's house.

<sup>36</sup> *Ibid.*, p.134, 16 July 1683, Rutland to Jenkins.

<sup>37</sup> *Oxf. D.N.B.*, XXII.878-8, 'Grey, Thomas, second earl of Stamford (1653/4-1720)'.

was out for his arrest.<sup>38</sup> In October 1683 an informer, working in Leicestershire, reported that the earl had attended a meeting of ‘disaffected’ persons in Leicester and was rumoured to be ‘using endeavours to promote one for burgess there that may be serviceable to that interest’.<sup>39</sup> Such was the concern about his behaviour that a year later the corporation deliberated whether or not to send Stamford their customary new year’s present.<sup>40</sup>

### III

In March 1680 every corporation was required to confirm that its members had fulfilled the statutory requirements laid down in the Corporation Act of 1661 and that an accurate account had been kept of all oaths and subscriptions.<sup>41</sup> This letter was the prelude to a sustained campaign to rid the corporations of those Dissenters, who had gained places where the law had been less rigorously enforced.<sup>42</sup> When Rutland asked whether the corporation had complied with the council’s instructions, the mayor was able to report that the recorder had personally delivered the response to the Council and Nathan Wright, who had been appointed recorder after the death of Robert Harding in 1679, reported that it had been well received.<sup>43</sup> John Roberts confirmed that the corporation had complied with the Act in all respects, save in having a copy of

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<sup>38</sup> *H.M.C. Fleming*, p.192, 26 June 1683, Phillipson to Fleming.

<sup>39</sup> *C.S.P.D. Oct.1683-Apr.1684*, pp.50-1, 22 Oct. 1683, Stephens to Jevon.

<sup>40</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.168, 25 Dec. 1684. The proposal was carried 13 to 5.

<sup>41</sup> P.R.O. PC2/68 f.601, 12 Mar. 1680; R.O.L.L.R., *Hall Papers*, BR/II/18/34 f.214, 24 Mar. 1680, Privy council letter about regulating corporations; J. P. Kenyon, *The Stuart Constitution* (Cambridge 1986), pp.351-3 ‘Corporation Act 1661’; also see above, pp.122-3.

<sup>42</sup> Knights, *Politics and Opinion*, pp.261-3; Halliday, *Dismembering the Body Politic*, pp.124-131.

<sup>43</sup> *H.M.C. Rutland*, II.54, 16 Apr. 1680, Lords of the council to Rutland; R.O.L.L.R., *Hall Papers*, BR/II/18/34 f.191, 27 Apr. 1680 (and f.169, n/d), Rutland to the mayor; *ibid.*, f.185, 1 May 1680, Wright to the mayor, and f.192, 8 May 1680, The mayor to Rutland.

the Act available for public scrutiny, and named three former members, Billiers, Warburton and Orton, who had been dismissed in 1665 for refusing to comply with the law.<sup>44</sup> Despite apprehensions about the government's intentions, Roberts could feel confident that the corporation had little to fear, since the ruling group had already taken advantage of the legislation to purge their political opponents.<sup>45</sup>

The extent of their success is demonstrated in the following analysis of the membership of the corporation in 1689. Because few members are recorded in Nichols (a reflection perhaps of their social status?), it is necessary to look elsewhere for this information.<sup>46</sup> Using the brief biographical information recorded by Hartopp in the *Roll of the Mayors of Leicester*, it is possible to build up a profile of 25 members of the corporation in 1680, who, earlier or later, served as mayors.<sup>47</sup> According to these records all these men at the time of their mayoralty were connected to one of the town's main trades or commercial services. There were three malsters, a dyer, a tanner and a fell-monger; eleven were in distributive trades as woollen drapers, ironmongers, chandlers and mercers; and the remainder were in retail services as a baker, bookseller, clockmaker, tailor and four inn-holders.<sup>48</sup> However these brief occupational descriptors give no indication of the scale or success of each business or of any

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<sup>44</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/34 ff.175 and 216, 23 Apr. 1680, Two draft certificates to the privy council; for a discussion about the reasons for their refusal, see Miller, *Cities Divided*, p.39 (and n.310).

<sup>45</sup> Records of the oaths and abjuration were kept in the Hall minutes.

<sup>46</sup> H. Hartopp, *Roll of the Mayors and Lord Mayors of Leicester, 1209-1935* (Leicester 1936). He describes the sources used to compile the biographical information in the introduction to the *Roll*.

<sup>47</sup> See below, Table 3, p.425. In 1680, 18 of the 25 included in this profile were serving as aldermen and 7 as common councillors.

<sup>48</sup> See below, Table 3, p.425.

other commercial activities in which the holder was involved during his lifetime. It can also be argued that the list is skewed by selecting only those members who became mayors and that the inclusion of all the common councillors would have shown greater diversity. However, since the list includes 18 of the 23 aldermen serving in 1680, it is reasonable to say that that a majority of the senior company were drawn from those businesses and trades which at that time dominated the town's economy.

In 1680 10 of these 18 aldermen were between 40 and 49, six were in their 50s and two over 60 years of age. The majority were at least the second generation of a Leicester family and some belonged to families that had already provided members of the corporation. The four who had been born outside the town came from the county and had entered the borough as apprentices. Most of them had held other posts of responsibility within the corporation or were churchwardens. After their mayoralty they usually served a further five years on the borough's judicial bench.

The length of service of these men is remarkable. Fourteen of the 18 aldermen in Table 3, who had been members of the senior company for more than one year, had already given 179 years of service as aldermen, an average per person of 12.7 years. Their length of service before 1680 is only part of the story. In total the 18 aldermen were to give 316 more years of service, an average of nearly 17.5 years per person. George Beckett with 13 years served for the shortest period of time but three, George Bent, John Brooksby and William Southwell, kept their places as aldermen for over 39 years, Southwell achieving a record of 47. The picture therefore emerges of a well-established, long serving,

self-perpetuating oligarchy, which controlled the affairs of the borough from their position as leading traders in the town. Voting records in the 1680s demonstrate that the aldermen were not always unanimous and the size of the company of 48 left open the possibility that some might be admitted who were ready to challenge the leadership. While they dominated the corporation, these oligarchs were acutely aware that their authority might be threatened from popular elements within the town or by ambitious county magistrates from without.<sup>49</sup>

#### IV

By the end of Charles II's reign, local governance in both the county and the borough was dominated by exclusive social and political elites. The government took steps to ensure that only men of substance, whose loyalty to church and king was assured, were appointed as deputy lieutenants and justices. The political convictions of these men appear to have chimed in well with prevailing government policy at a time when Charles II was attempting to restore the authority of the crown and to curb the activities of dissidents. In the borough, a conservative oligarchy defended its interests against a more popular element in the town associated with religious Nonconformity.<sup>50</sup> As long as Huntingdon and Stamford were associated with the opposition, the two earls' impact on local politics was limited, so Rutland's influence as the leading aristocrat in the county remained unchallenged. Although Rutland was seen as a whig by his contemporaries, his political conservatism rested easily with the prevailing mood

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<sup>49</sup> See above, p.127.

<sup>50</sup> See above, pp.121-3 for details about religious affiliations in the borough.

of those dominant in local government in the early 1680s.<sup>51</sup> As lord lieutenant, he appears to have performed his duties conscientiously when called upon to act. The dynamics changed when Huntingdon had recovered his position at court and was in a position once again to engage in local politics.

## Part 2: The revision of the borough Charter

### I

Huntingdon played a decisive part in the protracted negotiations which took place in 1684 over the corporation's charter.<sup>52</sup> In August he expressed his concern to Gery that the corporation was taking so long to decide over the surrender of its charter, especially since many corporations had done so including the 'most fractious'.<sup>53</sup> When the earl asked why the corporation had been so dilatory, the mayor's explanation was less than convincing. Andrew Freeman said it had hesitated because they wanted to be sure '... whether it was his Majesty's express pleasure, to have such a surrender from us, or not; we having once already renewed our Charters since his Majesty's happy Restoration'.<sup>54</sup> He also referred to the 'more than ordinary difficulties that attends us in this action'. Freeman did not elaborate but it was possible he was alluding to the political divisions between those in control of the corporation and a faction, who were keen to wrest control from the oligarchy. On the other hand many of its members may have been reluctant to take the drastic step of surrendering the borough's

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<sup>51</sup> See below, pp.252-3 for comments on Rutland's politics.

<sup>52</sup> R. W. Greaves, 'The Earl of Huntingdon and the Leicester Charter of 1684', *Huntingdon Library Quarterly* 15 (1951-2), 371-91; *V.C.H., The County of Leicester* 5 vols. (1907-64), vol. 4, R. W. Greaves, 'Leicester Parliamentary History, 1660-1835', pp.111-23.

<sup>53</sup> H.L.C., *Hastings*, m/f.13, HA6003-5, 21 Aug and 6 Sept. 1684, Huntingdon to Gery.

<sup>54</sup> *Ibid.*, HA3324, 13 Sept.1684, The mayor to Huntingdon.

privileges, which included its corporate right to hold property, without a guarantee that these privileges would be restored.

On 8 August John Gery informed the earl that a deputation from the corporation had visited him in Sweptstone to ask advice about their options.<sup>55</sup> It is unlikely that this was the first the earl had learnt about the debate in the town for it appears from the tone of Gery's letter that they had already discussed the matter. It is not clear whether the earl initiated this process but what is certain is that from this moment he became fully involved. A reference in Gery's letter that the corporation were considering approaching Lord Ferrers may have stirred Huntingdon to action. While Huntingdon was pleased to hear that it was now discussing the surrender, he was furious that the corporation were contemplating using Lord Ferrers as a go-between. He peevishly complained to Gery,

It would look very ill if the Corporation should present themselves to his Majesty by any other than myself, being immediately in the king's service, always near the court and eminent in my own country. Besides my family have always been considerable benefactors to the town and though I do not think it fit to appear in it myself yet pray do your endeavour to divert them from any other for which you will easily find reasons. And as to myself this single act may prove more considerable to me than it first may be imagined.<sup>56</sup>

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<sup>55</sup> Ibid., HA3967, 8 Aug. 1684, Gery to Huntingdon.

<sup>56</sup> Ibid., m/f.13, HA6034, 21 Aug. 1684, Huntingdon to Gery.

The earl enclosed a copy of a letter he had sent to William Browne, the borough solicitor, in which he applauded the corporation for their willingness to consider surrendering their charter but regretted it had taken them so long.<sup>57</sup> He reminded Browne that the corporation had much to gain from a voluntary act for it would then 'reap those advantages from it which they cannot attain any other way'.

In his letter of 21 August, Huntingdon asked Gery to visit Leicester and inform him of 'who agrees and who opposes and what the parties are and what gentlemen of one side or another'.<sup>58</sup> He asked Gery to play down the earl's interest in this affair so it would appear that the corporation had taken the initiative voluntarily. Gery already enjoyed good relations with certain members of the corporation, from whom he learnt that some were strongly opposed to the surrender. He was invited to a meeting of the common council and was encouraged to join in the debate, where opinion was indeed divided.<sup>59</sup> He used this opportunity to pass on the earl's views. Subsequently the mayor confirmed that Gery's statement, that the king was expecting the corporation to surrender the charter, had been decisive in moving matters forward.<sup>60</sup> Behind the scene, Browne also used the earl's letter to advantage in private discussions with members. He reassured Gery that the majority had no thought other than to work through Huntingdon.

The mayor gave notice that he intended to convene a meeting of the Hall in four days time in order to take a substantive vote on the issue. Gery continued

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<sup>57</sup> Ibid., HA6033, 21 Aug. 1684, Huntingdon to Browne.

<sup>58</sup> Ibid., HA6034, 21 Aug. 1684, Huntingdon to Gery.

<sup>59</sup> Ibid., HA3968, 31 Aug. 1684, Gery to Huntingdon.

<sup>60</sup> Ibid., HA3324, 13 Sept. 1684, The mayor to Huntingdon.

to work on members of the corporation and their wives with the assistance of ‘a gallon of sack to drink your Lordship’s health’ to add to the buck that the earl had already provided.<sup>61</sup> Huntingdon was accompanying the king on a visit to Portsmouth, so there was a delay before he received Gery’s letter of 31 August. On 6 September he wrote to Gery thanking him for his diligence but expressing concern that the corporation was being so hesitant.<sup>62</sup> He reminded Gery that other corporations, which had been uncooperative, had suffered by being served with writs of *Quo Warranto*. On the positive side he was pleased to learn that both Ferrers and Rutland had held back from involvement in this affair: he reminded Gery that only he (i.e. the earl) was in a position to look after the corporation’s interests. The earl need not have worried. On 8 September the corporation agreed to the surrender by 45 to 4. However, at the same meeting, the corporation decided by 44 votes to 5 to delay the surrender until after the mayoral elections and appointed a deputation to go to London to explain their position to the king.<sup>63</sup> As a precaution they vested the corporation’s property *pro tem.* in trust with seven of its members.<sup>64</sup>

On 10 September, Gery reported to Huntingdon that the corporation had agreed to the surrender but made no reference to the second vote.<sup>65</sup> He reported that three aldermen, Bentley, Brooksby and Bent, had voted against the surrender, together with Harris, a member of the 48. It is not clear whether these men opposed the surrender out of principle or because they were not prepared to

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<sup>61</sup> Ibid., HA3969, 10 Sept. 1684, Gery to Huntingdon and HA6036, 11 Sept.1684, Huntingdon to the countess.

<sup>62</sup> Ibid., HA6035, 6 Sept.1684.

<sup>63</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.131, 8 Sept. 1684, Votes on surrender.

<sup>64</sup> Ibid., BR/II/18/35 f.134, Minute of Common Hall.

<sup>65</sup> H.L.C., *Hastings*, m/f.13, HA3969, 10 Sept. 1684, Gery to Huntingdon and HA6037, 15 Sept. 1684, Huntingdon to Gery.

support the mayor. Whatever the reason, they were left off the corporation when the new charter was published in 1684.<sup>66</sup> Gery also commented on the reasons why a number of members stayed away from the meeting. His comment, 'I fear that others were well-wishers but durst not appear', is open to different interpretations but it could mean that there was greater opposition to the surrender than the record of votes suggest.<sup>67</sup> Nevertheless the vote was a significant victory for the ruling group. Gery was exultant: he enthused that there was 'great zeal to your Lordship's family' and even indulged in a little self-congratulation.

## II

The earl wanted to secure the surrender as quickly as possible and became agitated when he thought that the corporation was again prevaricating. On 13 September, the mayor, Andrew Freeman, informed Huntingdon that the corporation wished to delay the date of surrender until a new mayor was in post.<sup>68</sup> The earl was not impressed by this request, which he believed would be misinterpreted at court as reluctance on the part of the corporation to proceed.<sup>69</sup> Even when Freeman's successor, Thomas Ludlum, (according to Gery 'a wonderful loyal person and picked out on purpose for the design'<sup>70</sup>) was appointed on 21 September, the corporation sought a further delay until Michaelmas to give the new mayor time to take the oaths of office and the

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<sup>66</sup> See below, Table 4, pp.426-33.

<sup>67</sup> Gery's statement is ambiguous but a note on the reverse of the letter, possibly in the earl's handwriting, records that Buxton, Wallen and Dudley, three of the aldermen who had abstained, were disaffected.

<sup>68</sup> H.L.C., *Hastings*, m/f.13, HA3324, 13 Sept. 1684, The mayor to Huntingdon.

<sup>69</sup> *Ibid.*, HA6038, 18 Sept. 1684, Huntingdon to Gery.

<sup>70</sup> *Ibid.*, HA3970-1, 23 & 27 Sept.1684, Gery to Huntingdon.

sacrament. Gery, who observed these deliberations, told the earl that he thought it prudent to remain silent for fear 'I might be suspected of a design'.<sup>71</sup>

It was at this point that Lawrence Carter brought the dispiriting news that *Quo Warranto* proceedings had started in London against the corporation. John Newton was sent post haste to Swepstone to alert Gery and to beg the earl's intervention. Gery was alarmed that this development would undermine what had been achieved so far and let local dissidents 'play their own games and set up themselves and that in the first rank'.<sup>72</sup> There is no evidence to show that Huntingdon had a hand in the writ but he certainly milked the opportunity to put himself forward as the friend of the corporation in their time of need.<sup>73</sup> On 2 October Huntingdon informed Ludlum that the king had agreed to put a stop on the *Quo Warranto* in recognition that the corporation had voluntarily agreed to surrender its charter.<sup>74</sup>

A further delay of nearly two weeks then occurred because of a procedural misunderstanding. Browne, following the earl's instructions, had borrowed a form of surrender used by another borough as a basis for the document he had drawn up for the corporation.<sup>75</sup> Subsequently Huntingdon sent an alternative form of surrender that differed from the one Browne had used.<sup>76</sup> This draft contained a provision about charitable uses that caused some concern.

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<sup>71</sup> Ibid., HA3970, 23 Sept. 1684, Gery to Huntingdon.

<sup>72</sup> Ibid., HA3971, 27 Sept. 1684, Gery to Huntingdon; see also, HA5354, 5 Oct. 1684, Henry Halford to Huntingdon. For personal motives, Halford welcomed the *Quo Warranto*.

<sup>73</sup> Ibid., HA6039, 6 Oct. 1684, Huntingdon to Gery and HA8406, 7 Oct 1684, The mayor to Huntingdon.

<sup>74</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.150, 2 Oct. 1684, Huntingdon to the mayor.

<sup>75</sup> H.L.C., *Hastings*, m/f.13, HA1079, 13 Oct. 1684, Browne to Huntingdon.

<sup>76</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.147, 4 October 1684, Huntingdon to the mayor and f.148, n/d, Model document; HA6039, 6 Oct. 1684, Huntingdon to Gery.

As a compromise, it was suggested that the text should be approved but left unsealed until such time as they had had the opportunity to discuss the matter with Huntingdon.<sup>77</sup> The delegation took the documents and the seal to London on 18 October, so that the seal could be attached to the appropriate document prior to presentation to the king.<sup>78</sup> On Huntingdon's recommendation they sought the advice of the Attorney General, who insisted that the corporation must approve the application of the seal.<sup>79</sup> In order to save the expense and discomfort of a return journey, Huntingdon offered to present the document personally. On 29 October Ludlum confirmed that the corporation had agreed the revised version and had authorised one of the chamberlains to convey it to the earl in London.<sup>80</sup>

### III

So this protracted process entered a second phase, the negotiations on the drafting of a new charter. As an inducement Huntingdon had earlier held out the prospect of new privileges in return for the surrender.<sup>81</sup> On 4 October he assured Ludlum that the king would be pleased to grant a new charter and asked what additions the corporation would like to see included 'for the better government of the Corporation'.<sup>82</sup> At a meeting of Common Hall, attended by 24 members, the corporation agreed to put forward three requests. The first was for an additional fair, the second to return to the former practice whereby parliamentary burgesses were chosen by the corporation and the third to confirm that the proceeds of the

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<sup>77</sup> H.L.C., *Hastings*, m/f.13, HA1079, 13 Oct. 1684, Browne to Huntingdon.

<sup>78</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.141, 10 Oct. 1684, Minutes of Common Hall appointing deputation and f.156 n/d, Draft petition to king for new charter.

<sup>79</sup> H.L.C., *Hastings*, m/f.13, HA6040, 21 Oct. 1684, Huntingdon to Gery.

<sup>80</sup> *Ibid.*, HA8407, 29 Oct. 1684, The mayor to Huntingdon; R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.142, 29 Oct. 1684, Minutes of Common Hall.

<sup>81</sup> H.L.C., *Hastings*, m/f.13, HA6035, 6 Sept.1684, Huntingdon to Gery.

<sup>82</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.147, 4 Oct. 1684, Huntingdon to the mayor.

court leet should come to the corporation as of right rather than depend on a grant from the duchy or the crown.<sup>83</sup>

Huntingdon had a personal interest in these negotiations.<sup>84</sup> Among the ideas he discussed with Gery were the reduction of the corporation to 36 (12 aldermen and 24 common councillors) and the introduction of associate justices from the county on the borough Bench.<sup>85</sup> But his prime objective was to raise the status of the post of recorder by reserving it for an aristocratic candidate ('a distinguished man' in the words of the new charter) who would have the right to appoint to a new post of deputy recorder.<sup>86</sup> On 21 October Huntingdon wrote very frankly to Gery about his tactics when he met the delegation in London.<sup>87</sup> He gave the impression that the position of recorder was a matter of complete indifference to him but said he would concur with whatever his Majesty would decide. Privately he confided to Gery that 'such was the care taken that I shall certainly have it but let that be a secret'. He thought it prudent not to raise the subject of 'removals' but asked for Gery's views on the matter. Then, as was his habit, he proceeded to tell Gery whom he would want to retain. 'I have every reason to be very circumspect, for if anything is amiss, it will be laid on me.' He also asked Gery to advise him what names to put forward for the associate justices and for his opinion on the suitability of Nathan Wright as the deputy recorder. Behind his apparent magnanimity, Huntingdon's main motivation

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<sup>83</sup> R.O.L.L.R., *Hall Books*, BR/II/3 p.911, 25 Sept. 1684, Appointment of committee to consider recommendations for changes in the charter; R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.153, 6 Oct. 1684, Minutes of committee.

<sup>84</sup> H.L.C., *Hastings*, m/f.13, HA6038, 18 Sept. 1684, Huntingdon to Gery.

<sup>85</sup> *Ibid.*, HA6039, 6 Oct. 1684, Huntingdon to Gery and HA6040, 21 Oct. 1684, Same to same.

<sup>86</sup> *Ibid.*, HA6038, 18 Sept. 1684, Huntingdon to Gery and HA3970, 23 Sept 1684, Gery to Huntingdon.

<sup>87</sup> *Ibid.*, HA6040, 21 Oct. 1684, Huntingdon to Gery.

appears to have been to use the new charter as a means to tighten his control over the borough.

While Gery was thinking about his reply, he received an urgent invitation from John Newton to visit Leicester on 29 October to share your ‘wisdom, interests and kindness’ with a few members of the corporation about a matter that was causing considerable concern.<sup>88</sup> Newton did not say what was troubling them but it is likely that the reason was Huntingdon’s proposals for associate justices for Gery warned the earl that

I perceive a perfect aversion and great dislike amongst them all against any Country Gentlemen to be joined with them, and they all seriously declare they had much rather their corporation were totally destroyed than such a thing done. Country Gentlemen having little kindness for tradesmen may come and affront their Mayor and oppose them in all they do; and I do clearly see if your Lordship doth that, it will so disoblige all sorts.... So I make my humble request to your Lordship totally to decline that, and I am sure your Honour may claim anything from them.... And it’s not my opinion only but the opinion of your Lordship’s fast friends. It may oblige 4 or 5 gentlemen and disoblige 500 inhabitants.<sup>89</sup>

Huntingdon may have heeded this warning for the proposal was dropped.<sup>90</sup>

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<sup>88</sup> Ibid., HA9668, 27 Oct. 1684, Newton to Gery.

<sup>89</sup> Ibid., HA3972, 31 Oct. 1684, Gery to Huntingdon.

<sup>90</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.157, 4 Nov. 1684, Wright to the mayor, and H.L.C., *Hastings*, m/f.13, HA6041, 9 Nov. 1684, Huntingdon to Gery.

In order to avoid giving offence to Nathan Wright and John Major, who currently held respectively the posts of recorder and steward, Gery recommended appointing Wright as deputy recorder and Major as the steward.<sup>91</sup> He reminded Huntingdon that Wright had recently bought a house in the town, was worth £500 a year and a person of rising prestige. The earl had heard that Wright had provided legal representation to Dissenters but Gery assured him that this was strictly a professional assignment and that he need have no doubt about Wright's loyalty - a perceptive assessment in the light of Wright's later career.<sup>92</sup> Huntingdon followed Gery's advice over Wright. But in the end the earl felt bound to honour a personal obligation to Henry Halford, brother to Sir William, who was appointed steward in preference to John Major.<sup>93</sup>

Membership of the new corporation was a particularly contentious issue. On 31 October Gery reported that after three days discussion in the town he had found little common ground among the members: some wanted many removals, others less and some wanted no change.<sup>94</sup> He advised keeping them to a minimum: the skill was to get rid of the most aggressive opponents without disobliging too many. It was difficult to achieve the right balance but the reduction in the size of the corporation facilitated this process. There was a violent reaction in early December, when a provisional list was announced.<sup>95</sup> Gery warned Huntingdon that the list contained 'some equally as obnoxious as

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<sup>91</sup> H.L.C., *Hastings*, m/f.13, HA3972, 31 Oct. 1684, Gery to Huntingdon; R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.111 and 114, 1 Jan. & 19 Feb. 1684, Appointment of John Major of Gray's Inn as steward of court of record in succession to the late Thomas Staveley.

<sup>92</sup> For his subsequent career, see *Oxf. D.N.B.*, LX.473-4, Wright, Sir Nathan (1654-1721) and below, p.311-12 and ns.130-1.

<sup>93</sup> H.L.C., *Hastings*, m/f.13, HA4354, 5 Oct. 1684, Halford to Huntingdon; Stocks, *R.B.L.*, IV.572, 1684 Charter.

<sup>94</sup> *Ibid.*, HA3972, 31 Oct. 1684, Gery to Huntingdon.

<sup>95</sup> *Ibid.*, HA3973, 5 Dec. 1684, Gery to Huntingdon.

most of the worst', so it is hardly a surprise that the main criticism came from those who were hoping for a more thorough purge. There were complaints that loyal men like Pate and Pares had been overlooked, while men like Craddock and Woodland had been included, despite their association with Dissenters.

Huntingdon was taken aback by the strength of the criticism.<sup>96</sup> He protested to Gery, 'my aim was the King's service and not the favour or ill-will of anyone'. He played down the concerns about the political record of some of those left in, 'if they were not very factious they might become good men and unite the town thereby and if after they misbehaved themselves they might be removed easily'. In the earl's opinion former dissidents deserved their places if they had redeemed themselves by supporting the surrender. He was straining to justify his decisions and was less than truthful about his personal prejudices, conveniently forgetting that earlier he had told Gery that his support for Craddock and Sutton were based on personal considerations rather than some high-minded principles.<sup>97</sup> However, as the earl wrote, nothing had been done that could not be reversed by an order-in-council.

Gery believed time would calm outraged feelings, for generally the town was pleased with the new charter. He recognised that some of the members of the new corporation had unsavoury reputations but conceded that 'since the coming of the king, they have behaved themselves to the satisfaction of the king's friends'. However he remained adamant in his views about Mr. Mason, a common councillor, who wanted to be promoted to the 24. 'He may talk now all

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<sup>96</sup> *Ibid.*, HA6042, 18 Dec. 1684, Huntingdon to Gery.

<sup>97</sup> *Ibid.*, HA6040, 21 Oct. 1684, Huntingdon to Gery.

Tory but whilst Dr. Harrison was in town he was his only companion.’ He claimed that the current esteem in which he is held had much to do with the attraction of Mason’s wife.<sup>98</sup> The arguments over the membership are a useful reminder of the danger of trying to draw too rigid a distinction between those included and those left out. Even the legal bar on religious Nonconformity was difficult to apply where the boundary between conformity and Dissent was so ill-defined.

Huntingdon asked the aldermen and common councillors to welcome the new charter on its route from London by riding or walking as far as possible out of town, fully robed in their gowns. Arrangements were made at the next sessions for swearing in the new companies, taking the oaths of office and receiving the Sacrament. This took place on 18 and 19 December with all the new members present.<sup>99</sup> With the process complete Browne was able to claim the £186 11s 7d he had incurred as expenses during the course of the process.<sup>100</sup>

#### IV

Effectively the new charter renewed the borough’s former privileges.<sup>101</sup> Huntingdon was appointed as recorder and Wright as his deputy. Thomas Ludlum was confirmed as mayor until the next election. The town secured an

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<sup>98</sup> Ibid., HA3974, 29 Dec. 1684, Gery to Huntingdon [According to the mayor, Mason had a poor reputation in the town as ‘a slack shopkeeper’. However it is not clear to whom Gery was referring since there were two common councillors in 1683 named Mason, John [referred to as senior] and Richard. Both were included in the 1684 charter R.O.L.L.R., *Hall Books*, BR/II/3 pp.908-9, Persons sworn in Sept.1683; see below, Table 4, pp.426-33.

<sup>99</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.161, 19 Dec. 1684, Persons of both companies sworn in on 18 and 19 Dec. 1684.

<sup>100</sup> Ibid., f.145, 25 Nov. 1684; R.B.L., IV.585, ‘Chamberlains’ Accts’.

<sup>101</sup> P.R.O. *Letters Patent*, no. 111 Charles II, 10 Dec. 1684: translation in Stocks, R.B.L., IV.564-579.

additional fair but failed to win the argument about restricting the parliamentary franchise. Five aldermen were left out, three of whom were the three aldermen who had voted against the surrender. The common council was reduced to 36 and ten former members were not re-admitted.<sup>102</sup> Most significantly for the future the new charter included a provision enabling the king to order the removal of anyone who gave offence and reserved the right to approve the appointment of a successor.

Those members who had supported the surrender could be reasonably satisfied at the outcome, notwithstanding the trauma of these four months. Their former privileges were largely intact, including their corporate right to hold property and other assets. They had successfully seen off any incursion from the county bench and in Huntingdon they had a useful champion at court. The corporation had failed to achieve a restricted franchise but the recent purge strengthened the oligarchy's control over the corporation. The right of the crown to remove members might have appeared an unwelcome intrusion on municipal freedom, but, in the right hands, this provision could be a useful weapon in future battles with their political opponents, who still remained a significant political force in the town.

Without doubt the prime beneficiary was the earl of Huntingdon. He had demonstrated that he had the ability to be of service to the king in his own county and this helped to enhance his reputation at court. His appointment as recorder strengthened his position in the town and the service he gave to the

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<sup>102</sup> R.O.L.L.R., *Hall Books*, BR/II/3, pp.908-9 and 913-4., and see below, Table 4, pp.426-33.

corporation bought him useful credit for the future. In his combined roles of Privy Councillor and recorder he was now well placed to exercise political control over the borough. Remarkably no challenge came from his peers in the county. However not everything went his own way: he failed, for example, in his attempt to install associate justices. He presented himself as the corporation's champion but it is clear from his correspondence that his chief motive was to advance his personal interests both locally and nationally.

### Part 3: The 1685 election

#### 1

On 5 February 1685 Charles II died and was succeeded by his brother.<sup>103</sup> The handover passed smoothly, despite official anxieties.<sup>104</sup> Writing from London on 7 February, Lawrence Carter informed the mayor that the new king had sought to reassure the Lords, assembled to hear the proclamation, that 'he would endeavour to preserve the government both in Church and State as it is by law established' and 'that he would sacrifice to his last drop of his blood in defence of the Protestant religion'.<sup>105</sup> A week later he claimed, 'We are got into the most peaceable age that men have yet lived in'.<sup>106</sup> In Leicester the mayor may have felt such optimism premature for a week later he was engaged in a desperate effort to limit the damage done to the town's reputation by two individuals. It was claimed that William Norris had spoken 'words of a high and dangerous nature' and another, John Broadhurst, had been arrested on suspicion

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<sup>103</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 ff.174, 175 and 181, 3-7 Feb. 1685, Mayor's correspondence.

<sup>104</sup> *H.M.C. Rutland*. II.85, 2 Feb. 1685, Middleton to Rutland.

<sup>105</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.185, 7 Feb. 1685.

<sup>106</sup> *Ibid.*, f.186, 14 Feb. 1685.

of plotting to torch several houses.<sup>107</sup> The mayor's discomfiture was increased when Broadhurst escaped from custody and fled to London. Ludlam begged Huntingdon to assure the king that the town was very loyal to his Majesty and the corporation fully committed to the sentiments expressed in their recent Address.<sup>108</sup> Huntingdon continued to take an interest in the prosecution of these two men, welcoming this opportunity to act as an intermediary for it placed the corporation further in his debt.<sup>109</sup>

James II announced his intention to summon parliament to meet in May.<sup>110</sup> On 17 February Sunderland sent an instruction to the lords lieutenant, asking them 'to use your utmost endeavours and employ all your interest that good members may be chosen for the approaching Parliament'. As lord lieutenant Rutland was asked to attend the elections in the county and the borough, 'to prevent all intrigues and disorders which ill-affected persons may endeavour to set on foot' and 'take all possible care that persons of approved loyalty and affection are chosen'.<sup>111</sup> Rutland confirmed that he would carry out his instructions to the full but it is not clear what practical steps he took.<sup>112</sup> The earl of Ailesbury, acting as a link with the court on Rutland's behalf, assured him that the king was very satisfied 'with your constant endeavours to serve the

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<sup>107</sup> H.L.C., *Hastings*, m/f.13, HA8409-12, 16, 18 and 21 Feb. 1685, The mayor to Huntingdon, and R.O.L.L.R., *Hall Papers*, BR/II/18/35 ff.176-8, 19-24 Feb. 1685, Huntingdon to the mayor.

<sup>108</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 ff.180-1 and 178 n/d and 19 Feb. 1685.

<sup>109</sup> H.L.C., *Hastings*, m/f.13, HA8415-16 and HA1819, 18 and 30 Mar. and 26 Sept. 1685, The mayor to Huntingdon; *ibid.*, HA8529, 7 Nov. 1685, Aldermen to Huntingdon; R.O.L.L.R., *Hall Papers*, BR/II/18/35 ff.196 and 216, 24 Mar. and 2 May 1685, Huntingdon and Carter to the mayor.

<sup>110</sup> W. A. Speck, *Reluctant Revolutionaries: Englishmen and the Revolution of 1688* (Oxford, 1988), pp.44-6.

<sup>111</sup> *H.M.C. Rutland.*, II.86, 17 Feb. 1685.

<sup>112</sup> *C.S.P.D. Feb. to Dec. 1685*, p.55, 28 Feb. 1685, Rutland to the king.

Crown'.<sup>113</sup> It may have been such comments and other evidence in the published Rutland papers that led Cruickshanks and Henning to the opinion that Rutland played the key role in these elections.<sup>114</sup> A different story emerges from the *Hastings Papers* and the *Hall Papers*. This evidence suggests the outcome of both elections was far from straightforward and that Huntingdon, working through a network of agents in the county, played a prominent role in this election, especially in the borough.

## II

Huntingdon's first priority had been to ensure that the corporation sent an appropriate address to the king welcoming his accession.<sup>115</sup> He then directed the mayor's thoughts to the coming election in the town. John Grey, who had moved to Staffordshire, decided not to stand again and took no further part in Leicestershire politics.<sup>116</sup> Although Stamford was reported to be meeting dissident elements in the town in 1683, his political stock was badly depleted, so it was unlikely that he could present a threat. Huntingdon had assumed that Sir Henry Beaumont would stand again but, at this stage, had no specific recommendations for the second place. He recommended that the corporation look for a suitable candidate who was both an inhabitant of the town and one of their own. Rutland appears to have been slower off the mark and quite prepared to leave it to others to approach him. On 12 February the earl of Ailesbury asked

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<sup>113</sup> *H.M.C. Rutland*, II.87, 22 Feb. 1685. *Oxf. D.N.B.* VIII.328-9, 'Bruce, Thomas, second earl of Ailesbury (1656-1741)'. The *Rutland MSS.* refers to Thomas as Rutland's father-in-law: in fact the relationship with John Manners was through his sister, Diana, who had married John in 1671 but died in childbirth in 1672: see above p.101 and n.37.

<sup>114</sup> B. D. Henning (ed.), *History of Parliament: House of Commons, 1660-1690* 3 vols. (1983), I.295-6, 'Leicestershire'.

<sup>115</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.180, 12 Feb. 1685, Huntingdon to the mayor.

<sup>116</sup> *H.o.P. 1660-90*, I.296, 'Leicester' and II.441, 'Hon John Grey'.

him, 'to let me know whom you think the most proper persons to serve in Parliament, that I may join my interest with yours'.<sup>117</sup> Rutland replied that he had heard from Lord Sherard and Mr. Coke [of Melbourne] that they intended to stand but had no news about who might be standing in the borough.<sup>118</sup> A fortnight later, Huntingdon, perhaps unsettled by the mayor's account of seditious behaviour in the town, was more apprehensive.<sup>119</sup> He urged the mayor and the two companies to set an example to the rest of the electorate by voting for 'two loyal and known gentlemen in the country' and expressed the hope that 'none of you or the Corporation will suffer yourselves to be drawn away (upon never so plausible pretences) by disaffected persons, whose duty and allegiance may be brought into suspicion'.

During a visit to London Nathan Wright had discussed the election with Huntingdon. From this conversation a plan was devised for Wright to offer himself for the second seat as a gentleman with a residence in the town.<sup>120</sup> However when Wright returned to Leicester, he found that Sir Henry Beaumont and Thomas Babington, both of whom lived in close proximity to Leicester, had already declared their intention to stand and were gathering support. In the circumstances Wright considered it inappropriate to pursue his own candidature, 'especially in opposition to two persons to whom I have been particularly obliged'. He also reported a rumour that Sir Edward Abney was proposing to stand with the support of Broadgate (i.e. Bradgate, the seat of the earl of Stamford) but considered Abney had little chance against Beaumont and

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<sup>117</sup> *H.M.C. Rutland*, II.85, 14 Feb. 1685.

<sup>118</sup> *Ibid.*, II.85, 16 Feb. 1685.

<sup>119</sup> R.O.L.L.R., *Hall Papers*, BR/III/18/35 f.176, 24 Feb. 1685.

<sup>120</sup> H.L.C., *Hastings*, m/f.13, HA8412, 21 Feb 1685, The mayor to Huntingdon; *ibid.*, HA13674, 2 Mar. 1685, Wright to Huntingdon.

Babington. Despite Huntingdon's earlier support for Abney, this news was most unwelcome now that the earl had changed his political allegiance. Sir Edward's intrusion threatened to give heart to those dissident forces in the town that Huntingdon had warned the mayor at all costs to keep in check. If the opposition made a good show in the election, it could well damage the reputation Huntingdon had been painstakingly crafting as the king's dependable servant.

Beaumont and Babington continued to consolidate their position. Impressed that Babington had invited him to appear on his behalf at the election, Rutland urged the mayor to give both men all possible assistance. 'Since they have joined their interests it will be yours not to divide them but vigorously to push on the election with all the votes you can make against Sir Edward Abney.'<sup>121</sup> Huntingdon also approached the mayor, 'to acquaint the Hall that I esteem Mr. Babington to be a person in all respects fully qualified for such a trust as being known to you all as a neighbour to your town and of unsuspected loyalty as his father was in the first Parliament of the late king's which was called the healing Parliament and ended with good success.'<sup>122</sup> Gervase Jacquis dismissed the rumours that Abney intended to stand on the grounds that Sir Edward would surely not take such a step without Huntingdon's support. Huntingdon was less naïve and was already planning to outwit Abney and his supporters.

Elections were triggered by the local publication of the royal writ. It was a considerable advantage for anyone competing in the election to get hold of the

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<sup>121</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.201 and 202, 4 & 5 Mar. 1685, Rutland to the mayor.

<sup>122</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.200, 7 Mar. 1685, Huntingdon to the mayor.

writ in London and thereby control both the time and manner of its local release. On this occasion Huntingdon secured possession of the writ and sent it to the county via Lawrence Carter. On 14 March Carter confirmed that he had delivered the writ and had asked the mayor to proceed immediately with the election in accordance with Huntingdon's instructions.<sup>123</sup> Sir Edward, who was still in London, had been given to understand that the election would take place on Monday, 17 March. He was at Market Harborough en route to Leicester, when he learnt that Beaumont and Babington had been returned without opposition at an election which had taken place on the preceding Friday. Understandably Abney was furious. In a letter, full of irony but which stopped short of a direct accusation, Abney left no doubt whom he held responsible for this deception:-

[I] doubt not but your Lordship had well an account of this before this can come to you. It is your Lordship's method to deal openly with your friends and servants for you did in this matter with me. I therefore must presume this surprise was not by any order or direction of you.<sup>124</sup>

Sir Edward was not the only one taken by surprise. Two days before the election, Rutland wrote to the mayor, giving his apologies for not being able to attend the Leicester election on the revised date, because of a prior commitment in Grantham, where he was to be re-appointed as recorder.<sup>125</sup>

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<sup>123</sup> H.L.C., *Hastings*, m/f.13, HA1248, 14 Mar. 1685, Carter to Huntingdon.

<sup>124</sup> *Ibid.*, HA4, 21 Mar. 1685, Abney to Huntingdon.

<sup>125</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.199, 12 Mar. 1685.

Although there is no conclusive evidence to demonstrate Huntingdon's complicity in this deception, there is a strong presumption that the mayor was acting with the earl's knowledge, if not on his instructions.<sup>126</sup> With no hint of irony, Huntingdon congratulated Ludlum on 'the good choice the Corporation has made of Burgesses for this Parliament.'<sup>127</sup> He went on to say 'Your conduct in this matter has been with much prudence and discretion and I find his Majesty much pleased with this election.' The earl offered an immediate reward by promising to help the corporation in brokering a problematic negotiation between the duchy and a local attorney, which appeared to be threatening the corporation's interest.<sup>128</sup> In Gery's opinion, the earl's credit was now so high with 'the honest party' that he could command anything in return.<sup>129</sup> Both Huntingdon and the corporation stood to benefit from their new relationship.

### III

Huntingdon's proximity to the king and ministers meant that he was increasingly seen by local people as a useful political broker. One example of this was the protracted dispute over the county gaol, which provides an interesting insight into the symbiotic relationship between central and local government. At the 1685 summer assizes the grand jury made a presentment against the inhabitants of the county for failing to provide adequate detention facilities.<sup>130</sup> For the second consecutive year the circuit judge imposed a fine of £1000 and instructed the clerk to the assizes to present an order to the exchequer

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<sup>126</sup> H.L.C., *Hastings*, m/f.13, HA8414, 13 Mar. 1685, The mayor to Huntingdon; *ibid.*, HA3975, 20 Mar. 1685, Gery to Huntingdon.

<sup>127</sup> R.O.L.L.R., *Hall Papers*, BR/III/18/35 f.197, 17 Mar. 1685.

<sup>128</sup> *Ibid.*, ff.197 and 216, 17 Mar. & 2 May 1685, Huntingdon to the mayor

<sup>129</sup> H.L.C., *Hastings*, m/f.13, HA3975, 20 Mar.1685, Gery to Huntingdon

<sup>130</sup> R.O.L.L.R., QS32/3/2 ff.1-7, Papers relating to the county gaol, 1685-6 and above, p.167.

to raise the accumulated fines amounting to £2000. In July the privy council (at a meeting where Huntingdon was present) received a petition from the sheriff, John Wilson, to allow the county to use the money raised to build a gaol.<sup>131</sup> The council acceded to this request and referred the matter to the lord treasurer. However, various problems had arisen over the collection of the fine. William Browne, who appears to have been working on this matter with the sheriff, wrote to Huntingdon on 28 September complaining that he had encountered resistance from disaffected persons, whom he alleged 'would have aided and assisted the late damnable and unnatural rebellion had they not been in custody'.<sup>132</sup> The earl already knew about the problem for two weeks earlier his steward had questioned whether the sheriff's deputies were acting legally in raising this money directly from the earl's tenants.<sup>133</sup> It appears that there had been some delay due to a dispute between the lord treasurer and the county about which had responsibility for raising and accounting for the money. The lord treasurer demanded that no action should be taken until a writ had been issued authorizing Browne or others to raise and hold the money *pro tem*. Browne said he had 'the support of the gentlemen of the county and to the loyal party of this county' for the action he had taken and asked the earl for his backing. In a final twist, Sir Henry Beaumont wrote on 21 October complaining that the matter had been very badly handled locally and the justices kept in the dark. However Sir Henry was careful to dissociate the earl from his criticism by flattering him that 'We are very sensible that our country hath no Patron comparable to your Lordship'.<sup>134</sup> On 6 November

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<sup>131</sup> P.R.O. PC2/71 p.122, 24 July 1685.

<sup>132</sup> H.L.C., *Hastings*, m/f.13, HA1080, 28 Sept. 1685.

<sup>133</sup> *Ibid.*, HA7759, 15 Sept. 1685, Jacquis to Huntingdon.

<sup>134</sup> *Ibid.*, HA660, 21 Oct. 1685, Beaumont to Huntingdon.

the council confirmed their original decision at a meeting where Huntingdon was again present.<sup>135</sup>

#### IV

The county election was scheduled to take place in Leicester on 20 March 1685 to coincide with the assizes.<sup>136</sup> Huntingdon did not command the same influence in the shire that he had used to such effect in the borough but was quick to involve himself in this election, turning again to Gery to act on his behalf.<sup>137</sup> Two candidates had already declared their intention to stand, Lord Sherard, who had represented the county in the last two parliaments, and John Coke, who had been defeated in the first election of 1679.<sup>138</sup> Huntingdon told Gery that he intended to give his first vote to Lord Sherard and was prepared to give the second to Mr. Coke. First he wanted assurance that Coke had sufficient support among the gentry, for he was anxious to avoid any ‘clashing of honest gentlemen in this matter’.<sup>139</sup>

The earl of Rutland and Sir Henry Beaumont were still convinced a week later that Coke would stand, although Sir Henry said a third candidate had recently emerged, John Verney, whom Ailesbury had recommended to Rutland as a man ‘fit in all respects’ to be a candidate.<sup>140</sup> John Verney was the eldest son

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<sup>135</sup> P.R.O. PC2/71 p.149, 6 Nov. 1685.

<sup>136</sup> H.L.C., *Hastings*, m/f.13, HA13674, 2 Mar. 1685, Wright to Huntingdon.

<sup>137</sup> *Ibid.*, HA6046, 10 Feb. 1685, Huntingdon to Gery.

<sup>138</sup> *Ibid.*, HA657, 16 Feb. 1685 Beaumont to Huntingdon; R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.182, 10 Feb. 1685, Sherard to the mayor; *H.M.C. Rutland*. II.85-6, 16 Feb. 1685, Rutland to Ailesbury.

<sup>139</sup> H.L.C., *Hastings*, m/f.13, HA6046, 10 Feb.1685.

<sup>140</sup> *H.M.C. Rutland*. II.87, 22 Feb. 1685, Ailesbury to Rutland; H.L.C., *Hastings*, m/f.13, HA657, 16 Feb. 1685, Beaumont to Huntingdon; *ibid.*, HA12966, 18 Feb. 1685, Verney to Huntingdon and R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.179, 26 Feb. 1685, Verney to the mayor.

of Sir Richard Verney of Compton Wingates in Warwickshire.<sup>141</sup> In 1683 he had married a daughter of Sir John Pretyma, who had served as one of the Leicestershire MPs for the greater part of the Cavalier Parliament. As well as being the heir to the family estate, John had been given a substantial estate in his own right by his father. This estate was based on Allextun in Leicestershire with properties in other midland counties. So when he stood for parliament in 1685, he was already a major landowner in the county. Sir Henry Beaumont thought the contest would be so finely balanced that ‘a small weight will turn the scale’. He asked Huntingdon to let him know which candidates he preferred and promised to ‘apply my interest as you direct’. For a few days, it seemed that the contest Huntingdon feared would leave the county divided. Then Coke decided to stand for Derby town, thus leaving the field clear in Leicestershire for Sherard and Verney.<sup>142</sup>

At this stage it seemed that these two would have no difficulty in gaining election, because, according to Gery, they enjoyed the backing of ‘the Lord Lieutenant, the deputies, the justices and the gentlemen’.<sup>143</sup> Huntingdon sent instructions to his steward to engage the earl’s tenants and friends in support of these two gentlemen. However, Jacquis reported that a rumour was circulating that Sir John Hartopp might oppose them.<sup>144</sup> But it was the news that Sir Edward Abney, fresh from his disappointment in Leicester, was contemplating standing

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<sup>141</sup> *H.o.P. 1660-90*, III.636, ‘Richard Verney’ and III.634, ‘John Verney’ and *H.o.P. 1690-1715*, V.726-9 ‘John Verney’, also see above, p.106 n.59

<sup>142</sup> *H.M.C. Rutland*, II.87, 22 Feb.1685, Ailesbury to Rutland.

<sup>143</sup> H.L.C., *Hastings*, m/f.13, HA3975, 20 Mar. 1685, Gery to Huntingdon.

<sup>144</sup> *Ibid.*, HA7742, 10 Mar. 1685, Jacquis to Huntingdon.

against Lord Sherard that would have caused Huntingdon greater concern.<sup>145</sup> Carter thought this could prove as problematic for the earl as Abney's earlier foray into the borough election.

During the last two weeks of March, the earl's local correspondents kept him fully informed about the course of the election.<sup>146</sup> Gery explained how three men, Craddock, Capt. Billers and Walker (an Anabaptist from Leicester) met Abney at Desford three days before the view to persuade him to stand in the county. Assessing the chances of the three candidates, Gery said that Verney should have no difficulty winning one of the seats but thought Sir Edward had the better chance of winning the other for he could count on the backing of 'Sir John Hartopp's interest' and the gentry were ambivalent about Lord Sherard because 'he was not their choice'. On the other hand, it was to Abney's disadvantage that he was not backed by 'any Loyal Person' and some construed his intervention as 'flinging dirt upon ...Authority'. Gery also commented that Stamford appeared to have little influence on this election and was, he had heard, 'as little looked on at Court'.<sup>147</sup>

On 21 March Sir Edward Abney wrote to Huntingdon to explain that he had decided to stand because some gentlemen and freeholders of note had persuaded him to take this course and apologised that he had not had time to

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<sup>145</sup> Ibid., HA1248, 14 Mar. 1685, Carter to Huntingdon, and HA3975, 20 Mar. 1685, Gery to Huntingdon.

<sup>146</sup> Ibid., HA4, 21 Mar. 1685, Abney to Huntingdon; *ibid.*, HA7743-4, 21 & 28 Mar. 1685, Jacquis to Huntingdon; *ibid.*, HA1249-50, 23 & 28 Mar. 1685, Carter to Huntingdon; *ibid.*, HA3975, 27 Mar. 1685, Gery to Huntingdon; *ibid.*, HA8416, 30 Mar. 1685, The mayor to Huntingdon

<sup>147</sup> Ibid., HA3975, 20 Mar. 1685, Gery to Huntingdon.

consult the earl before making the decision. With tongue in cheek he presumed that:-

having settled the election of the town to your Lordship's good liking, I judged your Lordship might be pretty indifferent ...provided the persons were not stained with any disloyal or fanatical principles in which number I do humbly conceive your Lordship by your long knowledge of me hath always accounted me.<sup>148</sup>

Abney asked Huntingdon to assure the king of his loyalty. He repeated this assurance a few days later, in a letter in which he was careful to distance himself from Sir John Hartopp. He claimed not to have met Sir John for four years and never to have corresponded with him.<sup>149</sup> He had also heard that Rutland had told a justice that he would back Sir Edward should either Sherard or Verney fail to be elected. There is no record how Huntingdon responded.

Jacquis travelled to the election in Leicester on 20 March in the company of the earl's tenants and friends, where they met up with Lord Sherard and Verney at the Horsefair. They proceeded to Leicester Fields, where a large concourse of gentlemen and clergy were gathering. Sir Edward and a fourth candidate, Mr. Whalley, arrived by some other route with only half the number of followers. According to Carter, Whalley withdrew at this point recommending his supporters to transfer their votes to Verney and Sherard. Jacquis estimated

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<sup>148</sup> Ibid., HA4, 21 Mar. 1685.

<sup>149</sup> Ibid., HA4, n/d, Abney to Huntingdon (probably sent immediately after the election meeting at Leicester on 20 Mar. 1685).

that Verney had twice as many voices at the shout as either Sherard or Abney. Sir Edward was prepared to concede first place to Verney but Sherard refused unless Abney withdrew. When Abney declined, Sherard called for a poll, which the sheriff announced would run from Tuesday through to Thursday in the following week.<sup>150</sup>

Jacquis was very impressed by the number and quality of the gentlemen present but noted a social distinction between the supporters of three candidates. While Sir Edward could count on the support of all ‘Sir John Hartopp’s gang’, the only gentlemen and clergy he identified among Abney’s supporters were ‘Mr. Charnells, Mr Sanders and Mr. Bennett’. Jacquis was sorry that such ‘a very loyal and worthy gentleman’ had fallen into such bad company for he forfeited the good opinion he formerly enjoyed in the county. He criticised Abney for forcing a contest, fearing it would be difficult to persuade the freeholders to turn out a second time. Having failed to persuade the sheriff to run the poll in each hundred, Jacquis assured Huntingdon that he would do all he could to get out the earl’s tenants but considered it would be costly in expenses.<sup>151</sup>

The candidates then made strenuous efforts to mobilise support. In Carter’s opinion, some of Sherard’s supporters were offended by Verney’s refusal to join forces with Sherard and threatened to cast single votes. He feared this would split the loyal party and let in the whigs. During the first two days of voting Abney picked up votes from Whalley’s supporters but it was Lord Sherard

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<sup>150</sup> Ibid., HA7743, 21 Mar. 1685, Jacquis to Huntingdon; *ibid.*, HA1249, 23 Mar. 1685, Carter to Huntingdon.

<sup>151</sup> Ibid., HA7743, 21 Mar. 1685, Jacquis to Huntingdon.

and John Verney who came out the clear winners with 2,643 (36%) and 3,480 (48%) votes against Abney's 1,178 (16%).<sup>152</sup> Abney, recognising the way the vote was going, left before the poll to give support to William Sacheverell in Derbyshire. Sir Henry Beaumont was delighted that '... the very good conduct of the loyal party to the election for the county proved as fatal to the fanaticks and their favourite as that of the town'.<sup>153</sup> While Verney clearly profited from the votes of loyalists, Abney's share of the votes was remarkable, given his late entry into the campaign and the advantages accruing to Sherard as a former MP. This result demonstrated that 'the Dissenting interest' was able to deliver a solid core of support to a candidate prepared to challenge 'the loyal party'.

## V

The House of Commons that the four Leicestershire MPs joined in May 1685 was a very different assembly from that which Beaumont and Sherard experienced in 1679-81. Over 400 of the 513 MPs were new to the House and they were overwhelmingly loyal to church and king.<sup>154</sup> The reports that the two MPs sent to the mayor of Leicester reflected this new optimism. 'All this Town', they wrote, '.... is transported with joy at the good Correspondence between King and Parliament.' In his opening speech James II set out the type of relationship he wanted to see between himself and the two assemblies: 'the best way to engage me to meet you often is always to use me well; I expect therefore

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<sup>152</sup> Ibid., HA12967, 27 Mar. 1685, Verney to Huntingdon; *ibid.*, HA7744, 28 Mar. 1685, Jacquis to Huntingdon; *ibid.*, HA1250, 28 Mar. 1685, Carter to Huntingdon; *ibid.*, HA8416, 30 Mar. 1685, The mayor to Huntingdon.

<sup>153</sup> Ibid., HA658, 28 Mar. 1685, Beaumont to Huntingdon.

<sup>154</sup> Speck, *Reluctant Revolutionaries*, pp.46-51.

that you will comply with me in what I have desired and that you will do it speedily that this may be a short session.’<sup>155</sup>

To begin with the Commons’ behaviour was exemplary: Seymour’s resolution to appoint a committee to investigate abuses in the recent election was carefully sidestepped. But a more serious issue arose towards the end of the month, when the committee on religion moved a resolution in defence of the Church. Although Protestant Nonconformists were the target, James took exception to it and threatened to reject the resolution if the House passed it. In the event the Commons rejected it and left the matter to the goodwill of the king, employing the same words James himself had used in his speech at the opening of parliament. Nevertheless the addition to the resolution of the words that the Church of England ‘is dearer to us than our lives’ should have served as a warning that this House of staunch Anglicans was not ready to compromise over this issue.

Before further differences could be exposed, the borough MPs reported that the country faced military invasion from two directions.<sup>156</sup> Argyll’s rebellion in Scotland was quickly overcome but less than three weeks later on 13 June the king informed parliament that the duke of Monmouth had landed with a small force at Lyme Bay in Dorset. In a surge of support, the two Houses agreed to a

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<sup>155</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.221-24, 23- 30 May 1685, Beaumont to the mayor; *ibid.*, f.231, Text of king’s speech of 22 May 1685.

<sup>156</sup> Speck, *Reluctant Revolutionaries*, pp.51-5; R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.221, 23 May 1685.

Bill of Attainder against the duke, voted extra supplies to meet the costs of the emergency and placed a reward of £5000 for the capture of Monmouth.<sup>157</sup>

In these circumstances the king decided to prorogue parliament and the militia was put on alert with instructions to arrest any rebels. Severe penalties were threatened against anyone spreading Monmouth's traitorous Declaration. In Leicestershire Rutland received the instructions from Sunderland to seize 'all disaffected and suspicious persons and particularly Nonconformist ministers and such persons as served against our royal father and royal brother, and send them in safe custody to Leicester to be secured there till further order'.<sup>158</sup> A precept, signed by five deputy lieutenants, Beaumont, Cockayne, Halford, Lister and Roberts, was sent to the mayor on 23 June to call out the trained band with pay for six days service. On 8 July Lister and Roberts issued another precept mustering the foot soldiers of Capt. Wilson's company but by this time the immediate danger had passed.<sup>159</sup> News reached Leicestershire that the rising in Cheshire had failed to take off and that the royal army, under Lord Feversham's command, had routed Monmouth's army at Sedgemoor on the night of 5/6 July.<sup>160</sup> The next day Middleton wrote to the lords lieutenant to search 'all suspicious places and houses for any of the rebels or their abettors', to apprehend and secure anyone unknown travelling through the county and to quell any

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<sup>157</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.246-7, 15 June 1685 and ff.237 and 238, 13 & 15 June 1685, Royal Proclamations.

<sup>158</sup> *C.S.P.D. Feb.-Dec. 1685*, pp.212-3, 20 June 1685; R.O.L.L.R., *Militia Order Book, 1667-1695*, LM2/1 ff.130-6 and 167-9, June/July 1685, Orders issued by Rutland and Deputy Lieutenants.

<sup>159</sup> R.O.L.L.R., *Hall Papers* BR/II/18/35 f.233, 23 June 1685, Precept from DL, f.234, 27 June 1685, Muster certificate, f.252, 9 July 1685, Precept from DL, f.258 4 July 1685 (incorrectly listed as 18 July), Muster Roll for Leicester with 54 names, f.252, 9 July 1685, Precept from Deputy Lieutenants.

<sup>160</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.244, 7 June 1685, Carter to the mayor; *H.M.C. Rutland*. II.89-94, Correspondents' accounts of the campaign and Monmouth's execution.

disorders. On 9 July Rutland received orders to stand down the militia. All that remained locally was to sort out the accounts and release those arrested.<sup>161</sup>

As far as Leicestershire was concerned the crisis had passed but the aftershock of the rebellion continued into the autumn. Monmouth was taken to London and within a week was tried for high treason, found guilty and executed. During August and September in the southwest Judge Jeffreys dealt harshly with those who had taken part in the rebellion and those accused of aiding and abetting them. In Leicestershire, Stamford was again caught up in the net. On 24 July he was arrested and sent to the Tower.<sup>162</sup> Bridget Noel, the Countess of Rutland's sister, hoped it would not prove fatal.<sup>163</sup> It is not clear what triggered his arrest but the stand he took in the Lords in defence of those peers who had been implicated in the Rye House plot would not have helped his case. Initially he was held in close confinement and permitted few visitors. He appealed to the Lords for his release but was only saved from being brought to trial before his peers by the prorogation of parliament. Five months later he was released and finally given a pardon in March 1686.<sup>164</sup> Despite the pardon he was still regarded with suspicion and played little part in political life nationally or locally until the final weeks of James II's reign.

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<sup>161</sup> *H.M.C. Rutland*. II.91-4, 7, 9 & 30 July 1685, Middleton and Sunderland to Rutland; R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.254, 8 July 1685, Rutland to the mayor; R.O.L.L.R., *Militia Order Book, 1667-1695*, LM2/1 f.167, 9 July 1685, Sunderland to Rutland; *ibid.*, f.165-6, Account of costs; *ibid.*, f.167, 18 July 1685, Rutland to keeper of gaol.

<sup>162</sup> *C.S.P.D. Feb.-Dec. 1685*, pp.274-5, 24 July 1685, Warrant for Stamford's arrest; *London Gazette*, 27 July 1685; Luttrell, *Brief Relation*, I.355 & 363, 24-6 July, 16 Nov. 1685 and I.372, 9 Feb. 1686; *H.M.C. Downshire*, I (pt.1).55-6, 23 Nov. 1685, York to Trumbull; *H.M.C. Twelfth Report* App. vi p.305; *L.J.*, XIV.77, 82,83,85; Nichols, *Hist. Leics.*, III.679; *Oxf. D.N.B.* XXIII.887, 'Grey, Thomas, 2<sup>nd</sup> earl of Stamford (1653/4-1720)'.  
<sup>163</sup> *H.M.C. Rutland*. II.94, 28 July 1685.

<sup>164</sup> *C.S.P.D. Feb.-Dec. 1685*, p.387, 16 Nov. 1685; *H.M.C. Eleventh Report* App. II p.321; Luttrell, *Brief Relation*, I.363; Kennett, *Complete History*, III.441.

Despite the enthusiasm with which the reign opened, two issues were causing increasing alarm amongst loyalists. First was the king's commitment to removing the laws directed against Catholics, which at this stage led to him using his dispensing powers to allow Catholics to take up civil and military appointments. The second was his decision to retain the additional troops that had been approved to deal with Monmouth's rebellion. It was inevitable that both these concerns would be raised when parliament re-assembled on 9 November, less than a month after Louis XIV's momentous decision to revoke the Edict of Nantes.<sup>165</sup>

In his opening speech to parliament, the king criticised the performance of the militia during the rebellion and argued the need for a good force of disciplined troops in constant pay. He also explained why he considered it necessary to open recruitment in the army to Catholics. His remarks were criticised in the Commons, where the issue of supply became linked to the issue of a standing army. A compromise was reached where the House approved a supply of £700,000 linked to a bill for improving the militia. This infuriated James, who rebuked the House. John Coke, MP for Derby (the same man who had stood as a candidate in Leicestershire in 1679) was so provoked that, when seconding a motion to debate the king's reply, he threw out the challenge, 'We are all Englishmen, and not to be frightened out of our duty by a few high words.'<sup>166</sup> The House sent him to the Tower but, according to Reresby, his stand was generally well received. Opposition in the Lords was similarly vigorous led

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<sup>165</sup> Speck, *Reluctant Revolutionaries*, pp.55-62.

<sup>166</sup> *H.o.P. 1660-90*, II.100-1, 'John Coke II'.

by Coke's neighbour, the earl of Devonshire, and Bishop Compton.<sup>167</sup> As a sign of his disapproval James II prorogued parliament until 10 February. This was to be the last time this parliament was to meet.

## VI

The expansion of the army to 20,000 troops at the time of Monmouth's rebellion required the formation of new regiments. Huntingdon was one of those commissioned to form a foot regiment for which he was created Colonel on 20 June 1685.<sup>168</sup> While the officers of the county militia were going about their business, Huntingdon was busy recruiting for his new regiment.<sup>169</sup> Given the level of opposition in the country to a standing army, it would not be surprising if this development was regarded with some apprehension locally but there is no hint of this in the surviving correspondence. Between June 1685 and October 1688, the regiment was moved around the country and only had tenuous links with Leicestershire through the contacts of officers and men recruited from the county. Estate and regimental matters dominate the earl's correspondence for the next two years and there is little reference to local politics. At least in part this must be a reflection that there were no big local matters to demand his attention; he was more occupied with consolidating his position at court, which was an essential prerequisite for his next foray into county politics.

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<sup>167</sup> *L.J.* XIV, 9 Nov. 1685; Reresby, *Memoirs*, p.403; Feiling, *Tory Party 1640-1714*, p.211, Ogg, *Reign of James II and William*, p.158.

<sup>168</sup> *Oxf. D.N.B.* XXV.135, 'Hastings, Theophilus, 7<sup>th</sup> earl of Huntingdon (1650-1701)'; H.L.C., *Hastings*, m/f.13, HA1784, 13 July 1685, Bridget Croft to Huntingdon; R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.244, 7 June 1685.

<sup>169</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.243, 25 June 1685, Huntingdon to the mayor. For further references see H.L.C., *Hastings Papers*, m/f.13, HA7745-9 and 3977, 4-19 July 1685.

## VII

In the 1680s the government could rely on the active support of loyalists in the militia and the magistracy to contain any perceived threats from religious or political dissidents in the county. In the borough a loyalist elite drawn from prominent traders and merchants in the town had tightened their hold over the corporation during Charles II's reign, helped by the legislation that brought in a religious test to exclude Nonconformists from holding public office. That still left a minority prepared to challenge the leadership but the 'Dissenting interest' in the borough was in a weak position, for their political strength lay in the electorate. Between 1681 and 1685 Charles II's decision not to call an election closed off this option.

In these circumstances, it is surprising that the crown felt the need to renew the borough's charter. However the initiative came from Huntingdon, the chief beneficiary, who saw this operation as a way of re-asserting his family's traditional influence over the borough. At this stage he faced little competition. Given his wealth, his social position and his role as lord lieutenant, Rutland potentially represented the greatest threat to Huntingdon's ambition but he does not appear to have had much understanding or interest in politics. He certainly could not match Huntingdon's capacity for political manipulation. Stamford's continuing opposition left him a political outsider with little opportunity seriously to influence political events in either the county or the borough.

The accession of James II and the calling of the election provided Huntingdon with a further opportunity to test his political influence in the

borough and the county and prove his reliability to the new king. His candidates were successful in the borough, helped by a mean tactic to fend off a challenge from the Dissenting interest. Although Huntingdon engaged in the county election, he did not command the same authority there as he enjoyed in the borough. The distribution of the votes between the three candidates provides some indication of the relative strength of the competing factions among those who voted in this election. Verney, who topped the poll, gained 48%, demonstrating the strength of the loyalist vote, but that was 4% less than the combined votes of his opponents. As someone situated in the middle ground of politics, Sherard probably drew support from across the political spectrum but his share was significantly reduced by those who voted for Abney. Abney's 16% share of the vote is therefore some indication of the core support that whig candidates could expect from the 'Dissenting interest' in the county.

There is little sign that James II's accession had any other impact on local politics, despite the first stirrings of resistance to his pro-Catholic policies, which Beaumont and Babington witnessed in Westminster. Monmouth's rebellion brought a positive response from county loyalists but, apart from Stamford's arrest, that too had little impact locally. However, when, in 1687, James II decided on a radical change of policy in order to secure a more compliant parliament, Huntingdon was well positioned to take further steps to consolidate his position at court and strengthen his political position in the county.

## **Chapter 5: Change in government strategy, 1686-8**

When it became clear that he was not making any progress, James II gave in to pressure from Sunderland and his Catholic advisers to abandon his policy of working through Anglican loyalists. Sunderland persuaded him to try an alternative strategy based on an alliance between Catholics, Protestant Dissenters and moderate Anglicans, which the earl believed would provide sufficient momentum to secure a parliamentary majority in favour of repeal. This chapter examines the consequences of this policy for Leicestershire and the way local people responded. It begins by describing the reaction of the clergy and the laity to James II's second Declaration of Indulgence. This is followed by an examination of the impact that the government's remodelling campaigns had on the county militia, the magistracy and the corporation. The final section describes how Leicestershire responded to William of Orange's military intervention in English politics. Huntingdon's correspondence continues to be the principal source for the evidence used in this chapter. From the end of 1687 Huntingdon became lord lieutenant in both Leicestershire and Derbyshire. Where it is relevant to this study, use is made of evidence drawn from Derbyshire.

### Part 1: Forging a new alliance

#### **I**

Although the issuing of dispensations to Catholics appears to have built up slowly in Leicestershire, there are indications that the process was accelerating by the end of 1686 with the issue of a few warrants in favour of

individuals.<sup>1</sup> Then, on 4 March 1687, a warrant was drawn up containing the names of 259 male and female recusants from across the county, including 22 from Leicester, who were granted a discharge.<sup>2</sup> Another indication of this change in policy was the instruction Sunderland sent to Huntingdon to restrain John Smith and other informers who:-

Do very vexatiously prosecute the Quakers in the county of Leicester and the town of Leicester, and being pleased to extend his favour to those of that persuasion, would have you direct the Justices of the Peace to give no such countenance to Smith or any other informers in their prosecution against the Quakers.<sup>3</sup>

John Smith, a notorious persecutor of Nonconformists, was one of a number of informers recruited in the early 1680s to help the justices enforce the penal laws. Now that the government was moving towards an alliance with Dissenters, such agents were a potential embarrassment.<sup>4</sup> However the law had not changed and some justices, who saw all religious non-conformity as a threat, still considered it was their duty to enforce the law. Indeed some may well have encouraged the informers to continue to bring prosecutions before the magistrates, for, as late as the summer of 1688, Gery warned Huntingdon that 'there are them that are putting on persons to inform some justices about conventicles to ensnare them'.<sup>5</sup>

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<sup>1</sup> *C.S.P.D. Jan. 1686- May. 1687*, pp.317 and 338, 10 Dec. 1686 & 9 Jan. 1687, Dispensations to recusants.

<sup>2</sup> *Ibid.*, 379-80, 4 Mar. 1687.

<sup>3</sup> *Ibid.*, p.329, 30 Dec. 1686.

<sup>4</sup> *H.L.C., The Hastings Collection of MSS. on microfilm* (1986), m/f.14, HA10141, 18 Oct 1686, Penford [a Leicester Quaker] and two others to Huntingdon; R.H. Evans, 'The Quakers of Leicestershire, 1660-1714', *T.L.A.H.S.* XXVIII (1952), 63-83.

<sup>5</sup> *H.L.C. Hastings*, m/f.15, HA3992, 5 July 1688.

The government was also looking at ways to increase the number of Catholics in local offices. To this end the privy council set up a committee in the autumn of 1686 to review the magistracy.<sup>6</sup> In some counties the committee appears to have relied on informal contacts rather than the traditional links through the lord lieutenant and the *custos rotulorum*. This may have been the situation in Leicestershire, where seven were added and three removed from the commission. Six of those added (two honorary and five working justices) were Catholics and three of the four left off, Thomas Lord Beaumont, Richard Lister and William Cole, had the reputation of being zealous in the pursuit of non-conformists.<sup>7</sup> These dismissals suggest that the changes were deliberately targeted to win the support of Dissenters.

## II

In April 1687 a decisive phase was reached with the issue of James II's first Declaration of Indulgence. There is little indication what immediate reaction this produced in the county but later in the year the *London Gazette* reported that a group of dissenting ministers from Leicestershire had sent an Address, one of two hundred nationwide, congratulating the king on the issue of his Declaration.<sup>8</sup> However the rejection of a draft Address by 34 votes to 19 moved by the mayor in the Common Hall in October 1687 suggests that the issue of 'indulgence' still

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<sup>6</sup> P.R.O. PC 2/71, pp.325, 322, 6 Oct. and 7 Nov.1686 and P.R.O. C231/8, p.168. The earl of Huntingdon was a member of this committee.

<sup>7</sup> P.R.O. PC 2/71, p.368, Alterations in Leicestershire Commission; J. Miller, *Popery and Politics in England* (1973), App. 3 pp.269-72 and L. K. J. Glassey, *Politics and the Appointment of the Justices of the Peace, 1675-1720* (Oxford, 1979), pp.70-7; also see above, pp.165-7.

<sup>8</sup> *London Gazette*, no. 2304, 15-19 Dec. 1687: T. Harris, *Revolution: The Great Crisis of the British Monarchy* (2006), p.219, ns.112 & 116.

rankled with the corporation.<sup>9</sup> A letter from Nathan Wright added further detail.<sup>10</sup> It appears that Huntingdon had persuaded the mayor to call the meeting to consider an Address, which the earl had drafted for the corporation's consideration. In order to fend off opposition the mayor modified the original draft. During the debate some said they would be willing to support it if the reference to 'indulgence' was omitted 'as then having relation to the Church of England only'. At this point Wright and the mayor thought it prudent to withdraw the draft and await further instructions. They considered it would 'not be serviceable to his Majesty to pass an address with relation to the Church of England only' since such a document 'may not find a good acceptance from the King'. Huntingdon appears to have been using his local contacts to test out reactions to the government's new policy. For on the same day he received a letter from Samuel Saunders reporting on a similar situation in Derbyshire. Although Saunders was hopeful that the Dissenters would support an Address, he was more pessimistic about the corporation in Derby, which he claimed to be composed of men, 'such as were formerly called Tories and Stiff-Churchmen' - none of whom are likely 'to serve his Majesty in his Gracious healing design'.<sup>11</sup>

When the Declaration was reissued a year later, the clergy were instructed to read it out in church on two successive Sundays. With the support of some like-minded clergy in the diocese, the Bishop of Lincoln, Thomas Barlow, issued a declaration indicating satisfaction with the king's promises to maintain the established Church and proclaiming loyalty 'as becomes the true sons of the

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<sup>9</sup> H.L.C. *Hastings*, m/f.15, HA1162, 19 Oct. 1687, Byerly to Huntingdon; R.O.L.L.R., *Hall Papers*, BR/II/18/36, f.66, 10 Oct. 1687, Minutes of Common Hall.

<sup>10</sup> H.L.C. *Hastings*, m/f.15, HA13676, 19 Oct. 1687.

<sup>11</sup> *Ibid.*, HA10668, 19 Oct. 1687.

Church of England'.<sup>12</sup> Such deference was not universally shared among clergy in his diocese. On 2 June 1688 the Rev. Theophilus Brooks wrote to Huntingdon:-

We are now in a great bustle about reading the King's declaration: our bishop has sent it to our several churches and our gentry very much oppose the reading of it. My Lord Ferrers, as Mr. Burdett told me, swore it should not be read in his church and I believe it will be read in few churches in Derbyshire.<sup>13</sup>

He reported that various pamphlets were circulating in the county urging the clergy to refuse to read the Declaration, giving reasons why the instructions should be ignored. Two such documents had come Brooks' way. He asked the earl for his advice on 'how to behave in these difficult circumstances'. Gery's usual equilibrium was also disturbed by opposition in the county by 'persons of quality [who] are strongly united'.<sup>14</sup> John Oneby spoke of a reluctance among 'some of the more graver sort of the [clergy in Leicestershire] to commit themselves to the Declaration of Liberty', hoping 'to have some further opportunity to retrieve themselves from the dilemma they are apprehensive of'.<sup>15</sup> Gery had 'earnt much disdain from his brethren in the clergy' for reading the

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<sup>12</sup> *London Gazette* no. 2256; *H.M.C. 14<sup>th</sup> Report*, App.2 p.409; C. Holmes, *Seventeenth-Century Lincolnshire* (Lincoln, 1980), p.250.

<sup>13</sup> H.L.C. *Hastings*, m/f.15, HA1040, 2 June 1688 and HA6950, 4 Aug. 1688, Hunlocke to Huntingdon; Venn and Venn, *Alumni Cantabrigiensis*, Pt. I.I p.229. Theophilus Brooks was Huntingdon's chaplain and Rector of Norton juxta Twycross. Later presented by Huntingdon to Belton and Markfield; Nichols, *Hist. Leics.* IV.852; J. H. Pruett, *Parish Clergy under the Later Stuarts* (Chicago, 1978), pp.69 and 156.

<sup>14</sup> H.L.C. *Hastings*, m/f.15, HA3997, 3 Sept. 1688, Gery to Huntingdon.

<sup>15</sup> *Ibid.*, HA9779, 7 Sept. 1688, Oneby to Huntingdon and HA3274, 13 Aug. 1688, Foster to Huntingdon.

Declaration. Oneby contrasted the loyalty and integrity shown by Dr. Gery and his curates with the conduct of those who were obstructing the king's order. He hoped that Huntingdon would be able to persuade the king to grant some favour to Gery.

### III

This evidence suggests that James II's policies and actions were beginning to create considerable confusion, division and dismay in Leicestershire. Without any change in the law, the king was asking justices to desist from punishing men and women, whom some magistrates regarded as subversive to good order. Clerics were faced with the dilemma whether to obey the king, their bishop or their lay patron. Some Dissenters welcomed the new freedom offered by James but others were more wary and wanted to build in guarantees that the protestant religion would be secure. There was anger that Catholics were being appointed to offices for which they were disqualified. In the face of such hostility from their neighbours, some Catholics were reluctant to take on these responsibilities. There were no reports of open resistance in the county but the Declaration was like an aching tooth. It did not disturb the normal functioning of life but it was a constant source of pain and irritation at a time when other aspects of government policy were intruding into local affairs.

## Part 2: Remodelling the Magistracy, the Militia and the Corporation

### I

The removal of almost one-third of the lords lieutenant in 1687 and their replacement either by Catholics or by men trusted to support the new policy

marked the first stage in a radical programme of change.<sup>16</sup> Rutland was dismissed from the lord lieutenancy in Leicestershire in August and Huntingdon appointed in his place.<sup>17</sup> Huntingdon spent the summer in the county, so from mid-June to September 1687 there is a dearth of correspondence relating to local matters. When the correspondence resumes it is clear that the earl had built up a network of contacts in both Leicestershire and neighbouring Derbyshire.<sup>18</sup> Some of these men, like Nathan Wright and Sir Henry Beaumont, had assisted the earl in the past: others were new allies with different interests and backgrounds, men like the catholic brothers, Charles and Joseph Byerly, and John Oneby, a local attorney and Presbyterian from Barwell in the south-west of the county.<sup>19</sup> Relations between these new allies were sometimes fraught. Sir Henry Beaumont was incensed when he learnt that Oneby was supporting the popular franchise in the borough. He told Huntingdon that ‘nothing but my firm resolution of adhering to his Majesty’s service could make me correspond with such [a fanatic]’.<sup>20</sup>

In October 1687 the lords lieutenant were instructed to put to each deputy lieutenant and justice three questions, in public session, designed to elicit the respondent’s attitude to the removal of the penal laws and Test Acts.<sup>21</sup> The first

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<sup>16</sup> Sir G. Duckett, *Penal Laws and Test Act* (1882-3), I.3-18; Glassey, *Appointment of Justices*, p.77; J. R. Jones, *The Revolution of 1688 in England* (1972), pp.131-8.

<sup>17</sup> See below, Appendix 1, p.406; PRO C231/8 f.178, 25 July 1687; *C.S.P.D. June 1687-Feb. 1689*, pp.46-7, 2 and 4 Aug. 1687, documents 219 and 212; D. H. Hosford, *Nottingham, the Nobles and the North* (Hampden, Conn., 1976) p.21, quoting BL, *Add. Mss.* 41,804 f.308, 16 Aug. 1687, in which Middleton claimed that Rutland was dismissed for refusing to pledge a favourable vote in advance.

<sup>18</sup> P.R.O. C 231/8, p.184, Dec. 1687; *C.S.P.D. June 1687-Feb. 1689*, p.111, 2 Dec. 1687, Huntingdon’s appointment as lord lieutenant in Derbyshire.

<sup>19</sup> Nichols, *Hist. Leics.*, IV.475, Barwell: John Oneby.

<sup>20</sup> H.L.C. *Hastings*, m/f.15, HA662, n/d [erroneously indexed under 1689].

<sup>21</sup> Duckett, *Penal Laws*, vol. I, p.xi, ‘The King’s Instructions’; Glassey, *Appointment of Justices*, pp.78-81.

was intended to establish whether the respondent would support the repeal of these laws if elected an MP. The second was whether he would assist and contribute to the election of those willing to support repeal. The third was more general in its application but local in its intent, 'Whether he will support the King's Declaration for Liberty of Conscience, by living friendly with those of all persuasions, as subjects of the same Prince and good Christians ought to do?' Each lord lieutenant was required to record whether the respondent 'consents, refuses, or is doubtful'. While those questioned were accustomed to swearing oaths of loyalty before taking office, a public interrogation on such a specific issue was without precedent. The lords lieutenant were also asked to supply names of men who 'are willing to comply with these measures, have credit enough of their own, to be chosen Parliament men, or may be chosen by their friends' and to recommend Catholics and Dissenters for appointment as deputy lieutenants or justices.

Gabriel Hastings, Huntingdon's chaplain, who had been entrusted with the preparations for the earl's return to the county, advised Huntingdon that rumours were already circulating that the earl would be visiting the county shortly to conduct the interrogation.<sup>22</sup> He told him how earl Ferrers had 'gained the applause of the country' for his principled stand in refusing to assent, action which resulted in Ferrers' dismissal from the lord lieutenancy in Staffordshire. On the other hand Huntingdon received support from Sir William Halford, who invited the earl to stay at Welham on his journey north to Donington and offered

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<sup>22</sup> H.L.C. *Hastings*, m/f.14, HA5268-9, 11 and 23 Nov. 1687.

to convene a meeting with the gentlemen of Gartree Hundred.<sup>23</sup> Since Halford gave an affirmative answer to the three questions, it would appear that this offer was intended to be supportive.

Huntingdon's original plan had been to hold the meeting in Leicester on 15 December. A fortnight before he sent detailed instructions to a Mr. Durham in Leicester about convening this meeting.<sup>24</sup> Almost immediately the earl countermanded this instruction and left it to Lawrence Carter to recover the invitations.<sup>25</sup> It is not clear why the plans were changed. At the time the earl was receiving alarming reports about severe storms, which were causing unprecedented floods in the Trent valley but it is more likely that, following his appointment as lord lieutenant in Derbyshire on 2 December, the earl decided it would save a second journey if both meetings could be held within the same week.<sup>26</sup> Fresh instructions were issued to Durham to convene the Leicester meeting for 12 January 1688 and to a Mr. Adderley to do the same for Derbyshire a week later.<sup>27</sup> From his contacts in Derbyshire, Huntingdon learnt that he was likely to face substantial resistance. Saunders suggested that it would be more sensible to target a few 'particularly stiff men' as an example to the rest and interview individuals one by one.<sup>28</sup> Viewed in hindsight, Huntingdon could

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<sup>23</sup> Ibid., HA4357, 12 Nov. 1687.

<sup>24</sup> Ibid., HA6061, 1 Dec. 1687, Huntingdon to Durham. The list of the deputy lieutenants and justices he asked to be invited matches the record in Duckett, *Penal Laws*, II.102-7.

<sup>25</sup> Ibid., HA1251, 12 Dec. 1687, Carter to Huntingdon.

<sup>26</sup> Ibid., HA7779, 6 Dec. 1687, Jaquis to Huntingdon.

<sup>27</sup> Ibid., HA6063, 24 Dec. 1687, Huntingdon to Durham and HA32, 30 Dec. 1687, Adderley to Huntingdon. John Adderley was clerk of the peace in Derbyshire from 1682-99, Sir Edgar Stephens, *The Clerks of the Counties, 1360-1960* (1961), p.75.

<sup>28</sup> H.L.C. *Hastings*, m/f.14, HA10669, 19 Dec. 1687 and HA12974, 31 Jan. 1688 for similar comments from George Vernon.

hardly have looked for better advice but he may have felt his instructions left no room for manoeuvre.

In Leicestershire only seven of those questioned responded positively to all three questions.<sup>29</sup> Nineteen replied negatively to the first two and gave a non-committal response to the third. Because only two verbatim comments were recorded, it is impossible to detect whether there had been any prior collusion among the respondents, as seems to have been the case elsewhere. Thomas Pochin's immediate response was, 'that he hath all the duty imaginable for his Majesty and inclinations to his service, but these questions are of that great importance, that he cannot at present return a positive answer'. In a second undated letter Pochin informed Huntingdon that he was willing to go along with the abolition of the penal laws and with 'liberty of conscience' but wanted to think further about the removal of the Tests.<sup>30</sup> Fifteen others were recorded as absent, five of whom were Catholics. One of the absentees, Sir Henry Hudson, wrote a few days later to apologise that illness had prevented him from attending and gave his answers in writing.<sup>31</sup> He ducked the first question by claiming that he had no intention of standing for parliament. His replies to the others concealed as much as they revealed. To the second, he replied, 'I will by God's assistance as I have ever done live in true obedience to his Majesty's government as by [law] established, and to the third 'I shall continue as a Christian ought to do and preserve in all friendship and charity to all men breathing, so help me God. Amen'.

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<sup>29</sup> See below, Appendix 3, 408-9, derived from Duckett, *Penal Laws*, II.102-7.

<sup>30</sup> H.L.C. *Hastings*, m/f.12, HA10330, n/d. [Incorrectly attributed to c. 1681 and incorporated in mf.12 at end of 1681]

<sup>31</sup> H.L.C. *Hastings*, m/f.15, HA6939, 14 Jan. 1688, Sir Henry (or Edward?) Hudson to Huntingdon.

The response in Derbyshire was similarly discouraging.<sup>32</sup> For the earl these results were probably a great personal embarrassment, especially since his preferred style was to operate behind the scene rather than on a public stage. He could comfort himself that anger was directed at the king's policy but it was also made clear for all to see what little personal support he commanded in either county. While Huntingdon could take assurance that Sir Henry Beaumont, Sir William Halford and Richard Roberts were supporting him, the resistance of Lords Beaumont, Cullen, Sherard and Ferrers, Sir Beaumont Dixie, John Verney, Thomas Babington and other gentlemen of substance was a public humiliation and risked the king's wrath. Retribution followed quickly.

## II

In his report Huntingdon recommended only seven men as deputy lieutenants.<sup>33</sup> Five of these had responded positively, Sir Thomas Burton, Sir Henry Beaumont, Sir William Halford, Richard Roberts and Henry Nevill: the other two, Sir John Gifford and Sir William Villiers, were reported as absent on the day of the inquisition. Presumably Huntingdon had complete confidence in these two: Gifford was a Catholic and he had recommended Sir William as a potential parliamentary candidate in the borough.<sup>34</sup> These seven were appointed on 16 February 1688.<sup>35</sup> It is not possible to say what happened to those deputy lieutenants whose replies were negative, since no contemporary list of the militia has come to light but presumably, like their colleagues in the magistracy who

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<sup>32</sup> Duckett, *Penal Laws*, I.164-8.

<sup>33</sup> *Ibid.*, I. 294-5, II.105.

<sup>34</sup> *Ibid.*, II.105; H.L *Main Papers* 321 (c65), Leicestershire Catholics, 1680.

<sup>35</sup> *C.S.P.D. June 1687-Feb.* 1689, p.146, 16 Feb. 1688, Appointment of D.L.'s.

responded in a similar fashion, they were deprived of their commission. If this was the case, there is a strong possibility that at officer level the militia was seriously under-strength. George Vernon was so concerned about the problem of recruiting junior officers in Derbyshire that he urged Huntingdon to reserve some places of profit in order to give men with smaller incomes some financial assistance.<sup>36</sup> He even dallied with the idea of diverting some of the weekly tax to pay for this service but was fearful this would cause further offence.

In Leicestershire Huntingdon was fortunate that he could still call on experienced deputy lieutenants, such as Sir Thomas Burton, Sir Henry Beaumont, Sir William Halford and Richard Roberts, to keep on top of the administration. During the summer Huntingdon received reports from them after they had inspected the equipment and the accounts. In August they complained about the delay in the appointment of a clerk and a treasurer and Huntingdon seems to have rectified this within a fortnight.<sup>37</sup> The fact that the earl had their support probably explains why criticisms about the militia were muted in the first half of the year. Problems only surfaced in the autumn, when the government began to have anxieties about the military readiness of the militia. The court martial and cashiering of six officers from the duke of Berwick's regiment on 10 September 1688 for refusing to serve under catholic officers was an indication of the backlash that the government was encountering. Two of these officers, Thomas Beaumont, brother of Viscount Swords, and Christopher Packe of

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<sup>36</sup> H.L.C. *Hastings*, m/f.15, HA12974-6, 31 Jan., 4 Mar. & 15 Apr. 1688, Vernon to Huntingdon.

<sup>37</sup> *Ibid.*, HA666 & 1149, 13 June and 13 Aug. 1688. There are no entries in the *Militia Order Book, 1667-95* (R.O.L.L.R., LM2/1) from 27 Sept. 1686 to 27 Nov. 1690.

Prestwold, were from Leicestershire.<sup>38</sup> Their stance, which received considerable national publicity, may well have inspired others in the county militia to take a similar stand over the next two months.

### III

On 28 February 1688 a new commission of the peace was issued for Leicestershire.<sup>39</sup> It marked a radical break with the past.<sup>40</sup> With only 23 working justices it was the smallest in the period of this study. Any justice who had given negative responses was left out.<sup>41</sup> Twenty-seven of the previous commission were dismissed, including Thomas Babington and John Verney, two of the MPs who had served in the 1685 Parliament. Only five survived from the 1685 commission, although three others, named in 1680 and/or 1684, were reinstated. Sir Henry Beaumont was the only baronet to survive, presumably in recognition of his personal loyalty to Huntingdon. Seventeen out of the 23 were new appointments, including four of those recommended by the privy council in December 1686. Among the newcomers were seven Catholics and at least two Dissenters. The recall of Sir John Hartopp illustrated the extent to which this regulation had reshaped the commission.<sup>42</sup> Further proof of its singular character is that only eight out of the 23 served in any subsequent commission of the peace. Nor were honorary justices exempt: Lord Sherard was dismissed and the earl of Cardigan and Lord Carrington, two catholic noblemen, were added.

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<sup>38</sup> Nichols, *Hist. Leics.* III. 739 text and n.3; B. D. Henning (ed.), *History of Parliament: House of Commons, 1660-1690* 3 vols. (1983), I.614 and E. Cruickshanks, S. N. Handley and D. W. Hayton (eds.), *History of Parliament: House of Commons, 1690-1715* 5 vols. (Cambridge, 2002), III.161, 'The Hon John Beaumont'.

<sup>39</sup> P.R.O. C193/12/5, *Liber Pacis* and R.O.L.L.R., QS/1/1, 28 Feb 1688, Commission of the Peace; Glassey, *Appointment of Justices*, pp.82-9.

<sup>40</sup> See below, Table 1, pp.411-17.

<sup>41</sup> Duckett, *Penal Laws*, I. 294-6 and II. 98-7.

<sup>42</sup> *H.o.P. 1660-90*, I.503, 'Sir John Hartopp'.

Prior to the issue of the commission, John Oneby had sent Huntingdon a list of ten gentlemen he had recommended for consideration as justices in Leicestershire.<sup>43</sup> The list is of interest because, judging from previous or subsequent political behaviour, nine out of these ten (the exception was Nathan Wright), together with Oneby, appear to come from the core of moderate whig opinion in the county. Oneby, along with four on his list, were appointed but it is not clear why Sir Thomas Halford of Wistow, Sir Edward Abney, George Ashby and Thomas Charnells were not used on this occasion, especially in view of the difficulties of recruiting sufficient justices. It raises the question whether the last four were approached and refused.

The new commission must have been received with incredulity in the county. Many substantial landowners had lost their places and the Bench was now occupied by men of lesser estates, a significant number of whom were excluded by law from standing for public office. They were only there because of the liberal use of royal dispensations. To those who saw the penal laws and Test Acts as an essential bulwark against sectarianism, placing the administration of the law in the hands of Catholics and Dissenters was a shocking threat to the security of the body politic. There may also have been serious and valid concerns about the capacity of this reduced bench to carry out its proper functions, especially since few of these justices had any experience in the role.

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<sup>43</sup> H.L.C. *Hastings*, m/f.15, HA9778, 23 Jan. 1688.

Huntingdon urged Gervase Jaquis to ensure that there would be a good show of new justices at the assizes in March. The reports the earl received were far from encouraging. Jaquis assumed that Sir Henry Beaumont, Sir William Halford, Sir Thomas Burton and Dr. Gery would be present but warned the earl that the delay in issuing the writ of *Dedimus Potestatem* meant that the new justices might not qualify in time to attend.<sup>44</sup> He recommended that Sir Henry Beaumont and Mr. John Watts should be empowered to swear them. From Joseph Byerly's account, it appears that these problems were still unresolved when the time came for the assizes, for only four justices, Sir Henry Beaumont, Sir Thomas Burton, Dr. Gery and Charles Byerly were present: others were still waiting to receive the writ.<sup>45</sup>

As usual Huntingdon turned to Gery to sort out the problem. Gery reported that he and Charles Byerly planned to visit every hundred 'where there are no justices, to prepare business against the next session, so that the concerns of the King and country might meet with no demurrers'. Gery had asked Lawrence Carter to chase the issue of the *Dedimus* but his chief priority was to ensure that the formal business was not interrupted. He '... presume[d] there are them who would rejoice to see a failure in any thing' but was determined not to let that happen.<sup>46</sup> Carter warned that the earl was being badly let down by the delays in issuing the *Dedimus*, 'for the monthly meetings cannot be kept in some of the hundreds until it be done' (a rare reference in Leicestershire to the

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<sup>44</sup> Ibid., HA7787, 5 Mar. 88; Glassey, *Appointment of Justices*, pp.21-2, 76-7 and 92-4 for the reasons for delay in the *Dedimus Potestatem*

<sup>45</sup> H.L.C. *Hastings*, m/f.15, HA1179, 24 Mar. 1688.

<sup>46</sup> Ibid., HA3990, 3 Apr. 1688.

existence of such meetings).<sup>47</sup> By the end of the month little progress had been made. Sir Henry Beaumont claimed that ‘Dr Gery and myself have seldom been out of employment,’ trying to maintain the business of the magistracy.<sup>48</sup> On the opening day of the April sessions, Gery confirmed that the two of them had been the only justices present.<sup>49</sup> He reported that they had dealt with some matter relating to the excise, in order to demonstrate that the breakdown in the business, which some hoped for, had not occurred.

By the end of May the blockage over the *Dedimus* appears to have been resolved for Jacquis went from justice to justice across the county to ensure that they were sworn in before the summer sessions.<sup>50</sup> With some relief Jacquis was able to report that five justices, including Oneby, Byerly and Turville had appeared at the opening day of the sessions on 12 June, although there was very little business before them.<sup>51</sup> Sir Henry Beaumont was more upbeat in his report of the same event, saying that they had used the occasion to ‘celebrate the happy nativity of the Prince of Wales’. This was in marked contrast to Gery’s account of the reaction in the northwest of the county where there had been ‘great rejoicing by ringing and bonfires everywhere on account of the Bishops but no bonfires the day before for the Prince’.<sup>52</sup>

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<sup>47</sup> Ibid., HA1254, 4 Apr. 1688.

<sup>48</sup> Ibid., HA662, n/d. [incorrectly indexed under 1689 towards the end of m/f.15.]

<sup>49</sup> Ibid., HA3991, 28 Apr. 1688.

<sup>50</sup> Ibid., HA7789 and 7790, 26 May and 6 June 1688, Jaquis to Huntingdon.

<sup>51</sup> Ibid., HA7791, 13 June 1688.

<sup>52</sup> Ibid., HA666, 13 June 1688, Beaumont to Huntingdon and HA3992, 5 July 1688, Gery to Huntingdon.

#### IV

At the same time the government embarked on another ambitious remodelling of the borough corporations. This time the objective was to replace the loyalists who had been left in charge in the earlier exercise and put in their place Catholics, Dissenters and others who would be prepared to support the king's policy.<sup>53</sup> A board of regulators was established in London to supervise this operation. The board made use of professional agents to ferret out the local information it required for its decisions. This process was so cumbersome that in many boroughs the process had to be repeated two or three times.<sup>54</sup> Most of the evidence for the regulation in Leicester comes from the correspondence between Huntingdon, Sir Henry Beaumont, Nathan Wright and John Oneby. Oneby may have acted as the board's local agent but the evidence is not conclusive. However, the board probably had easy access to the earl in London and may have acted on his advice and that of his local contacts.

On 23 January 1688, after consultation with people who knew the affairs of the borough, Oneby sent Huntingdon a list of existing aldermen who were most loyal to the king and the names of those who might be considered for any vacancies.<sup>55</sup> The list has not survived, so it is not possible to work out what influence Oneby had on the first regulation that took place a month later but the alterations were extensive. In total 24 changes were made out of a total

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<sup>53</sup> *Victoria County History: The County of Leicester* 5 vols. (1907-64), vol. 4, R. W. Greaves, 'Leicester Parliamentary History, 1660-1835', pp.117-19; P. D. Halliday, *Dismembering the Body Politic: Partisan Politics in England's Towns, 1650-1730* (Cambridge, 1998), pp.245-60; J. P. Kenyon, *Robert Spencer, Earl of Sunderland, 1641-1702* (1958), pp.192-3 and 202; Jones, *Revolution in 1688*, pp.128-75.

<sup>54</sup> For contrasting assessments of the regulation see above, pp.33-5; Jones, *Revolution of 1688*, pp.146-152; Speck, *Reluctant Revolutionaries*, pp.132-5; Halliday, *Dismembering the Body Politic*, p.249.

<sup>55</sup> H.L.C. *Hastings*, m/f.15, HA9778, 23 Jan. 1688.

membership of 60. Four former mayors, John Goodall, John Roberts, Francis Ward and Thomas Ludlum, and the borough solicitor, William Browne, lost their places: the last named, Ludlum and Browne had been loyal allies of Huntingdon in 1684.<sup>56</sup> Among those appointed were three who had opposed the previous surrender, Bentley, Bent and Brooksby, in addition to Buxton, Dudley and Harris, whom Gery described in 1684 as disaffected.<sup>57</sup> A provision, by then standard government practice, was included in the warrants exempting these new appointees from the obligation to take the statutory oaths.

Sir Henry Beaumont had heard that several new aldermen of the dissenting party had refused to act.<sup>58</sup> In a letter written on Symonds' behalf, William Palmer and Charles Byerly put forward these reasons why he should be excused from serving on the Corporation:-

He is much a stranger to the affairs of that Corporation, not having been educated among them, and besides is full of employment about his own private concerns in the country so that he cannot attend the services of the Corporation as in duty he ought to do. He is no freeman of that town and therefore not in the power of the Corporation to be compelled to serve in any office among them.<sup>59</sup>

The excuses may have been genuine but the fact that Symonds was resident in the town and later served both as sheriff and as a justice in the county suggests

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<sup>56</sup> See below, Table 4, pp.426-33.

<sup>57</sup> *C.S.P.D. Jan 1686-May 1687* pp.379-80; also see above, pp.178-9 n.67.

<sup>58</sup> H.L.C. *Hastings*, m/f.15, HA664, 10 Apr. 1688, Beaumont to Huntingdon.

<sup>59</sup> *Ibid.*, HA9844, 9 Apr. 1688, Palmer and Byerly to Huntingdon.

that there may have been other explanations why he was not prepared to take on this duty. Either his request was ignored or he changed his mind, for by September Symonds was listed as a member of the corporation.<sup>60</sup> Wykes claimed to have identified 24 out of the 58 members of the corporation as Dissenters drawn from a social and denominational cross-section of the dissenting community.<sup>61</sup> Sir Henry Beaumont was concerned that loyal men had been left out (a recurrent theme of his throughout) and was incensed to discover that John Creswell, ‘an old rebel, of which he glories to this day’, had been appointed town clerk in place of John Huckle.<sup>62</sup> It appears from a letter, which Wright sent to Huntingdon, that further changes were under discussion for he had forwarded some proposals from Oneby and himself to a Mr. Trinder, a treasury solicitor, and promised to ask Sir Henry for his comments.<sup>63</sup> The result was that thirteen more changes were made before July, including the removal of another three former mayors.<sup>64</sup>

Despite these extensive changes, only three of the 59 present at a special meeting of the corporation in May were prepared to approve a loyal Address, drafted by Huntingdon.<sup>65</sup> It is not apparent why the draft was thrown out. At the time feelings were running high about the second Declaration of Indulgence and

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<sup>60</sup> See D. L. Wykes, ‘Religious Dissent and the Trade and Industry of Leicester, 1660-1720’ (Univ. of Leicester, Ph.D. thesis, 1987), pp.129-32 for information on Symonds.

<sup>61</sup> *Ibid.*, pp.245-8 and Table 6.9 and 6.10; and see below, Table 4, pp. 426-33 for composition of the corporation in March 1687.

<sup>62</sup> H.L.C. *Hastings*, m/f.15, HA664, 10 Apr. 1688 [According to Greaves, Creswell was dismissed in July and re-instated in September, *V.C.H. Leicestershire*, IV.118]

<sup>63</sup> *Ibid.*, HA13677, 21 Apr. 1688; see Jones, *Revolution of 1688*, pp.125 and 145, Mr. Trinder was a treasury solicitor.

<sup>64</sup> See below, Table 4, pp.426-33 for composition of corporation in July 1688.

<sup>65</sup> R.O.L.L.R., *Hall Papers*, BR/III/18/36, f.89, 28 May 1688, Minutes of Common Hall; H.L.C. *Hastings*, m/f.15, HA1703, 28 May 1688, Craddock to Huntingdon [Craddock’s information on voting figures differ from the official minute]; BL *Add. Mss.* 25375 f.29, quoted by Miller, *Cities Divided*, p.231.

the imminent birth of the king and queen's child but it may also be an indication that some members resented Huntingdon using the corporation as a vehicle for his own designs. However the mayor assured the earl that the corporation supported the notion of sending a differently worded address professing their gratitude and obedience. A fortnight later Jaquis reported that the prince's birth had been greeted in Leicester with bonfire and bells.<sup>66</sup>

Huntingdon and the regulators were still not satisfied that they had achieved a perfect arrangement in Leicester. In Miller's opinion, the corporation was made to pay for its intransigence when it was included in a list of thirty-one recalcitrant boroughs that had their charters revised in September.<sup>67</sup> Sir Henry Beaumont had already argued that, notwithstanding the expense, 'there is nothing remaining now but a new charter'.<sup>68</sup> He was unequivocal about what he wanted a new regulation to achieve. It must be thorough ('none may be admitted but on firm grounds'), for Sir Henry was convinced that the last regulation had allowed some undesirable fanatics back into the corporation.<sup>69</sup>

The latest remodelling was packaged within a new charter, which was issued early in September.<sup>70</sup> The new charter was similar to that of 1684 with two significant alterations. First, the parliamentary franchise was restricted to the mayor and aldermen. Second, a clause was added 'by virtue of the prerogative

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<sup>66</sup> H.L.C. *Hastings*, m/f.15, HA7791, 13 June 1688, Jaquis to Huntingdon.

<sup>67</sup> J. Miller, *Cities Divided: Politics and Religion in English Provincial Towns, 1660-1722* (Oxford, 2007), p.231.

<sup>68</sup> H.L.C. *Hastings*, m/f.15, HA666, 13 June 1688, Beaumont to Huntingdon.

<sup>69</sup> *Ibid.*, HA667, 17 July 1688.

<sup>70</sup> See below, Table 4, pp. 426-33 for composition of corporation in Sept. 1688.

dispensed, pardoned, remitted and exonerated from taking the oaths.<sup>71</sup> The changes in membership were even more radical than those carried out earlier in the year. Only eight members of the corporation serving twelve months previously survived: the remaining 52 were new, half of them chosen for the first time in this re-modelling. In their efforts to secure a compliant corporation, the regulators drew on men who had no previous experience of serving on the corporation, including the new mayor, John Carr. Wykes considered that 14 out of 24 aldermen and 17 out of 36 common councillors named in the new charter were Dissenters.<sup>72</sup> Among these newcomers were some of the leading Quakers in the town.<sup>73</sup> Halliday noted that the occupational background of these new men was noticeably different from the mercers and chandlers, who had traditionally dominated the corporation. The corporation, like the commission, now consisted of men whose 'religious identity and social station put them outside the political nation'.<sup>74</sup> The cumulative effect of these successive regulations was to reverse the balance of political power in the borough. Given the sweeping nature of these changes, what is surprising, is that there was little evidence of protest, apart from the alarms expressed by Sir Henry Beaumont.<sup>75</sup> However, it appears that the implementation of the charter was delayed, for, when the Hall met on 20 September, William Bentley was elected mayor.<sup>76</sup>

Leicester's experience suggests that the regulators found it difficult, as elsewhere, to understand the factions that were competing for control in the

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<sup>71</sup> Halliday, *Dismembering the Body Politic*, p.252 (and fn.59).

<sup>72</sup> Wykes, 'Religious Dissent, Leicester, 1660-1720', p.248-9.

<sup>73</sup> R. W. Greaves in *V.C.H. Leicestershire*, IV.118 (and n.89), quoting R. H. Evans.

<sup>74</sup> Halliday, *Dismembering the Body Politic*, p.255.

<sup>75</sup> H.L.C. *Hastings*, m/f.15, HA670, 12 Oct. 1688, Beaumont to Huntingdon.

<sup>76</sup> Hartopp, *Mayors of Leicester*, pp.118-20; *V.C.H. Leicestershire*, IV.118-9.

town. As Sir Henry's increasingly desperate pleas indicate, the internal struggle to control the corporation was in progress right up to the time the new charter was withdrawn in the middle of October. On 12 October rumours reached him that dissident elements in the town were taking advantage of the change in government policy. Sir Henry urged the earl not to act hastily, 'for I am of the opinion that old friends may still do good service ... as they never disobeyed his Majesty, so I am sure they are true lovers and faithful servants to your Lordship'.<sup>77</sup> Two weeks later, the situation changed dramatically, when James II abandoned his policy for remodelling the boroughs. The consequences this had in Leicester will be dealt with later in this chapter.

## V

One of the tasks given to the lords lieutenant at the end of 1687 was to identify men suitable to be MPs. Huntingdon recommended three whom he was confident would support the king's policy: Sir John Hartopp for the county and Sir Henry Beaumont and Sir William Villiers for the borough.<sup>78</sup> It is surprising that he only put forward one name for the county for there were others, such as Sir Edward Abney and George Ashby, whose political record suggests they would have been ideal candidates. Was this a further example of the reluctance of moderate whigs to come to the king's support? With respect to the borough Huntingdon explained that there was no one in the Corporation 'either for quality, fortune or interest' whom he could recommend, which is why he put forward the names of two gentlemen, who possessed estates within easy reach of

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<sup>77</sup> H.L.C. *Hastings*, m/f.15, HA670, 12 Oct. 1688.

<sup>78</sup> Duckett, *Penal Laws*, II.105; *H.o.P. 1660-90*, I.613, 'Sir Henry Beaumont'; *H.o.P. 1690-1715*, V.751, 'Sir William Villiers'

the town, one of whom had served as a borough representative in the last four parliaments.

Huntingdon was already thinking ahead to the election in the borough when in April he asked Beaumont and Wright to investigate the legal precedents for elections. Sir Henry confirmed that up to 1660 the election of the burgesses was confined to ‘the aldermen wearing gowns’, an arrangement he was keen to reinstate.<sup>79</sup> Four months later, in a remarkably frank letter, Sir Henry gave Huntingdon further advice on what was needed to win this election, recommending asking Mr. Brent’s advice in this matter.<sup>80</sup> He considered the restoration of the old franchise was essential, so long as those who had the vote could be trusted. He went on to recommend:-

If the Town being refractory.... there must be recourse to the neighbourhood (as is done in other places) and the king’s servants in the excise and chimney not be forgot.... There is also the absolute necessity that some sort of soldiers should be quartered there before the election for it will be little enough to overcome the influence of the Malcontents, who already rejoice at their being freed from the army and threaten much at that time.<sup>81</sup>

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<sup>79</sup> H.L.C. *Hastings*, m/f.15, HA664, 10 April 1688, Beaumont to Huntingdon and HA13677, 21 April 1688, Wright to Huntingdon.

<sup>80</sup> Mr. Brent, a lawyer and recusant, was one of the principal officers employed in London to supervise the regulation, J. R. Jones, ‘James II’s Whig Collaborators’, *H.J.* 3 (1960), 65-73 and Jones, *Revolution of 1688 in England*, pp.145-8.

<sup>81</sup> H.L.C. *Hastings*, m/f.15, HA668, 16 Aug. 1688.

He stressed the importance of choosing a suitable town-bailiff to manage the elections and to appoint the retinue. It had to be someone who could withstand threats and intimidation from those who were refused a vote.

Sir Henry had personal reasons to be so anxious. It appears that there was talk that Babington and Wright were planning to stand and were gaining support.<sup>82</sup> Sir Henry was worried that this would force up the costs of his own election, an expense he could little afford. While affirming his loyalty to Huntingdon, he claimed it was impossible to make 'bricks without materials'. Relief came quickly, for the new charter issued in September restricted the franchise to the corporation.<sup>83</sup> Oneby was delighted for he believed that the new provision would secure the return of Beaumont and Villiers, 'persons of undoubted loyalty and fidelity, who will comply with the King's request'.<sup>84</sup>

On 8 August the Rev. Brooks informed Huntingdon that there was likely to be considerable opposition in choosing parliamentary candidates for the county election.<sup>85</sup> Gery had similar apprehensions and was relieved to hear that the earl intended shortly to return to the county, for 'Persons of quality are strongly united and have met frequently'.<sup>86</sup> Jaquis also confirmed that private consultations had taken place among the county's nobility and gentry, who had settled on Lord Cullen and John Verney.<sup>87</sup> He believed Sir John Hartopp stood a good chance but predicted stern opposition. Confirmation also came from John

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<sup>82</sup> *Ibid.*, HA669, 29 Aug. 1688, Beaumont to Huntingdon.

<sup>83</sup> *C.S.P.D. June 1687-Feb. 1689*, pp.263-4, 3 Sept. 1688, Leicester's Charter.

<sup>84</sup> H.L.C. *Hastings*, m/f.15, HA9779, 7 Sept. 1688, Oneby to Huntingdon.

<sup>85</sup> *Ibid.*, HA1041, 8 Aug. 1688.

<sup>86</sup> *Ibid.*, HA3997, 3 Sept. 1688.

<sup>87</sup> *Ibid.*, HA7794, 4 Sept. 1688.

Oneby that Cullen and Verney were intending to stand. Lord Sherard and Sir Beaumont Dixie were also mentioned as potential candidates.<sup>88</sup> Oneby ruled out Dixie as a serious threat for he fully expected him to back out when Dixie assessed what his candidature would cost.

By the end of August Sunderland felt sufficiently confident about the progress of the regulation nationally to persuade James II to announce on 24 August his intention to summon a parliament in November.<sup>89</sup> While the regulators moved into the final stage of their work, Sunderland immersed himself in the election campaign.<sup>90</sup> A week before the writs were issued, Huntingdon received a letter from Sunderland identifying a list of royal approved candidates in his two lieutenancies.<sup>91</sup> The earl was asked to give ‘all the assistance and countenance you can in order to their being elected in the said places’. Sir Henry Beaumont and Sir William Villiers were named in the borough but significantly again no one, not even Sir John Hartopp, was identified in the county, presumably a reflection of the continuing reluctance of gentlemen in the county to come forward.

## VI

Seen from a local perspective, the actions which the government and the regulators took in 1688 were disastrous and only served to confuse and alienate those people on whom the crown traditionally relied for local governance. In both the borough and the county, Huntingdon’s nominees faced opposition in the

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<sup>88</sup> *Ibid.*, HA9779, 7 Sept. 1688.

<sup>89</sup> Jones, *Revolution of 1688*, pp.164-75; Speck, *Reluctant Revolutionaries*, pp.128-35.

<sup>90</sup> Jones, *Revolution of 1688*, pp.150-2; Kenyon, *Sunderland*, pp.191-194.

<sup>91</sup> H.L.C. *Hastings*, m/f.15, HA12545, 13 Sept. 1688, Sunderland to Huntingdon.

forthcoming election. The militia and the bench were severely under-strength. Huntingdon could point to the support of some Catholics and Dissenters but others were wary of committing themselves for fear of ‘a neighbour’s jealous eye’.<sup>92</sup> Huntingdon’s failure to identify two suitable parliamentary candidates in the county suggests that moderate whigs among the gentry, whom it is reasonable to expect would have had sympathy for a greater degree of religious toleration, were reluctant to support the king’s plans. By the summer, especially after the prince’s birth, the government appears to have forfeited the support of many gentlemen and clergy in the county.

In the borough Huntingdon and his allies may have considered that they had done sufficient to secure the return of Beaumont and Villiers. However the regulation had shocked and alienated those displaced members who had formerly controlled the corporation. Because of his personal involvement, Huntingdon must bear a major responsibility for this unsettled situation. Members of the corporation, who had supported him in 1684, were left bewildered by this change in direction. The difficult personal decisions that faced Sir Henry Beaumont, as he struggled to reconcile his duty to the king and the earl with his growing distress about the way matters were developing in 1688, was typical of the dilemma facing loyalists, who chose to back James II’s grand design. For his part Huntingdon, blindly pursuing the course the king and Sunderland set out, found it difficult to reconcile the conflicting advice that he was receiving from Leicester.

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<sup>92</sup> *Ibid.*, HA6949, 14 July 1688, Hunlocke to Huntingdon.

Part 3: Prelude to the Revolution

I

When it became clear that William was serious in his intent to mount an armed descent, James II's response was dramatic.<sup>93</sup> The writs, issued a week earlier, were withdrawn on 28 September. Two days later William issued a Declaration, in which he invited all men to come to the assistance of his grand design in order that 'all the violences and disorders, which may have overturned the whole Constitution of the English government, may be fully redressed in a free and legal Parliament'.<sup>94</sup> Over the next week many measures, which the government had taken since 1686 with respect to the church, the universities, the commissions of the peace and the borough corporations, were put into reverse.<sup>95</sup> James II sought the advice of Sancroft and several of his colleagues about the steps needed to restore confidence but at this stage was reluctant to repair his relationships with those lay loyalists he had abandoned two years earlier. At a local level the king's *volte-face* added to the confusion in local governance, even if ultimately it would result in the restoration of those who lost their offices during 1688.

Towards the end of September, the government invited the lords lieutenant to appoint deputies 'without expecting any further directions or any approbation of them from us.'<sup>96</sup> Huntingdon appears to have acted on this, for he invited Geoffrey Palmer to serve as a deputy lieutenant. Palmer warned him that

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<sup>93</sup> Speck, *Reluctant Revolutionaries* (1999) pp.76-80 and 135-8; also see above, pp.40-7.

<sup>94</sup> E. N. Williams, *Eighteenth-Century Constitution* (1960), pp.10-16, 30 Sept. 1688, 'William's Declaration'; Speck, *Reluctant Revolutionaries* (1999) pp.74-5.

<sup>95</sup> J. R. Western, *Monarchy and Revolution* (1972), pp.266-73; T. Harris, *Politics under the Later Stuarts* (1993), pp.130-1.

<sup>96</sup> H.L.C. *Hastings*, m/f.15, HA7164, 22 Sept. 1688, James II to Huntingdon.

many of the gentry were very unhappy with the changes in the militia and were scornful about the quality of the new appointments.<sup>97</sup> He alleged that some gentlemen, who would be willing to serve, were disinclined to do so when they were expected to serve under or alongside Catholics or men of inferior status. He shared their reservations and feared such appointments would undermine military discipline. He strongly recommended removing them. Similar warnings came from Sir Henry Hunlocke and Robert Wilmott in Derbyshire.<sup>98</sup> Hunlocke was concerned about the lack of military experience among the catholic officers, since any who served in the civil war were either 'dead or superannuated'.<sup>99</sup> The difficulties Vernon had highlighted earlier in the year about recruitment had not been resolved by the summer.<sup>100</sup> In October Hunlocke and Vernon reported that there were only two qualified deputy lieutenants in Derbyshire.<sup>101</sup>

Three weeks later, after William had landed at Tor Bay, a distressed Rev. Brooks claimed that the Leicestershire gentry were refusing to muster. They were not prepared to serve under papist officers and a rumour was circulating that Huntingdon had not taken the test.<sup>102</sup> The last muster had been a shambles for the Horse failed to show up and only the foot soldiers exercised. The gentlemen accused Huntingdon of neglect and blamed him for the appointment of papist officers. In Brooks's opinion, the only solution was to appoint sound Church of

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<sup>97</sup> *Ibid.*, HA9837, 26 Oct.1688.

<sup>98</sup> *H.M.C. 7th Report* App. Graham Papers p.412, 1 Nov.1688, Hunlocke and Vernon to Lord Preston; H.L.C. *Hastings*, m/f.15, HA13420, 27 Oct. 1688, Wilmott to Huntingdon.

<sup>99</sup> H.L.C. *Hastings*, m/f.15, HA6949, 14 July 1688.

<sup>100</sup> *Ibid.*, HA6950, 4 Aug. 1688, Hunlocke, Vernon and Gladwyn to Huntingdon.

<sup>101</sup> *H.M.C. 7th Report*, p.412, Graham Papers, 1 Nov.1688, Hunlocke and Vernon to Lord Preston, Secretary of State.

<sup>102</sup> Bridget Crofts had expressed concerns in February about the rumours circulating about Huntingdon and his religious position, H.L.C. *Hastings*, m/f.15, HA1793, 27 Feb. 1688.

England men as deputy lieutenants.<sup>103</sup> It is little wonder in these circumstances that Huntingdon advised Lord Preston that the government could not rely on the militia. He hoped that the king would understand he had done everything possible within his lieutenancies ‘considering the several difficulties of transacting such persons of different persuasions and the present animosity’.<sup>104</sup>

The king’s letter of 22 September also instructed the lords lieutenant to forward names of men who were formerly justices of the peace, whom they considered suitable to re-instate.<sup>105</sup> Fifty new commissions were issued in October and November but the response was uneven across the country.<sup>106</sup> In Glassey’s opinion the issuing of new commissions depended on local magnates taking the initiative. Huntingdon’s preoccupation with William’s threatened invasion may explain why no commission seems to have been issued for Leicestershire.

On 9 October Huntingdon received a further circular requiring him this time to investigate and report back on ‘complaints of great irregularities committed in the late regulations of the boroughs’.<sup>107</sup> Sir Henry Beaumont, who had picked up rumours that ‘several of our Chief Aldermen are to be turned out on the complaint of some Quakers’, considered that this instruction gave a licence to dissidents to challenge the position of those in power in the

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<sup>103</sup> Ibid., HA1042, 17 Nov. 1688, Brooks to Huntingdon; see also *H.M.C. Downshire*, I [pt. 1], 319, 20 Nov. 1688, Mrs Elizabeth Bridges to Trumbull in Constantinople.

<sup>104</sup> H.L.C. *Hastings*, m/f.15, HA6068, n/d, Draft letter from Huntingdon to Lord Preston. The draft is written on the reverse of a letter from the countess, dated 16 Nov. 1688.

<sup>105</sup> Ibid., HA7164, 22 Sept. 1688.

<sup>106</sup> Glassey, *Appointment of Justices*, pp.94-97.

<sup>107</sup> H.L.C. *Hastings*, m/f.15, HA7165, 9 Oct. 1688, James II to Huntingdon.

corporation.<sup>108</sup> On 17 October James II issued a proclamation ‘restoring to Corporations their ancient Charters, Liberties, Rights and Franchises’. All borough charters issued in the last nine years were revoked and authority given to restore officers and members deprived either by royal mandate or charter.<sup>109</sup>

There is no record how Sir Henry reacted to this proclamation for the last letter from him in the Hastings Papers was that of 12 October. In all probability he was devastated for his past year’s work was completely undermined.<sup>110</sup> Others in the borough were delighted by this reversal. On 20 October, only two days after the proclamation appeared in the *London Gazette*, 59 members of the corporation assembled and recorded the proclamation in the Hall minutes.<sup>111</sup> Under the presidency of Thomas Ludlum, each member took the old oaths, thereby asserting their commitment to Church and King.<sup>112</sup> The extent to which the old order had been restored is demonstrated in Table 4.<sup>113</sup> Nineteen of the company of 24 were present on this occasion. Seventeen of these had served as aldermen in 1680 and the other two were common councillors in 1680. Infirmity and death in the intervening period almost certainly accounts for five vacancies, which were subsequently filled by common councillors from the 1680 cohort.

After the oath-taking, William Bentley was again elected mayor and the bells of St Martin’s, next to the Guildhall, were rung in celebration of the

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<sup>108</sup> Ibid., HA670, 12 Oct. 1688; see above p.229 and n.73 for reference to Quaker presence in the corporation.

<sup>109</sup> P.R.O. PC2/72/161v-63; Halliday, *Dismembering the Body Politic*, pp.257-8.

<sup>110</sup> He died, after an illness, on 27 Jan. 1689.

<sup>111</sup> Nichols, *Hist.Leics.* 1.437-8, Text of proclamation and R.O.L.L.R., *Hall Book*, BR/II/3 f.938, 20 Oct. 1688, List of Aldermen and reference to proclamation; *ibid.* f.939, 20 Oct.1688, Record of the oaths taken by the aldermen.

<sup>112</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/36 f.107, 20 Oct. 1688 [erroneously indexed as 20 May].

<sup>113</sup> See below, Table 4, pp. 426-33 for composition of corporation in Oct. 1688.

restoration of the old charter.<sup>114</sup> On 4 December the mayor and aldermen met to fill the vacancies in the senior company and agreed that those who had been mayors 'shall have the precedence attending to their place of seniority in the mayoralty', a clear indication of their determination to obliterate the immediate past.<sup>115</sup> William Major, who had been nominated as gentleman bailiff in the 1684 charter, had been one of the casualties of James II's re-modelling.<sup>116</sup> Wishing to make amends, the mayor offered to restore him. But William Major was so incensed at 'being turned out by a writ of *Mandamus* from the king' that he refused the mayor's offer. Thomas Palmer was appointed in his place.<sup>117</sup>

## II

As the government struggled to maintain its equilibrium in the face of a rapidly deteriorating political and military situation, Huntingdon's priorities were increasingly focussed on his regiment and events in the southwest. What happened to him in the last three months of the year can be followed in a remarkable sequence of letters between the earl and the countess, which shows the profound effect that the fall of James II had on their lives.<sup>118</sup> However, it is sufficient here to explain why Huntingdon became virtually cut off from Leicestershire during the critical two months when authority flowed from James II and the initiative passed to William. After the summer camp on Hounslow Heath, the earl's regiment was redeployed to Plymouth, where the earl of Bath

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<sup>114</sup> T. North (ed.), *The Accounts of the Churchwardens of St Martins, 1489-1844* (Leicester 1884), p.213.

<sup>115</sup> R.O.L.L.R., *Hall Book*, f.940 and *Hall Papers*, BR/II/18/36 f.106, 4 Dec. 1688.

<sup>116</sup> H. Stocks, *Records of the Borough of Leicester, 1603-1688* 5 vols. (Cambridge, 1923), IV.572. [William Major was Bailiff and Keeper of the Gaol.]

<sup>117</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/36 f.113 & 117, 18 Dec. 1688.

<sup>118</sup> *H.M.C. Reports on the Manuscripts of the late Reginald Rawden Hastings Esq.* 4 vols. (1928-47), II.188-212, 6 Nov – 20 Dec. 1688.

was governor of the citadel.<sup>119</sup> Three days after William's landing, Huntingdon joined his regiment in Plymouth.<sup>120</sup> On 24 November, the earl of Bath, who had covertly defected to William, arrested Huntingdon on a fabricated charge of planning to poison the governor.<sup>121</sup> Huntingdon was then imprisoned in the citadel together with those of his regimental officers who refused to defect.<sup>122</sup> Over the next four weeks the countess negotiated in London for her husband's release. He resisted her entreaties to abandon James II: instead he appealed to James to intervene, claiming:-

I could have prevented my present confinement and now obtained my liberty if I would have joined in this guilty action. But those principles of honour and loyalty that hath preserved me hitherto will always direct me to make nothing the act of my will but what shall be answerable to those principles.<sup>123</sup>

Thanks to John Churchill's intervention, the earl was released on 23 December and given protected passage to London.<sup>124</sup> In what may have been her last letter (she died in childbirth, while her husband was en route), the countess expressed her pleasure that he had at last written to 'the great man' and added, as she had

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<sup>119</sup> H.L.C. *Hastings*, m/f.15, HA5624, 5625, 5626, 1223, 7004, 8158, 12854, 3 June to 2 Sept. 1688, Correspondence concerning the regiment; Jones, *Revolution of 1688*, pp.159-63 for an account of relations between the earl of Bath, James II and Prince William at this time.

<sup>120</sup> H.L.C. *Hastings*, m/f.15, HA6066 and 6067, 7 and 9 Nov. 1688, Huntingdon to the countess.

<sup>121</sup> *C.S.P.D. June 1687-Feb. 1689*, pp.364-5, 27 Nov. 1688, Bath to Prince of Orange; E. M. Thompson (ed.), *Hatton Correspondence*, Camden Society (n.s.) XXII and XXIII (1878) 1.117, 1 Dec. 1688, Nottingham to Hatton; Luttrell, *Brief Relation*, (London 1857 edn.), I. 480.

<sup>122</sup> H.L.C. *Hastings*, m/f.15, HA6069, 6071 and 6072, 18, 23 and 24 Nov. 1688, Huntingdon to the countess.

<sup>123</sup> *H.M.C. Hastings*, II.198-9, 29 Nov. 1688.

<sup>124</sup> H.L.C. *Hastings*, m/f.15, HA4808, 20 Dec. 1688, The countess to Huntingdon; *H.M.C. Hastings*, II. 213, 23 Dec. 1688, Prince William's warrant.

repeatedly urged him, 'You must convince the world of your being a Protestant and take the sacrament and test the first opportunity.'<sup>125</sup>

### III

During these two months, a military force assembled in Nottingham in support of the Prince of Orange.<sup>126</sup> Despite the assurances of the seven signatories in June, the military response in England was limited, slow and relatively uncoordinated. While Danby was engaged in securing York, Hull and Scarborough, other members of the nobility had brought the troops they could muster to Nottingham. Lord Delamere arrived at Nottingham on 18 November but left immediately to join William in the south, accompanied by the earl of Stamford. The earl of Devonshire, one of the signatories to the June invitation and one of the most prominent aristocrats in the east midlands to take part in the insurgency, came two days later with 200 troops.<sup>127</sup> He was more circumspect about committing himself until the military and political position was more certain. In the following week Lords Scarsdale, Chesterfield, Northampton, Manchester and Grey of Ruthin and a number of gentry from Derbyshire, Nottinghamshire, Lincolnshire and Northamptonshire joined Devonshire.<sup>128</sup> John Coke, who raised his own troop, commented with some exaggeration, 'the country runs in very fast, though few or none of the gentry of this county [Derbyshire] are engaged or meddle, though all the counties round are in flame; and in all probability the Nottingham army will in a short time be bigger than

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<sup>125</sup> *H.M.C. Hastings*, II.212, 20 Dec. 1688.

<sup>126</sup> Hosford, *Nottingham*, pp.78-119.

<sup>127</sup> H. C. G. Matthew and B. Harrison (eds.), *Oxford Dictionary of National Biography* 60 vols. (Oxford, 2004), X.667-671, 'Cavendish, William, 1<sup>st</sup> duke of Devonshire (1641-1707)'.  
<sup>128</sup> Hosford, *Nottingham*, pp.107-12; Thompson (ed.), *Hatton Correspondence*, I.115-6, 28 Nov. 1688, Jones to Hatton.

either of the other two.’<sup>129</sup> Attempts by Newcastle to stop the rebellion came to nothing.<sup>130</sup> By the beginning of December the force numbered five to six thousand horse plus additional foot soldiers from various county militias. There is, however, little evidence of engagement from Leicestershire despite an apparent initiative on the part of Lord Sherard to call out the militia in support of the rising.<sup>131</sup>

The arrival of Princess Anne in Nottingham on 1 December, following her flight from London and her husband’s defection, provided those who still had doubts about the acceptability of taking up arms against a lawful king with greater legitimacy.<sup>132</sup> Lord Shugborough and 50 horse met the royal party at Market Harborough and accompanied them to Leicester. Here ‘Lord Cullen and diverse Leicestershire gentlemen’ were waiting to receive them. The mayor and aldermen gave them a warm welcome and treated them to ‘two noble banquets and all demonstrations of respect and joy’.<sup>133</sup> When Anne arrived in Nottingham, ‘men who had held aloof by reason of conscience or circumspection now saw their way clear to come into the city’.<sup>134</sup> Despite his earlier hesitation, the earl of Chesterfield now accompanied the princess in her journey south as far as

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<sup>129</sup> *H.M.C. Cowper*, II.344, 24 Nov. 1688, Coke to Thacker.

<sup>130</sup> *H.M.C. 7<sup>th</sup> Report, Graham Papers*, pp.349-50, 19 Nov. and 1 Dec. 1688, Preston to Newcastle.

<sup>131</sup> *H.M.C. Cowper*, II. 345, 19 Dec. 1688, Sherard to Coke.

<sup>132</sup> Hosford, *Nottingham*, pp.100-104; E. Gregg, *Queen Anne* (1980), pp.64-6; Luttrell, *Brief Relation*, (1857 edn.), I.484.

<sup>133</sup> *Hatton Correspondence*, XXIII 1.118-9, 2 Dec. 1688; *H.M.C. 5th Report*, p.198, 4 Dec.1688, Newsletter sent to Sir Leveson Gower; North (ed.), *Accounts of the Churchwardens of St Martin’s*, p.213, Payment for ringing the bells, Nov. 1689. [Gregg, *Anne*, p.66 credits Nottingham corporation with the banquets]. The text is ambiguous but references in the Leicester Chamberlains’ Accounts (Stocks, *R.B.L IV.594-5*) include £5 paid to John Cracroft for a banquet to her Highness. This entry is not dated and could therefore apply to Anne’s return visit on 12 December: see Colley Cibber’s recollection, quoted by O. Field, *Sarah, Duchess of Marlborough* (2002), p.56.

<sup>134</sup> Hosford, *Nottingham*, pp.103-4; *H.o.P. 1660-90*, I.33 states that Sir Roger Cave of Stanford Hall joined the princess in Nottingham.

Warwick. But he stood firm by the oath he had taken as a privy councillor and declined Anne's invitation to join her council.<sup>135</sup> When the princess returned to Leicester on 10 December, John Horton reported:-

Here is a great appearance of nobility and gentry (few being left in Nottingham): 15 Lords, Devonshire, Northampton, Chesterfield, Manchester, Grey, Carteret, Cullen, Beaumont, Sherard etc. There are about 14 or 15 troops of horse. The Bishop is captain, Lord Cullen, lieutenant, Sir Justinian Isham, cornet to the Northamptonshire troop consisting of all gentlemen. Sir Scrope Howe, Mr Cooke of Derbyshire and diverse other gentlemen command troops also.<sup>136</sup>

The political symbolism of this force was greater than its military capability but even its political significance can be overstated as an incident during the stay in Leicester demonstrated. The earl of Devonshire and Bishop Compton proposed that the participants should sign the oath of association.<sup>137</sup> To Anne's annoyance, Chesterfield refused to cooperate and Lords Scarsdale, Ferrers and Cullen, who shared Chesterfield's objections to taking up arms against the king, followed his example.<sup>138</sup> Lord Sherard was the only Leicestershire peer to subscribe.

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<sup>135</sup> Hosford, *Nottingham*, pp.115-6.

<sup>136</sup> Thompson (ed.), *Hatton Correspondence*, I.120-1, 28 Nov. 1688, Horton to Hatton; for further accounts of the journey south, see Sir J. Dalrymple, *Memoirs of Great Britain and Ireland* 3 vols. (1790) vol. II App. to Bk. VI p.250-1, Compton and Devonshire to William; Jones, *Revolution of 1688*, pp.298-9.

<sup>137</sup> Philip Stanhope, 2<sup>nd</sup> Earl of Chesterfield, *Letters to several individuals...* (1829), pp.48-51; Gregg, *Anne*, pp.66-7.

<sup>138</sup> D.W.L., MS 31.P, Roger Morrice's *Ent'ring Book* 11 f.372.

The idea for an oath of association had originated with Sir Edward Seymour during William's stay in Exeter. He saw it as a way of rallying the reluctant gentlemen of Devon, behind 'the ends of the Prince's Declaration'.<sup>139</sup> It proved so popular that it was printed and distributed across the country. At some date early in December, the corporation in Leicester debated whether to subscribe.<sup>140</sup> It is not clear if this coincided with the princess's visit but the Association provided members with an opportunity to express their views about the current regime and malignant influence of the king's advisers. Twenty of the 24 aldermen and at least 16 of the 48 (some names are illegible) signed the document, committing themselves, 'To stick firm to this cause and to one another, until our religion, laws and liberties are so far secured to us in a free Parliament, that we shall no longer be in danger of falling under Popery and slavery'.<sup>141</sup>

The earl of Rutland appears to have taken no part in these events, apart from allegedly giving £1,000 to his son-in-law, Sir Scrope Howe.<sup>142</sup> With Huntingdon under arrest in Plymouth, Stamford marching south with Delamere and Rutland sitting on his hands, leadership in the county fell to men like Sherard, Ferrers and Cullen as well as some of the leading gentry.<sup>143</sup> John Horton reported that an order sent on 4 October from the principal gentlemen of the

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<sup>139</sup> *C.S.P.D. June 1687-Feb. 1689*, p.369; Feiling, *Tory Party*, p.233.

<sup>140</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/36 f.120 1688, Minutes of Common Hall with list of signatories; J. Thompson, *History of Leicester* (1849), pp.400-1.

<sup>141</sup> Quoted by Feiling, *Tory Party* p.233. No record of the text found in the *Hall Papers*.

<sup>142</sup> *H.M.C. 5<sup>th</sup> Report*, p.325, 30 Nov. 1688, Thomas Oldfield to Sir John Newton: reports that Rutland was present at Northampton (sic) and *D.N.B.* (1885-1900) XII.937 states that Anne took refuge in Belvoir after fleeing Whitehall: neither of these assertions is supported by the evidence. On Howe's claim for compensation, see *HMC Portland VIII.361 n/d* [1704-8], Howe to Harley.

<sup>143</sup> Compare to Western's view about the role played by the gentry in *Monarchy and Revolution*, pp.282-3; see also Jones, *Revolution in England*, p.301.

county to certain high constables to summon the militia, horse and foot to meet at Leicester with a day's pay, had been obeyed without question.<sup>144</sup> It is not clear how the militia was deployed but John Coke and Sir Scrope Howe were said to have recruited some men from the county in the force that accompanied the princess on her southward journey.<sup>145</sup>

By mid-December, Lord Sherard, who was preparing to stand down the militia, complained about the trouble he had raising the money to pay them off.<sup>146</sup> It was an indication of the administrative chaos that the militia were detailed to assist the collectors of the excise and hearth taxes. Rumours that Irish catholic troops were making their destructive way north caused panic and gave rise to anti-catholic demonstrations.<sup>147</sup> The Rev. Brooks reported taking part with the militia in a wild-goose chase, following an alarm that Lichfield and Burton were under threat from the Irish and the violent reaction that this had provoked among the rabble.<sup>148</sup> In the chamberlains' accounts for the borough in 1688-9 reference is made to several amounts paid to men sent out to scout for the 'Irish'.<sup>149</sup>

#### IV

James II's flight in December and William's entry into London left the initiative firmly with the prince. In the absence of the monarch, William sent out instructions for elections to the Convention, the assembly charged with resolving

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<sup>144</sup> Thompson (ed.), *Hatton Correspondence*, I.120-1, 10 Dec. 1688.

<sup>145</sup> H.L.C. *Hastings*, m/f.15, HA1043, 19 Dec. 1688, Brooks to Huntingdon.

<sup>146</sup> *H.M.C. Cowper*, II.345, 19 Dec. 1688, Sherard to Coke.

<sup>147</sup> Speck, *Reluctant Revolutionaries*, pp.233-45; G. H. Jones, 'The Irish Fright of 1688: Real Violence and Imagined Massacre', *B.I.H.R.* LV (1982), 148-53.

<sup>148</sup> H.L.C. *Hastings*, m/f.15, HA1043, 19 Dec. 1688.

<sup>149</sup> Stocks, R.B.L. IV. 594.

the present constitutional impasse.<sup>150</sup> In the county only one of the contenders, whose names had been mentioned in September, was still available. Neither Sir John Hartopp nor Sir Beaumont Dixie pursued their candidature. Lord Cullen had died from smallpox and John Verney was engaged in a complex legal case concerning his family and decided on a point of principle not to stand. Lord Sherard and a new loyalist candidate, Sir Thomas Halford, were left to represent the county.<sup>151</sup>

A similar position applied in the borough, where Sir Henry Beaumont and Sir William Villiers stood down. Sir Henry Beaumont may have declined for health reasons, for less than a week after the convention assembled he was dead. Thomas Babington, who had served as an MP in 1685, was again chosen to represent the borough along with a new MP, Lawrence Carter.<sup>152</sup> As a resident of Leicester rather than a gentleman from the county, Carter's election was unusual. He had prospered as a lawyer, helped by his marriage to the daughter and coheir of a Leicester attorney, Thomas Wadland. In the 1680s he had provided legal services to Huntingdon but after the Revolution he became a protégé of Stamford. The earl repaid his services by securing Carter's appointment in 1697 as Steward of the Honor of Leicester and in 1702 as Receiver General of the Duchy of Lancaster.<sup>153</sup>

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<sup>150</sup> In recording the election of Abney and Carter, the town clerk noted the unusual nature of the summons, 'to sit at Westminster by virtue of a letter of His Highness the Prince of Orange'. H. Hartopp, *Register of Freeman*, (Leicester 1927) vol. 1, '1688-9'; Jones, *Revolution of 1688* pp.311-12.

<sup>151</sup> *H.o.P. 1660-90*, I.296, 'Leicestershire'; *ibid.*, II.432-3, 'Lord Sherard'; *ibid.*, II.466-7, 'Sir Thomas Halford'; *ibid.*, III.635 and *H.o.P. 1690-1715*, V.726-9, 'John Verney'.

<sup>152</sup> *H.o.P. 1660-90*, I.298, 'Leicester', I.578, 'Thomas Babington' and II.27-8, 'Lawrence Carter'; *H.o.P. 1690-1715*, III.478, 'Lawrence Carter'; Nichols, *Hist. Leics*, I.318 n.4 and 319 n.2.

<sup>153</sup> Sir R. Somerville, *Office Holders in the Duchy of Lancaster from 1603* (Chichester, 1972), p.180.

The Leicestershire MPs appear to have made little contribution to the work of the Convention and no record has survived of any reports they may have sent back to their constituents about the momentous debates in February about the future of the crown.<sup>154</sup> Neither Sherard, whom Charles Bertie described as ‘an old passionate coxcomb who is lame, crazy and stupid’, nor Halford appears to have served on any committees, Babington’s record was only marginally better. Only Carter seems to have made any impact.<sup>155</sup> Two crucial votes in the Convention give some indication of the political inclinations of these four MPs. Halford and Babington were included in a whig inspired Black List, circulated during the 1690 election campaign, of 150 ‘Jacobite’ MPs, who had voted on 5 February 1689 against making the Prince and Princess of Orange king and queen.<sup>156</sup> The tories’ response was to publish a list of 146 ‘Commonwealth’ MPs, including Lord Sherard, who had voted in favour of the ‘Sacheverell’ amendment in the debate on the Corporation Bill. This clause, designed to prevent anyone from serving in a corporation who had supported the changes made in borough charters in the early 1680s, was unashamedly aimed at reducing tory control in the boroughs.<sup>157</sup> Babington was also named in this list but Cruickshanks

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<sup>154</sup> H. Horwitz, *Parliament, Policy and Politics in the reign of William III* (Manchester, 1977), pp.10-11.

<sup>155</sup> *H.o.P. 1660-90, II.27* and *H.o.P. 1690-1715, III.478*.

<sup>156</sup> *A Letter to a Friend upon the Dissolving of the late Parliament* (1690), printed in Browning, *Danby* (1944-51) III.164-5; *Some Queries Concerning the Election of Members of the Ensuing Parliament* (1690), printed in Browning, *Danby*, III.164-5; E. Cruickshanks, J. Ferris and D. Hayton, ‘The House of Commons Vote on the Transfer of the Crown 5 Feb. 1689’, *B.I.H.R.* LII (1979), 38-49.

<sup>157</sup> H. Horwitz, ‘The General Election of 1690’, *J.B.S.* XI (1971), 77-91, esp. p.80; Horwitz, *Parliament, Policy and Politics*, pp.42, 51 and App. C pp.336-357 and Browning, *Danby*, III. pp.164-172, App. V.

suggested that the compiler may have confused him with another MP of the same name.<sup>158</sup>

## V

The political elite had looked on with incredulity at the effect of each successive turn of government policy, the attack on the clergy, the humiliating experience of the three questions, the revision of the militia and the commission of the peace and the remodelling of the borough corporation. While the laity and the clergy in Leicestershire found ways to express their disapproval and withheld co-operation, there is little evidence to suggest that they ever contemplated concerted civil or military resistance either in support of William or in defence of James II. There was no one in the county able or willing to give a lead. Huntingdon was very active on the king's behalf but his long absences from the county meant that he was a remote figure who relied heavily on local agents. During the critical final months of 1688, no one came forward to fill the political vacuum. The general impression is that the county's gentry thought it prudent to keep their counsel until clearer messages arrived from the centre. The changes brought about in the borough, after James II rescinded the charters of the 1680s, immediately gave control back to the oligarchy that had traditionally dominated the corporation but it was to be well into 1689 before the militia and the commission were brought back into order.

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<sup>158</sup> *H.o.P. 1660-90*, I.578, 'Thomas Babington'.

## **Chapter 6: Politics in Leicestershire, 1689-1698**

Political developments in 1688-9 had an immediate impact on the relative standing of the county's three leading aristocrats. Following Huntingdon's fall, Stamford was now Rutland's main political rival in the county. In this chapter their rivalry is explored through competition for local office and the efforts made to secure victory for their candidates in parliamentary elections. The four elections that took place between 1689 and 1698 and the changes in the county commission of the peace demonstrate that partisanship continued to be a feature of county politics throughout this decade. By contrast, in the borough the traditional leaders of the town, who returned to power in the corporation in December 1688, were no longer threatened by governmental interference. This is the reason why the account of the corporation's activities in this chapter focuses predominantly on local issues. While this oligarchy was securely in control of the corporation, it still struggled to secure its favoured candidates in elections, due to Stamford's influence in the town and the support its rivals enjoyed among the electorate. Because Stamford's personal papers have not survived and Huntingdon was less active politically, the evidence used in this chapter draws on a variety of other contemporary sources, none of which offers the strong narrative content provided by Huntingdon's correspondence in the 1680s.

### Part 1: The new regime and Leicestershire politics

#### I

Although released on William's order, Huntingdon was too closely associated with the old regime to secure full rehabilitation. He resumed his seat in the Lords but was dismissed from all his offices. When parliament was

debating a bill of indemnity, Huntingdon was one of about thirty people excluded. This was on account of his role in the Commission of Ecclesiastical Causes, although Carter pleaded in the earl's defence that he had been a moderating influence in that body.<sup>1</sup> Huntingdon remained under suspicion for it was known that he maintained contact with James II and his court in exile at St Germain.<sup>2</sup> In May 1689, his house was searched, following rumours of a French invasion. Nothing incriminating was found but the number of horses found in his stable raised suspicion. He also made little attempt to conceal his hostility to the new regime, joining those peers who voted on 8 April 1690 against endorsing the actions of the convention.<sup>3</sup> It was such behaviour that may have encouraged Bridget Croft to advise him to 'be very prudent in your words and actions in these ticklish times; for I find people are very busy in their informations'.<sup>4</sup> In 1692 he was summoned to London, where, on 3 May, the council confined him and Marlborough in the Tower.<sup>5</sup> Despite protestations, he was not released until 17 August 1692.<sup>6</sup> In 1696 he refused to sign the Association. Inevitably, such signs of non-cooperation meant that he continued to remain excluded from public office during the last years of his life. He became a bitter, disillusioned man, a condition aggravated by a serious rift with his son.<sup>7</sup> But he was still capable of defending his local interests, when the occasion demanded, as demonstrated by

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<sup>1</sup> H. Horwitz, *Parliament, Policy and Politics in the reign of William III*, (Manchester, 1977), pp.29-30; B. D. Henning (ed.), *History of Parliament: House of Commons, 1660-90* (1983), III.28, 'Lawrence Carter'; *C.S.P.D. 1686-May 1687*, p.338, 9 Jan. 1687, Appointments to Commission of Eccl. Causes.

<sup>2</sup> *H.M.C. Reports on the Manuscripts of the late Reginald Rawden Hastings Esq.* 4 vols. (1928-47), vol. II, pp.xvi-xvii and 228-30, 20 Apr -30 May 1693, Huntingdon to Melfort.

<sup>3</sup> W. Cobbett, *The Parliamentary History of England* 38 vols. (1806-20), V.577; Horwitz, *Parliament, Policy and Politics*, pp.54-5.

<sup>4</sup> *H.M.C. Hastings*, II.214, 5 July 1690.

<sup>5</sup> E. M. Thompson (ed.), *Hatton Correspondence*, Camden Society (n.s) XXIII (1878), II.176, 5 May 1692, Nottingham to Hatton.

<sup>6</sup> *C.S.P.D. 1691-2*, p. 279, 11 May 1692, pp. 336-7, 24 June, pp.408-9, 16 Aug., pp.415-6, 18 Aug., and pp.497-500, 9 & 10 Nov. 1692; *H.M.C. Hastings*, II.222-3, 26 Apr 1692; Luttrell, *Brief Relation*, II.441, 443, 543 and 619; Horwitz, *Parliament, Policy and Politics*, p.105.

<sup>7</sup> *H.M.C. Hastings*, vol. II pp.xvii-xviii.

his spirited attack on William Bainbridge for attempting to set up a market in Kegworth in competition to Huntingdon's market in Loughborough.<sup>8</sup>

The chief local beneficiaries of Huntingdon's fall were the earls of Rutland and Stamford.<sup>9</sup> In March 1689, Stamford was nominated *custos rotulorum* and a fortnight later Rutland was appointed to the lord lieutenancy.<sup>10</sup> Rutland was furious that he had not been given both posts, especially since the king had virtually guaranteed them. He threatened to refuse the lord lieutenancy and it was left to his family to stop the matter getting out of hand. His son-in law, Sir Scrope Howe, patiently tried to explain how this reversal had come about.<sup>11</sup> William's instruction to Shrewsbury to nominate Rutland as *custos* had been overtaken by a compromise agreement whereby the Commissioners' nominations before 1 May should stand, after which the king would decide these appointments.<sup>12</sup> Howe reported that he failed in his attempt to raise the matter with William, defending himself by reminding Rutland how very difficult it was to have a conversation with the king. Charles Bertie confirmed that it was impossible to reverse the decision, adding, 'Your Leicestershire neighbours hope that you will not gratify your enemies by declining the Lord Lieutenancy'.<sup>13</sup> The President of the Council also tried to dissuade the earl from such a drastic step

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<sup>8</sup> *C.S.P.D. Jan. 1699-Mar. 1700*, p.84, 5 Mar. 1699, Bainbridge's petition, and pp.134-5, 10 Apr., Huntingdon's response.

<sup>9</sup> H. C. G. Matthew and B. Harrison (eds.), *Oxford Dictionary of National Biography* 60 vols. (Oxford, 2004), XXXVI.465-6, 'Manners, John, 1<sup>st</sup> duke of Rutland (1638-1711)', and *ibid.*, XXIII. 887-8, 'Grey, Thomas, 2<sup>nd</sup> earl of Stamford (1653/4-1720)'.

<sup>10</sup> See below, Appendix 1, p.406

<sup>11</sup> *H.M.C. Rutland*, II.125-6, 6 June 1689, Howe to Rutland.

<sup>12</sup> L. K. J. Glassey, *Politics and the Appointment of the Justices of the Peace 1679-1720* (Oxford 1979), pp.101-2.

<sup>13</sup> *H.M.C., The Manuscripts of His Grace the Duke of Rutland at Belvoir Castle* 4 vols. (1888-1905), II.126, 4 July 1689. Charles Bertie, the countess of Rutland's uncle, was the fifth son of the 2<sup>nd</sup> earl of Lindsey. After a diplomatic career, Bertie became treasurer of the ordnance in 1681 and remained close to the court throughout the next two decades, see *Oxf.D.N.B.* V.484-5.

and offered the lieutenancy of Rutland in compensation.<sup>14</sup> Twelve months later, Rutland was still proving obdurate, for Carmarthen wrote again, giving the earl a final chance to accept.<sup>15</sup> Two days later, Carmarthen informed the queen that he expected Rutland to relent but took the precaution of asking her consent to offer the post to Lord Sherard if Rutland continued to prevaricate.<sup>16</sup> Eventually Rutland relented for a warrant was issued for his appointment in August.<sup>17</sup> However nothing could persuade him to overcome his aversion to London and the court.<sup>18</sup> His attendance at the coronation in 1689 appears to have been his last visit to London during William's reign.<sup>19</sup>

Contemporaries considered both Rutland and Stamford to be whigs but, in reality, the two men had little in common politically. In a passage in his sermon at the duke's funeral in 1711, Rutland's chaplain, Dr. Felton, set out his opinion where the duke stood politically, while carefully avoiding the reality that the duke never seriously engaged in national politics. Dr. Felton began by asserting the duke's loyalty to Anne and then continued:-

He was a true lover of his country, of our Church and Constitution, and as far as ever I had the honour of hearing him express himself on these points, the prerogative of the crown and liberty of the subject were dear to him; he esteemed the crown, the honour and safeguard of the nobility, and the liberties of the country, the glories of our land; and therefore he

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<sup>14</sup> *H.M.C. Rutland*, p.126, 9 and 30 July 1689.

<sup>15</sup> *Ibid.*, p.129, 4 July 1690.

<sup>16</sup> *C.S.P.D. May 1690- Oct. 1691*, p.53, 6 July 1690.

<sup>17</sup> *Ibid.*, p.87 4 Aug. 1690.

<sup>18</sup> *H.M.C. Rutland*, II.134, 21 and 31 Oct. 1691 and p.138, 3 Nov 1692, President of the Council to Rutland; *ibid.*, p.138, 22 Nov. 1692, Sir Robert Atkyns to Rutland; *ibid.*, p.160, 17 Nov. and 4 Dec. 1696, Rutland to Roos.

<sup>19</sup> *H.o.P. 1690-1715*, II.348, 'Leicestershire'.

joined heartily in the Revolution. He honoured the late king as our deliverer; and thought it the happiest circumstance of that great event, that in the persons of the late queen and him, the monarchy was preserved, while our liberties were secured; and that the blessings of this reign, that the queen sits peaceably on the throne of her ancestors, are owing to the establishment of the former.<sup>20</sup>

Both earls supported the revolution of 1689 but Rutland distrusted Stamford's extremism and from 1689 saw him as his main political rival in the county. In a 'Charge', delivered to the Michaelmas Sessions of 1690 in Leicester, Stamford set out where he stood politically.<sup>21</sup> He attacked those,

who are so injurious to Themselves, their Countrey and the Establish'd Religion they profess, that they will not allow Their present Majesties King William and Queen Mary, to be the Lawful and Rightful King and Queen of these Realms notwithstanding the great consent of the whole Nation, by their Representatives in Parliament, hath most solemnly Declared them so.

Employing classic whig arguments, Stamford went on to attack those who defended the hereditary succession.<sup>22</sup>

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<sup>20</sup> Dr. Henry Felton, *The Hope of Christians ... A sermon preached at the Funeral of His Grace the Duke of Rutland* [23 Feb.] (1711). Dr. Henry Felton B. D. was chaplain to the Rutland family over three generations. In 1722 he was appointed as Principal of St Edmund Hall, Oxford. *Oxf. D.N. B.* XIX.281, 'Felton, Henry (1679-1740)'.

<sup>21</sup> G. Lamoine (ed.), *Charges to the Grand Jury 1689-1803*, Camden Misc. (4<sup>th</sup> series) vol. 43, (1992) pp.35-40, 'Stamford's Charge'.

<sup>22</sup> J. P. Kenyon, *Revolutionary Principles* (1977), pp. 22-3 and 33-6, referring to Bp. E. Stillingfleet, *The Unreasonableness of a New Separation* (1689), G. Burnet, *An Enquiry into the Measures of Submission to the Supreme Authority* (1688) and W. Atwood's *The Fundamental Constitution of the English Government* (1690).

It seems [to me] contradictory to the Nature, as well as destructive to the very End and Being of Government...For tho I own that Government in general is of Divine Right, yet the particular species cannot be so, because there are so many sorts of them,...and so many Laws fitted for them, that it cannot with the least colour of Reason be said, that either God or Nature made them, but it was the Industry of man, as occasion required, and God permitted them.

After a lengthy list of historical examples, he returned to his opening theme of William III and Mary as the 'lawful and rightful, King and Queen'.

None can be friends to Government in general, nor to this wonderful and happy Revolution, who go about to maintain the contrary, or take Oaths to this Government with any Mental Reservation, or particular explanation. I could wish there were no such men in the Kingdom: but yet it is too plain there are amongst us such as do not care what fire and heat they cause, so that they can warm themselves by it.

Some among his audience would have welcomed his speech: others would have been appalled to hear such a provocative and partisan statement. The preface to a printed version, published two years later, defended Stamford against his critics.<sup>23</sup> His only purpose had been:-

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<sup>23</sup> Lamoine (ed.), *Charges*, (1992), pp.33-35, 'Preface to printed version, 1692'.

to support and justify the Legal proceedings of the late Convention and Parliament, in the placing their present Majesties on the Thrones of their Ancestors ... to inform the Ignorant, to satisfy the then Scrupulous, and to convince, if possible, the Obstinate and Factious, and to bring them over to a hearty Submission and Obedience to the present Establishment.

Far from learning these lessons,

[These] discontented and forward gentlemen, still retaining their old Enslaving Principles, or drinking in with them, the modern conceits of some Clergymen, who are fond of their unintelligible Speculations had accused the earl of being a Commonwealths-man and misrepresented his Speech for a Comble of Republican Principles.

The author went on to say that those with access had used these slanders to blacken Stamford's reputation at court, an unfair way to treat someone who had shown such commitment for the king and queen's succession.

Like Huntingdon in the 1680s, Stamford spent time cultivating his interests at the centre. Rewards came slowly. On 29 April 1689 he was appointed High Steward of the Honor and Lordship of Leicester.<sup>24</sup> But it was not until the Junto came into power that his political commitment to William III began to earn dividends. In 1697 he was appointed Chancellor of the Duchy of Lancaster and his political ally, Lawrence Carter took Stamford's place as high steward of the

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<sup>24</sup> Sir R. Somerville, *Office Holders in the Duchy of Lancaster from 1603* (Chichester, 1972), p.179.

honor of Leicester.<sup>25</sup> In the meantime his involvement in the 1690 parliamentary election suggests that he was careful to look after his political interests locally.

## II

In August 1689 a revised commission of the peace was issued for Leicestershire, in place of an earlier version in which the clerk embarrassingly omitted fifteen names.<sup>26</sup> The August commission was larger and politically more inclusive than any issued in the 1680s.<sup>27</sup> Eighteen of the justices had served in Charles II's reign, all of whom had lost their places when they refused to give affirmative answers to the three questions. These 'men of loyalty' were joined in 1689 by others like John Bainbrigge, St John Bennett, Thomas Boothby senior, Charles Morris and John Wilkins, whose political record over the next decade suggests that they held very similar views to the eighteen. A further six had served only in James II's Commission of 1688. These six included Dissenters like John Oneby and William Palmer and two others who had had close links with Huntingdon, Wolstan Dixie and Nathan Wright. No attempt was made to return to James II's experiment of calling upon Catholics. The remaining nineteen were new to the bench. Apart from the Tories referred to above, they included William Hartopp, Thomas Pochin, and William Skeffington, three of the 'men of faction' left off in 1680, and newcomers like George Ashby, William Byrd, and William Whalley, who are clearly identifiable over the next two decades as Whigs. Although no clergy were included, places were found for lawyers like Carter, Franke and Wright, who had connections with the borough, and Matthew Johnson of Withcote, who served as clerk to parliament for twenty-two years.

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<sup>25</sup> *Ibid.*, pp.4 and 180.

<sup>26</sup> See below, Table 1, pp.411-17.

<sup>27</sup> For the classification used here, see Glassey, *Appointment of Justices*, 105 n.3, and pp.103-4.

Glassey questioned whether these new commissions demonstrated William's desire for inclusive government. In his opinion, the administration was poorly equipped at this stage to carry out an effective remodelling from the centre and was therefore very reliant on local advice.<sup>28</sup> He considered that the composition of the Leicestershire commission reflected the combined influence of Rutland and Stamford. Since Rutland was at the time refusing to cooperate with the administration because of the way the appointment of the *custos rotulorum* had been handled, there must be some doubts about his input into the process. Although there is no specific evidence to link Stamford with the selection, it is highly likely that he used his position as *custos* and his access to the administration to put forward men of his own political persuasion such as Ashby, Byrd and Pochin. It is possible therefore that the three commissioners, faced with Stamford's recommendations, simply added those names to the list of those who had served since 1685. Whatever influences shaped it, the result was to accommodate a spread of political views and interests without compromising on quality.

Whig interests were further strengthened a year later when five more of Stamford's allies were added to the commission, Sir Edward Abney, Thomas Charnells, Edward Conyers and two minor gentlemen, Rawlins and Robey.<sup>29</sup> The only additional tory was Sir Ambrose Phillipps, who had, in his own words, stood as a candidate in opposition to the 'fanatics' in the 1690 election.<sup>30</sup> Although there were to be many more changes in the commission over the next

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<sup>28</sup> *Ibid.*, pp.101-8.

<sup>29</sup> See below, Table 1, pp.411-17

<sup>30</sup> E. Cruickshanks, S. N. Handley and D. W. Hayton, *History of Parliament: House of Commons, 1690-1715* 5 vols. (Cambridge, 2002), II.347.

thirty years, nearly a fifth of those nominated in 1688 served in virtually every commission up to 1720 or, if they died before this date, were followed by a son or brother.

### III

Following the decision to offer William and Mary the crown, the government took steps to mobilise the militias to resist any attack that the French might mount in support of James. Rutland's obstinacy over the lieutenancy can only have added to the problems of mobilising the county militia, particularly since the council was asking them to be prepared to move outside their locality.<sup>31</sup> Because of a gap in the records between 1686 and 1690, it is not possible to determine how frequently the militia mustered during the seventeen months that Rutland procrastinated.<sup>32</sup> By the summer of 1690 Carmarthen, as president of the council, was sufficiently anxious about the continuing hiatus that he sought the queen's agreement in principle to accept Sherard's offer to take command until such time as Rutland accepted his commission.<sup>33</sup> Lord Sherard also offered to raise a regiment of volunteers.

When Rutland eventually took up his appointment, he forwarded his recommendations for deputy lieutenants. On 9 October Nottingham confirmed that the queen had approved the list.<sup>34</sup> Rutland's choice was remarkably conservative and in marked contrast to the more broadly based commission of the peace. Nine out of eighteen of those the earl recommended had served in this role in the early 1680s: eight of these nine had lost their places for giving negative answers to the three questions. Rutland also proposed appointing nine

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<sup>31</sup> P.R.O. PC 2/73, pp.455-6, 12 June 1690.

<sup>32</sup> R.O.L.L.R., LM2/1, *Militia Order Book, 1667-95*, also see above, p.220 n.37.

<sup>33</sup> *C.S.P.D. May 1690- Oct. 1691*, p.53, 6 July 1690.

<sup>34</sup> *Ibid.*, pp. 139 and 141, 7 and 9 Nov. 1690; H.M.C. *Rutland*, II.132, 9 Oct. 1690, Nottingham to Rutland; *ibid.*, p.134, 31 Oct. 1692, Carmarthen to Rutland.

new deputies, including his son-in-law, Sir Scrope Howe. In general these were politically safe appointments. Some had moderate whig leanings but it would appear that Rutland was careful not to include men who were likely to be close to Stamford. Among those nominated were Sir William Villiers and Sir Ambrose Phillipps, who came from different points in the political spectrum. Surprisingly there is no reference in the warrant of 7 November to Lords Beaumont, Sherard and Cullen but it may be because Rutland only drew attention to new appointments. When the militia was called upon to defend the country from another Jacobite threat in the late spring of 1692, Rutland and his deputies responded to the government's call to tighten internal security.<sup>35</sup> Their action on this occasion included the seizure of Huntingdon's coach and horses.<sup>36</sup>

#### IV

Frustrated by the continuing efforts of whig politicians to impose further restraints on his powers, William III unexpectedly prorogued parliament on 27 January 1690, dissolved it ten days later and issued writs for fresh elections in the new year.<sup>37</sup> The Leicestershire gentry held a meeting where Sir Ambrose Phillipps of Garendon was nominated as their preferred candidate.<sup>38</sup> Reflecting prevailing tory concerns about whig behaviour in the last parliament, Sir Ambrose expressed the view that '...it is a time that all men that love the government and the Church of England ought to take a more particular care of the choice of their representatives in Parliament'.<sup>39</sup> Initially Sir Ambrose may have hoped that the ageing Lord Sherard would stand down: in the event the

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<sup>35</sup> *H.M.C. Rutland*, II.134-5, 21 Apr., 5 May and 2 June 1690, Lords of the Council to Rutland and 7 May 1692, Thornton to Lady Rachel Russell.

<sup>36</sup> *H.M.C. Hastings*, II.223, Huntingdon to Nottingham.

<sup>37</sup> Horwitz, *Parliament, Policy and Politics*, pp.43-4.

<sup>38</sup> *H.o.P. 1690-1715*, II.347, 'Leicestershire'.

<sup>39</sup> R.O.L.L.R., *Hall Papers* BR/II/18/36 f.191, 20 Feb. 1690, Letter from Sir Ambrose Phillipps.

election became a three-way contest between Sir Ambrose, Lord Sherard and Sir Thomas Hesilrige, who was standing in place of Sir Thomas Halford.<sup>40</sup> Sherard and Hesilrige were returned on 13 March as the county's representatives but there is no record that the matter was taken to a poll. Neither MP was particularly active in parliament.<sup>41</sup> Though notionally whigs, neither Sherard nor Hesilrige was especially committed in that direction. Indeed Hesilrige said that the reason why he refused to stand in 1695 was his disappointment with the performance of the whigs in the first four years of the new reign.<sup>42</sup>

In the borough Babington and Carter stood again and Sir Edward Abney joined them.<sup>43</sup> Babington had Rutland's backing, Carter had Stamford's, and Huntingdon recommended Abney to the mayor and corporation.<sup>44</sup> Sir Edward, who had drawn on the Dissenting interest in previous elections, told Huntingdon that he hoped for better success on this occasion but was realistic about his chances in an election 'that depends on the suffrage of the unstable vulgar'.<sup>45</sup> He described how he was vigorously canvassing the 'companies of trade in the town' and in the local inns. The aldermen had already declared for him. He planned to capitalise on this by finishing the campaign with a dinner for the mayor and the corporation. His efforts paid off for he and Carter saw off Babington's challenge.

These results were matched by whig success in neighbouring constituencies in the east midlands but were out of line with results in the

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<sup>40</sup> Sir Thomas Halford died on 30 May 1690, aged 27.

<sup>41</sup> *H.o.P. 1690-1715*, IV.351-2, 'Sir Thomas Hesilrige' and *ibid.*, p.466, 'Bennet Lord Sherard'; R.O.L.L.R., *Hesilrige MSS.*, DG 21/99.

<sup>42</sup> C. Rose, *England in the 1690s: Revolution, Religion and War* (1999), pp.71-84.

<sup>43</sup> *H.o.P. 1690-1715*, II.351, 'Leicester'.

<sup>44</sup> R.O.L.L.R., *Hall Papers BR/II/18/36 f.* 191 20 Feb. 1690, Letter from earl of Rutland.

<sup>45</sup> H.L.C. *Hastings*, HA8, 1 Mar. 1690.

country as a whole, where tories gained marginally at the expense of the whigs.<sup>46</sup> Carter's contribution in this parliament has been described as 'very modest' but he did take an interest in private bills relating to the estates of two Leicestershire men.<sup>47</sup> Sir Edward appears to have been more active than Carter.<sup>48</sup> In 1694-5 he was chosen as one of the seven salaried commissioners of accounts but failed to retain his place during the final sessions of this parliament. During this time he served on two committees that led to impeachment proceedings against the duke of Leeds.

## V

Although the change of monarch had an immediate effect on the relative position of the county's three leading aristocrats, the main consequence of the revolution in the county was to restore some equilibrium in the institutions of local governance that had been disrupted by James II's remodelling. Stamford had taken the opportunity to insert his political allies into the commission of the peace but those 'Church and King' loyalists who had dominated the bench in the 1680s still had a strong presence in the magistracy and the militia. As James II's experience had taught, there were practical limits how far government could go in purging the county magistracy. While Stamford could claim some success in the 1690 election, it was a low-key affair compared to the partisan battles that were to follow.

This apparent equanimity was deceptive. Far from bringing the nation together, the change of regime had increased divisions by adding disputes over the purpose and conduct of war to the profound differences that already existed

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<sup>46</sup> *H.o.P. 1690-1715*, I.218-9, commentary on 1690 election results.

<sup>47</sup> *Ibid.*, III.478, 'Lawrence Carter I'.

<sup>48</sup> H.L.C. *Hastings*, m/f.15, HA8, 1 Mar. 1690, Abney to Huntingdon; *H.o.P.1690-1715*, III.5-6, 'Sir Edward Abney'.

over religion and the succession. Annual sessions of parliament ensured that these issues were extensively and intensively debated at Westminster where partisan divisions hardened as the decade progressed. Relaxation of the licensing laws allowed a polemical press to flourish, which helped to increase awareness of the issues that were being debated at Westminster. Frequent elections, guaranteed by the Triennial Act of 1694, provided a mechanism for drawing more people into the political process. In these changed circumstances, ministers and politicians, local as well as national, had to learn new ways of organising and maintaining political support.

## Part 2: Party politics in the middle years of William III's reign

### I

By 1693 William III became frustrated by the lack of support he was receiving from those loyalist politicians he had relied upon to run the administration.<sup>49</sup> Instead he began to bring in to the administration whig politicians, who, in their ambition for office, had distanced themselves from the more oppositional stance of those colleagues whose political opinions had been shaped by the crisis of 1678-81. Over the next four years, these ministers became the dominant force in government. They were prepared to back William's foreign policy and sought to deliver the resources required to see his policy carried through. The death of Mary in December 1694 further weakened the position of the Tories, for the queen had been an important advocate on their behalf. Her death also removed the convenient pretence, which some Tories had used to salve their conscience, that the hereditary succession had been preserved in the dual monarchy.

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<sup>49</sup> Horwitz, *Parliament, Policy and Politics*, pp.123-74; S. Baxter, *William III* (1966), pp.307-10, 319-27; C. Rose, *England in the 1690s*, pp.82-9.

The transfer in political power at a national level worked to Stamford's advantage. Not only was he well placed to secure further preferment for himself but he also had improved access to ministers responsible for local appointments, especially after John Somers became lord chancellor in March 1693. Stamford was appointed a privy councillor in 1694 and subsequently a commissioner of Greenwich Hospital, lord lieutenant of Devon and chancellor of the duchy of Lancaster. These offices gave him access to valuable areas of patronage, which, to Lord Hatton's annoyance, he used for political purposes 'to put me out of [local office and] to place there some men more agreeable to his humour'.<sup>50</sup> Stamford also served as a commissioner of trade and foreign plantations and in 1699 was promoted to first lord in this department. According to Macky, Stamford was relatively prominent in debates in the Lords despite a speech defect but he often offended members by his partisan attitudes.<sup>51</sup>

## II

While the Great Seal continued in commission, only minor amendments were made to Leicestershire's commission of the peace between 1689 and 1693.<sup>52</sup> Because of complaints, the council ordered a review of all county commissions in February 1693 to ensure that they were all appropriately equipped to carry out their functions. The council also instructed the assize judges to draw up lists of non-juring and inactive justices.<sup>53</sup> As the new lord chancellor, Somers was responsible from March 1693 for implementing the

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<sup>50</sup> *H.M.C. 5<sup>th</sup> Report*, p.188, 25 Nov. 1702, Hatton to Leveson-Gower.

<sup>51</sup> J. Macky, *Memoirs of the Secret Services of John Macky* (1733, reprint by Roxburghe Club, 1895), pp.62-3. For the authorship of the 'characters', see above, p.102 n.42.

<sup>52</sup> See below, Table 1, pp.411-17.

<sup>53</sup> P.R.O. PC 2/75, 23 Feb. 1693; Glassey, *Appointment of Justices*, pp.112-3.

recommendations of this review.<sup>54</sup> Most counties were issued with at least one new commission over the next three years, many of them altered to whig advantage.<sup>55</sup> This was certainly the case with the new commission issued for Leicestershire on 24 July 1694.<sup>56</sup>

Glassey claimed that Somers made most progress in those counties where there was already 'a sturdy whig element'.<sup>57</sup> Although the alterations in Leicestershire's commission were strongly biased in favour of whigs, there is no evidence to prove what influence Rutland, as lord lieutenant, had in this selection. It is, however, unlikely that Stamford would have let such an opportunity pass. Two years after he had berated those who refused to recognise William III as the lawful and rightful king, Stamford now had the opportunity to oust some of his opponents from the commission. The new commission also gave him the opportunity to bring in some of his closest political supporters, men such as William Palmer of Wanlip, Thomas Charnells, Edward Conyers and Matthew Simmonds. Neither Rutland nor Huntingdon nor any of the minor Leicestershire peers appears to have had the influence or the will to counter Stamford's political manoeuvring.

Eleven justices, nominated in 1689, were dismissed (another seven had died since 1690). Five out of these eleven, Thomas Boothby, Roland Browne, Richard Lister senior, Geoffrey Palmer and William Streete had all served in the Commission during the royalist reaction at the end of Charles II's reign: the other six, John Bainbrigge, Wolstan Dixie, Sir John Noel, Charles Morris, John

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<sup>54</sup> *Oxf. D.N.B.* LI.565-71, 'Somers, John, Baron Somers, (1651-1716)'.

<sup>55</sup> Glassey, *Appointment of Justices*, pp.113-18 and 134.

<sup>56</sup> See below, Table 1, pp.411-17.

<sup>57</sup> Glassey, *Appointment of Justices*, p.118.

Verney and William Whalley, can all be identified as tories. Eight of those dismissed were still alive in 1700, seven of whom would have their places restored in the regulation of that year, which Glassey noted ‘reflected a conscious decision to reverse the changes made by the Junto Whigs’.<sup>58</sup> At the same time eight were added, including Sir John Hartopp, the champion of Dissenting interests in the county in the 1680s, two whig MPs from neighbouring Lincolnshire and others whose whig connections are well attested. About half of those appointed during the period when Stamford was *custos* were to lose their places during tory purges in 1700, 1704 and 1712, thus strengthening the argument that there was a strong partisan motive driving these alterations.

### III

William dissolved parliament on 2 October 1695 in the hope that he would secure a more supportive assembly and issued writs for fresh elections. The capture of the fortress of Namur bought his summer campaign to a successful conclusion and helped to create the right climate for the election. Horwitz described this election as one of the least contentious of William’s reign.<sup>59</sup>

Early in October Stamford informed Dr. Kingston that ‘I hope my behaviour in Leicestershire in the elections will show my good nature towards the government. I left the town and the county so well disposed that I hope without contest I will carry both’.<sup>60</sup> Shortly before the elections, William III undertook a short progress through the midlands, which took in visits inter alia to

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<sup>58</sup> *Ibid.*, p.138

<sup>59</sup> Baxter, *William III*, pp 327-330; Horwitz *Parliament, Politics and Policy*, p.157; *H.o.P.1690-1715*, I.219-20, commentary on 1695 election results.

<sup>60</sup> *H.M.C. Downshire*, I[Pt.2].560, 7 Oct. 1695.

Sunderland at Althorp, Newcastle at Welbeck and Shrewsbury's country retreat at Egford: included in the tour was an overnight stay on 4 November at Bradgate House, Stamford's seat in Leicestershire.<sup>61</sup> According to James Vernon the entertainment was well received both by the houseguests and by 'the mob without doors', whom the earl liberally supplied with punch.<sup>62</sup> Quite apart from the honour conferred on Stamford by including him in such an eminent list of hosts, the visit would have boosted the earl's interests in the forthcoming election.

Stamford backed two candidates in the county election, George Ashby of Quenby Hall and William Byrd, a London lawyer who had recently bought an estate in Leicestershire at Claybrooke. A speculative enquiry from the duke of Devonshire for Rutland's assistance in setting up Henry Cavendish as a candidate came to nothing.<sup>63</sup> Rutland wrote to the mayor requesting his support for the moderate tory, John Verney, who had already represented the county in 1685.<sup>64</sup> It is perhaps surprising that Rutland, with his whig connections, should have sponsored a candidate whose tory credentials were praised by his contemporaries. Hanham argued that this demonstrated Rutland's isolation from the mainstream of national politics but the earl's main concern may have been to back a candidate who carried sufficient credibility with the local gentry to keep

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<sup>61</sup> Nichols, *Hist. Leics.* III.679-80; *H.M.C. Portland*, III.573, 31 Oct 1695, William's itinerary; T. North (ed.), *Accounts of the Churchwardens of St Martin's, Leicester, 1489-1844* (Leicester, 1884), p.214, Payment for ringing the bells on the king's birthday and his passing through Leicester the same day, Nov. 1696.

<sup>62</sup> *H.M.C. Downshire*, I [Pt.2].579, 4 Nov. 1695. After a chequered clerical career, Dr. Richard Kingston was employed from 1692 as a government spy to inform on Jacobites. From 1695 he reported direct to Sir William Trumbull, Secretary of State, *Oxf. D.N.B.* XXXI.225-6.

<sup>63</sup> *H.M.C. Rutland*, II.157-8, 18 Sept. 1695, Lady Rutland to Lady Roos and 19 Sept. 1695, Devonshire to Rutland; *V.C.H. Leicestershire*, II.121 (and n.91).

<sup>64</sup> Belvoir Castle, *Rutland MSS.*, 4 Dec.1695, Pares (mayor of Leicester) to Rutland; *H.o.P. 1690-1715*, I.352 (and n.3).

out one of Stamford's nominees.<sup>65</sup> Stamford was confident that his preparations would secure seats for both his candidates but the 'Church Party' put up strong resistance. It was reported that a crowd at the election, 'well affected to ye ch[urch] and monarchy' openly expressed their hostility towards 'the contrary faction, chiefly managed by the Lord S[tamford]'.<sup>66</sup> It is not clear whether a poll was required but the outcome was victory for Ashby and Verney. Therefore Rutland and Stamford could both claim some success in the outcome. Once again the campaign demonstrated how candidates and their backers were exploiting political divisions in the county for electoral advantage.

In the borough, two candidates came forward, Sir Edward Abney, who had represented Leicester in the last parliament, and Archdale Palmer, who stood in place of Lawrence Carter.<sup>67</sup> Palmer was the son of the William Palmer, who had been accused of harbouring Dissenters at his house in Wanlip in Charles II's reign. There is no record that either Huntingdon or Rutland intervened in this election, thus leaving the field clear for Stamford's two candidates. Stamford undoubtedly benefited from the absence of competition but it was also a reward for the efforts he had made over several years to cultivate support in the borough. The result confirmed the late Sir Henry Beaumont's admission in 1688 that his brand of politics stood no chance as long as the borough retained its wide franchise.

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<sup>65</sup> *H.o.P. 1690-1715*, II.348, 'Leicestershire' and V.727, 'John Verney'.

<sup>66</sup> Belvoir Castle, *Rutland MSS.*, 4 Dec. 1695, Pares to Rutland.

<sup>67</sup> *H.o.P. 1690-1715*, II.352, 'Leicester', III.5-6, 'Sir Edward Abney' and IV.73-4, 'Archdale Palmer'; Nichols, *Hist. Leics.*, III.1099 and 1101.

#### IV

Leicester was spared the complications experienced in other boroughs where rival claimants fought for the right to be members of the corporation.<sup>68</sup> Effortlessly the oligarchy of wealthier merchants and traders, who had controlled the corporation in Charles II's reign, resumed power. Greaves, challenging the traditional view that the corporation was dominated by the disaffected after the revolution, argued that it is more appropriate to view its composition as diverse. The fact that the corporation in 1688 and 1689 could choose two men as mayor, who had opposed the surrender in 1684, suggested to Greaves evidence of 'a spirit of local independence' rather than 'theological or political doctrines'.<sup>69</sup> Thomas Pidcocke, Huntingdon's new steward, offered a contemporary assessment, when he assured the earl in February 1690 that the 'Churchmen [were] the majority and the best party in the corporation'.<sup>70</sup> They remained in undisturbed control throughout the 1690s and beyond. When a vacancy occurred, they determined the selection of new members, usually by promoting the next most senior member of the 48. They were also responsible for choosing the mayor, again usually by seniority. The mayor and his immediate four predecessors also formed the judicial bench in the borough. Although the corporation was spared the external pressure that had been a destabilising influence in the 1680s, the ruling group still had to contend with competing interests within the wider electorate, as Stamford's success in the 1695 elections was to demonstrate.<sup>71</sup> The government was sufficiently concerned about the threat to order that it stationed three companies of foot in the town. Stamford

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<sup>68</sup> P. D. Halliday, *Dismembering the Body Politic 1650-1730* (Cambridge, 1998), pp. 257-60 and 265-8.

<sup>69</sup> R. W. Greaves in *V.C.H. Leicestershire*, IV.120

<sup>70</sup> H.L.C., *Hastings*, m/f.15, HA 10245, 2 Feb. 1690. Thomas Pidcocke was appointed following the death of Gervase Jacquis in Dec. 1688.

<sup>71</sup> For a general account of municipal politics in the 1690s see Halliday, *Dismembering the Body Politic*, pp.276-303.

complained about this imposition, attributing it to ‘nothing but the ill-will of some person, who is afraid of the town growing honest’.<sup>72</sup>

The *Hall Papers* suggest that the mayor and the corporation in the 1690s were more concerned with protecting their economic interests than with matters of principle. In 1696, the corporation drew up a petition against a bill to improve navigation on the river Derwent stating that this would be ‘injurious to the trade and market of Leicester’.<sup>73</sup> The same year it was in dispute with the corporation of Derby over the right of Leicester traders to be exempted from that town’s tolls.<sup>74</sup> In 1699 the corporation sought Stamford’s assistance in blocking a proposal to establish a market in Market Harborough.<sup>75</sup> In concert with other corporations, it started proceedings in 1696 to force Coventry to allocate a fairer share of the Sir Thomas White Charity. This charity had been established in the sixteenth century to provide aid to respectable young freemen in several towns in the east midlands, including Leicester.<sup>76</sup> After a petition to the Lords and lengthy proceedings in chancery, Leicester and the other towns were successful in securing a greater share of the proceeds. These funds were to provide the corporation with a valuable source of patronage in the following century.<sup>77</sup>

The provision of an adequate water supply was an issue that frequently engaged the attention of the corporation. The original proposal to draw water

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<sup>72</sup> *C.S.P.D. 1694-5*, p.253, 4 Aug. 1694, Stamford to Trenchard.

<sup>73</sup> R.O.L.L.R., BR/II/18/38 f.6, 20 Jan. 1696, Petition against making the Derwent navigable; G. A. Chinnery, *Records of the Borough of Leicester* 5 vols. (1965), V.27 no.80, n/d, Copy of petition.

<sup>74</sup> R.O.L.L.R., BR/II/18/38 f.8, 22 Jan. 1696.

<sup>75</sup> Chinnery, *R.B.L.*, V. 27 no.81; R.O.L.L.R BR/II/18/38 f.247, 24 Nov. 1699, Petition to Stamford; *C.S.P.D. Jan. 1699- Mar. 1700*, p.301, 28 Nov. 1699.

<sup>76</sup> R. W. Greaves, *The Corporation of Leicester* (Oxford, 1939), pp.88-9; Chinnery, *R.B.L.*, V.18 no.47, 24 Jan.1696; Nichols, *Hist. Leics.*, I.438.

<sup>77</sup> *H.M.C. Lords*, V.161-3; Chinnery, *R.B.L.*, V.38, 16 Apr. 1701, V.50, 18 Dec. 1705, V.62, 12 Dec. 1711 and V. 92, 27 Jan. 1721, Sir T. White’s Charity.

from the Soar to a fountain in the centre of the town came from Lawrence Carter, who took out a lease on the town mills for this purpose and was reputed to have spent £4000 on the project.<sup>78</sup> It was designed and later serviced by Alderman John Wilkins. There were problems in maintaining the system and at one stage Wilkins' probity was called into account, which may account for why he and four other colleagues were disenfranchised for a short period in 1695.<sup>79</sup> Eventually some accord was agreed for Wilkins was given £40 to carry out further repairs on the conduit and to supply a fire engine.<sup>80</sup> The maintenance of the conduit continued to be an issue until a new one was installed and the head re-located in another part of the town in 1709.<sup>81</sup>

The third illustration comes from the corporation's response to the coinage crisis of 1696. The poor were hit particularly badly and local authorities were left to find solutions to alleviate the distress. Bertie had advised Rutland in March, 'I foresee the public will be under a great scarcity of money in June and July, and some who have hoarded must be forced to bring it out'.<sup>82</sup> The duke of Devonshire recommended as a temporary expedient that 'poor people could be given tickets in proportion to the clipped money they have, which could then be exchanged for new money when it was available'.<sup>83</sup> The corporation was so concerned that it sent two men to London in May to acquire £6000 in new money in exchange for clipped coin, part of which was distributed in August to the

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<sup>78</sup> Nichols, *Hist. Leics.* I.318 n.4, Provision of water works; R.O.L.L.R., *Hall Papers*, BR/II/18/35 f.259, n/d. Lease of mills to Carter.

<sup>79</sup> Chinnery, *R.B.L.*, V.16-17, nos. 40-3, 5, 17 July and 13 August 1695.

<sup>80</sup> *Ibid.*, V.22-3, no. 63, 31 Mar. 1697.

<sup>81</sup> *Ibid.*, V.58-9, nos. 204 and 206, 10 and 20 June 1709.

<sup>82</sup> *H.M.C. Rutland*, II.158-9, 14 Mar. 1696, Bertie to Rutland; see above p.251 n.13 for information on Charles Bertie.

<sup>83</sup> B.L., *Add. MSS.* 6668 f.118-121, pp.210-214, 13 June 1696, Welby to high sheriff of Derby.

residents of the Newarke Hospital.<sup>84</sup> The corporation also took the lead in lobbying for the establishment of a mint in the town as a more permanent solution to the economic and social problems caused by the shortage of coin.<sup>85</sup>

## V

Following Mary's death in 1694, William became increasingly withdrawn and began to lose support, especially on account of the rising costs of the war against France.<sup>86</sup> However, the revelation of a plot to assassinate the king on 24 February 1696 came as a timely reminder of the threat posed by the exiled James. Charles Bertie informed Rutland 'We are all in abhorrence of a plot compounded of so much villany and barbarism' but he was relieved to report that fear of invasion had receded.<sup>87</sup> Suspicion fell on a wide range of people, including tories, like Huntingdon, who had never become reconciled to the new regime. Both Houses of Parliament agreed to a voluntary oath of association, in which subscribers would be invited to declare that William was the 'rightful and lawful' king and would undertake to defend or revenge him against all his enemies.<sup>88</sup> Despite changes at the drafting stage, 89 MPs and 19 peers, 'virtually all staunch Churchmen', refused to subscribe on the same grounds that they resisted the Abjuration Oath in 1690.<sup>89</sup>

The whigs saw this as an opportunity to expose tory ambivalence towards the Revolution by introducing a bill to incapacitate those members of the House,

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<sup>84</sup> Chinnery, *R.B.L.*, V.19, no.49, 22 May 1696.

<sup>85</sup> *C.S.P.D. 1696*, p.218, 6 June 1696. [A copy of the petition of May 1696 is printed in the appendix to *C.S.P.D. 1700-02* p.596.]

<sup>86</sup> Baxter, *William III*, pp.319-22; Rose, *England in the 1690s*, pp.42-8.

<sup>87</sup> *H.M.C. Rutland*, II.158-9, 14 Mar. 1696.

<sup>88</sup> Horwitz, *Parliament, Politics and Policy*, pp. 175-6.

<sup>89</sup> *H.M.C. Hastings*, II.258-9, 27 Feb. 1696, [Daniel Brett] to Huntingdon; A. Browning, *Danby* vol. III Appendix C, pp.194-203. According to Luttrell, *Brief Relation*, IV.34, Huntingdon refused to subscribe.

who had refused. Reporting to Lord Hatton, Verney described how ‘this plot has raised the greatest heats imaginable... Anyone suggesting the Association Bill was illegal was exposed’.<sup>90</sup> In a letter sent to Rutland, Verney wrote, ‘It will be very difficult for anyone to live in England and not comply with the Government in the manner that it directs’.<sup>91</sup> In the end, all but a few MPs signed, the dissidents comforted themselves with the chicanery that oaths taken under duress were not binding. The duke of Bedford confirmed that Rutland’s confirmation of his readiness to sign had been well received by the Lords. He urged the earl to persuade as many as possible in the county to sign the Association.<sup>92</sup>

Yet only a day later Rutland received a letter advising him that rumours were circulating in London that one of his household, a chaplain called Waddon, was under surveillance.<sup>93</sup> Any doubts about the general loyalty of the county were dispelled when the Grand Jury and many other justices gave the lead by signing the Association at the Quarter Sessions on the 28 March. Over the next month more than 8,550 signatures were collected from the county.<sup>94</sup> On 2 May, Bedford confirmed that the county’s document ‘...was very graciously received by the King, and gave both his Majesty and all your relations and friends abundant satisfaction to find your Lordship so zealous for the King and the Government’.<sup>95</sup> This reminder of the fragility of the Protestant succession was

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<sup>90</sup> B. L., *Add. MSS.*, 29566 f. 174, 4 Apr. 1696.

<sup>91</sup> *H.M.C. Rutland*, II.159, 4 and 11 Apr. 1696.

<sup>92</sup> *Ibid.*, II.159, 20 Mar. 1696.

<sup>93</sup> *Ibid.*, II.159, 21 Mar. 1696.

<sup>94</sup> P.R.O. C213/145, Oath of Association Rolls: Leicestershire returns. The number of signatures was impressive but small compared to Buckinghamshire’s 25,000 and Suffolk’s 70,000. Given the way that they were collected, there was some duplication in the returns; see, M. Knights, *Representation and Misrepresentation in later Stuart Britain: Partisanship and Political Culture* (Oxford, 2005), p.123.

<sup>95</sup> *H.M.C. Rutland*, II.159, 11 Apr. 1696, Verney to Rutland; *ibid.*, II.160, 2 May 1696, Bedford to Rutland.

sufficient to rally the county behind the king with the exception of a few diehard Tories.

On 21 April 1696, all lords lieutenant and *custodes rotulorum* were instructed to submit returns stating which office holders had and had not subscribed according to the requirements of the Act.<sup>96</sup> A year later, the privy council was still chasing Rutland for his return for the militia.<sup>97</sup> Prompted by this reminder, his deputy lieutenants reported that twenty-eight officers had signed: only Sir Edward Wigley, a deputy lieutenant, and Richard Swan, an ensign in the militia, had refused and their commissions had been withdrawn.<sup>98</sup> Subsequently, Sir Edward had signed and taken the oath as required. Rutland thanked the Deputies for their information and asked them to respond to the latest questions from the council about the state of readiness of the militia.<sup>99</sup>

## VI

The radical changes that had taken place in the magistracy in 1694 and the display of loyalty in signing the Association appear to have spared Leicestershire from the purges that occurred in other counties.<sup>100</sup> On the other hand, the authorities came down heavily on Roger Rooe, who was put out of the commission in 1697, after he had called the land tax ‘a Sequestration’ and the commissioners for assessment, ‘sequestors’.<sup>101</sup> Rooe was not alone in complaining about the burden of the land tax but his language was particularly insensitive, with its resonance of the civil war and the interregnum. In attacking

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<sup>96</sup> P.R.O. PC 2/76, p.417, 30 Apr. 1696; S.R. 7 & 8 William III, c.7.

<sup>97</sup> *H.M.C. Rutland*, II.161, 4 Feb. 1697.

<sup>98</sup> *Ibid.*, 17 Feb. 1697.

<sup>99</sup> *Ibid.*, 21 Feb. 1697.

<sup>100</sup> Glassey, *Appointment of Justices*, pp.118-24.

<sup>101</sup> *C.S.P.D. 1697*, p.170, 27 May 1697; B. L., *Add. MSS.*, 40777 ff.182-3, 27 May 1697, Vernon to Somers; R.O.L.L.R QS1/8, Commission of the Peace, 1 June 1697.

the commissioners he was criticising neighbours who had been given the task of apportioning the county's share of the tax burden. No record of the tax commissioners' work in the county has come to light but an analysis of the membership of these commissions suggests that its members were drawn from across the political spectrum and, until 1715, were spared the partisan manipulation that affected the bench.<sup>102</sup>

### Part 3: Peace with France and party warfare

#### I

By 1697 all the belligerents were reaching the point of exhaustion and a temporary truce was agreed, followed by diplomatic negotiations for a more permanent peace.<sup>103</sup> The cessation of hostilities released political forces held in check whilst France remained a threat to English security. William and his ministers came under attack from an alliance of tories and 'country' gentlemen, supported by some disenchanted whigs.<sup>104</sup> Their immediate target was a radical reduction in the size of the army. These attacks weakened the Junto's political authority. With Sunderland's resignation at the end of 1697 and Shrewsbury's lengthy indisposition, they became less effective in controlling parliament. From William's perspective this reduced their value. Such was his frustration that he complained to Heinsius that 'Parliament is now engaged in private animosities and party quarrels, and thinks little of public affairs. God knows when this session will terminate'.<sup>105</sup> When eventually it ended, the king promptly dissolved

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<sup>102</sup> The names of the commissioners for the county and for the borough were written into the acts approving the land tax, see above pp.111 n.78, for references to the relevant acts.

<sup>103</sup> Baxter, *William III*, pp.337-47 and 355-8.

<sup>104</sup> Horwitz, *Parliament, Policy and Politics*, pp.222-42; Hayton, 'The Country Interest and the Party System 1689-c1720', in C. Jones (ed.) *Party and Management in Parliament* (Leicester, 1982), pp.37-85.

<sup>105</sup> P. Grimblot (ed.), *Letters of William III, 1697-1709* 2 vols. (1848), I.197, 22 Feb. 1698, quoted by J. Hoppit, *A Land of Liberty? England 1689-1727* (Oxford, 2000), p.157. Anthonie

parliament, called for new elections and left immediately for Holland where he stayed for the next five months.

A vigorous pamphlet campaign helped to keep these issues in the public eye as an account of the army controversy illustrates.<sup>106</sup> In 1697, Trenchard argued for the dissolution of the army on the grounds that ‘liberty and a standing army are incompatible’. He and Toland accused the Junto of apostasy for abandoning old whig principles.<sup>107</sup> Somers responded by setting out why it was inappropriate to disband the army at this time.<sup>108</sup> He accused the ‘Commonwealth Men’ of undermining the government and doing the work of tories, Jacobites and papists. Initially such propaganda was intended to influence opinion in parliament but as the time for the election drew near it was directed at a wider audience and made more explicit links between the costs of the army and taxation. One commentator protested that, ‘the truth is people are so galled with taxes that they kick and wince at every one’.<sup>109</sup> Anthony Hammond carried the attack on the court right up to the start of the first session by reminding his colleagues what was at stake in *Some considerations upon the Choice of Speaker*. He described the court candidate, Littleton, as unfit for the chair because he already held a government post and another contender Sir Edward Seymour, as an ‘old prostitute of the explod’d Pension’d Parliament’.<sup>110</sup> There is no indication how far such material reached Leicestershire but to judge by Hammond’s later

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Heinsius was the Grand Pensionary of Holland from 1689 to 1720, see Baxter, *William III*, pp.258-9, 346-7 and passim.

<sup>106</sup> J. A. Downie, *Robert Harley and the Press* (Oxford, 1979), pp. 29-40; Horwitz, *Parliament, Politics and Policy*, pp. 237-9; Rose, *England in the 1690s*, pp. 94-6.

<sup>107</sup> Quoted by B. Worden in introduction to Ludlow’s, *Voyce from the Watchtower*, Camden Society (1978), p.49; J. Trenchard, *An Argument showing that a Standing Army is Inconsistent with a Free Government* (1697); J. Toland, *The Danger of Mercenary Parliaments* (1698).

<sup>108</sup> J. Somers, *A letter Balancing the Necessity of Keeping a Land Force with the Dangers that may follow on*; Anon, *A Letter to a Country Gentleman Setting Forth the Cause and Ruin of Trade*.

<sup>109</sup> *C.S.P.D.* 1698, p.376-7, 19 Aug. 1698, Cooke to Williamson.

<sup>110</sup> Somers Tracts II, 651-3.

efforts, which are described in the next chapter, the authors would have done their best to disseminate this material.<sup>111</sup>

## II

It is hardly surprising that this infighting featured in the 1698 election campaigns, which, in one contemporary's opinion, was marked in a number of constituencies by 'the most dangerous division of a Court and Country party'.<sup>112</sup> At the start it appeared that the Leicestershire election would turn out to be a repetition of 1695. On 25 May Verney asked Rutland for his endorsement and advised him that 'Lord Stamford is resolved to have a poll in Leicestershire again, for Mr Bird and Mr Ashby will stand'. With his customary courtesy, he added, 'I am sorry I am like to be the occasion of more trouble for your Lordship having given you more than all my services to you can ever deserve'.<sup>113</sup> Stamford was quick to declare for Ashby and Bird. He may have hoped for the return of both his nominees but, given the solid support Verney could expect from the tory gentry, realistically the most he could achieve was the election of one of his candidates. However, these calculations were upset when a fourth candidate, John Wilkins, entered the contest with tory backing.<sup>114</sup> A four-way contest threatened to split both whig and tory votes in what was already building up to be a closely fought contest.

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<sup>111</sup> See below, p.297.

<sup>112</sup> Horwitz, *Parliament, Politics and Policy*, p.239 and App. A, 'Contested elections, 1689-1702'; Earl of Hardwicke (ed.), *Misc. State Papers 1501-1726*, 2 vols. (1778), II.435.

<sup>113</sup> Belvoir Castle, *Rutland MSS.*, vol. XXI, 25 May 1698, quoted by J. H. Plumb in *V.C.H., Leicestershire*, II.122.

<sup>114</sup> John Wilkins was a colliery owner in north-west Leicestershire. There was an alderman in the borough of the same name (see above p. 269-70 and n.79) but there is no evidence that the two were related.

John Wilkins was an unusual choice.<sup>115</sup> He had been born into a yeoman family in Leicestershire and had built up his wealth through mineral exploitation in the northwest of the county. In 1688 he married the daughter and heiress of William Wollaston of Shenton, which not only brought him a fortune but also enhanced his social standing. By the time he stood for election he was a leading coal owner in Leicestershire with mining interests in several neighbouring counties.<sup>116</sup> In 1687 he purchased an estate in Ravenstone, where eventually he was to settle into the life of a gentleman. Although there were other members of the gentry in Leicestershire who had risen from humble beginnings, what was remarkable was that he had made this transition in his lifetime and in the same area where his social background was well known.

Plumb argued that the gentry resented the way that the two peers sought to dominate this election and in putting forward Wilkins, the gentry were asserting a right to nominate one of the county's representatives.<sup>117</sup> They had pressed this with varying degrees of success throughout the century.<sup>118</sup> However other factors may have been at work. Dissatisfaction with the administration's performance was not confined to Westminster. There were concerns at a local level about high levels of taxation at a time of considerable economic distress, when rents were difficult to collect. Such concerns inevitably involved discussions about ways of reducing government expenditure. The county's 'churchmen' both lay and clerical still had considerable doubts about the government's policy towards Dissenters. Such concerns fed into the election. In these circumstances, the decision to put up a second tory candidate may have

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<sup>115</sup> *H.o.P. 1690-1715*, V.864-5 'John Wilkins'; Nichols, *Hist. Leics.*, III.931-7.

<sup>116</sup> C. C. Owen, *Leicestershire and South Derbyshire Coalfield 1200-1900* (Ashbourne, 1984), pp. 96-7.

<sup>117</sup> J. H. Plumb in *V.C.H. Leicestershire*, II.121-2.

<sup>118</sup> D. Fleming, 'Faction and Civil War in Leicestershire', *T.L.A.H.S.* LVII (1981/2), p.28.

been a deliberate attempt to make clear tory dissatisfaction with an increasingly unpopular administration with whom Stamford was closely identified.

However, some tories in the county were not convinced that Wilkins was the right person to carry out this task. Huntingdon reminded Verney of Wilkins' former links with Stamford. The earl was worried that should the election come to a poll, 'you [Verney] will find the fanatical party will be for Wilkins and against you'.<sup>119</sup> The earl also had doubts about Wilkins' reliability. Was Verney sure, Huntingdon asked, that Wilkins would vote with the tories in the Commons? In the event, Wilkins turned out a fervent convert and the gambit worked. At some stage Ashby and Byrd withdrew from the contest, presumably with Stamford's agreement, having decided that their chances of election were slim. The field was therefore left clear for Verney and Wilkins.<sup>120</sup> This result was a triumph for the tories, who now had representatives in parliament, whom they could trust to look after their interests. In contrast, it was a significant reversal for Stamford and the whig interest, who could not even claim the consolation of a single county seat.

### III

Change was inevitable in the borough because both Archdale Palmer and Sir Edward Abney decided to stand down, thus leaving the way open for new candidates.<sup>121</sup> Several names were canvassed in the run up to the election. An approach was made to Sir George Beaumont of Stoughton, second son, and by this time heir, to the late Sir Henry, Huntingdon's ally during the 1680s.<sup>122</sup>

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<sup>119</sup> H.L.C. *Hastings* m/f.19, HA6107, 18 Apr. 1698, Huntingdon's Letter Bk., Feb.-Apr. 1698: copy letter to Verney.

<sup>120</sup> *C.S.P.D. 1698*, p.380, 19 Aug 1698 but, according to the editor of the calendar, the entry in the *London Gazette* erroneously records Ashby as elected rather than Wilkins.

<sup>121</sup> *H.o.P. 1690-1715*, II.352, 'Leicester'.

<sup>122</sup> *H.o.P.1690-1715*, III.158-61, 'Sir George Beaumont'.

According to Verney, some senior townsmen had approached another local tory gentleman, Mr. Palmer of Carlton, who 'has some interest in the borough and is desirous of coming forward if he can obtain the earl of Rutland's support', adding 'I see as much need of honest men in Parliament that I would wish the town of Leicester may make choice of so worthy a man as I know him to be'.<sup>123</sup> Huntingdon was more pessimistic.<sup>124</sup> He told Palmer that he had left it too late unless Sir George should decline. If that happened, Palmer would have to secure his votes and even then 'you will find it absolutely necessary to spend some money in the treating of the Aldermen and Common Council'. The earl promised to do what he could to support him but admitted that he no longer knew the members of the corporation in the way that he had when recorder. In the end neither Sir George nor Palmer stood for election.

The two candidates who eventually emerged were two whigs, Sir William Villiers and Lawrence Carter junior. Sir William, whom Huntingdon had recommended as a candidate in 1688, came from a long established county family.<sup>125</sup> Carter lived in the Newarke in Leicester and was the son of Lawrence Carter, who had represented the borough from 1689-95.<sup>126</sup> He was already established as a barrister and succeeded Wright as the borough recorder in 1697, a post he continued to hold until 1729.<sup>127</sup> Although there is no record of Stamford's involvement in this election, given his interests in the town and his close relationship with the Carter family, it is inconceivable that he kept aloof.

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<sup>123</sup> *H.M.C. Rutland*, II.162-3, 28 May 1698, Verney to Rutland and 28 May 1698, Palmer to Rutland; *H.o.P. 1690-1715*, V.74-5, 'Geoffrey Palmer'.

<sup>124</sup> *H.L.C. Hastings*, HA6108, 1 June 1698, Huntingdon's Letter Bk., July 1698-Jan. 1699: copy of letter to Palmer.

<sup>125</sup> *H.o.P. 1690-1715*, III.751, 'Sir William Villiers'; Plumb *Growth of Political Stability*, p.83-4 (and n.1).

<sup>126</sup> Morris (ed.) *Journeys of Celia Fiennes*, p.163.

<sup>127</sup> Nichols, *Hist. Leics.*, I.318-9; *H.o.P. 1690-1715*, III.27-8, 'Lawrence Carter II' and *H.o.P. 1714-1754*, I.532; *Oxf. D.N.B.* X.360, 'Carter, Sir Lawrence'.

On 27 July 1698, Villiers and Carter were apparently returned without any opposition. Given his disappointment in the county election, Stamford could at least be satisfied with the election of two whig candidates in the borough.

In the four weeks before the election, forty-six new freemen were enrolled by the corporation. This contributed towards an annual total for 1697-8 of 76 compared to annual admissions over the previous twenty years of between 15 and 25.<sup>128</sup> The reason for this sudden increase is not clear but its proximity to the election suggests that the two events may have been connected. Even if there was a link, there is no evidence who was behind this and who stood to benefit. This was a measure tory candidates used in subsequent elections.<sup>129</sup> It is possible therefore that the tory campaign planners anticipated a more closely fought contest than the records suggest and that this action was intended to boost support for Sir George or Palmer's candidacy. Although without precedent, this tactic was to become a regular feature of borough politics in Anne's reign.

#### IV

In comparison with both the previous and the next decade, the 1690s appear to have been a comparatively tranquil period in Leicestershire politics but this may be a false impression caused by the limited survival of information on Stamford's activities. Stamford was the clear beneficiary of the change of regime. He took over Huntingdon's role as the main broker between the county and central government. Rutland protested, but was no more able to match Stamford politically than he had Huntingdon in the 1680s. Stamford used his contacts with the administration to strengthen whig interests in the county and

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<sup>128</sup> H. Hartopp, *Register of the Freemen of Leicester* (Leicester, 1927); see below, Appendix 2, p.407.

<sup>129</sup> See below, pp.307, 326-7 and 336-7.

the borough at the expense of his rivals, as was evident in the commission of the peace and in parliamentary elections. While there is no evidence that Stamford enjoyed the same influence in the corporation as Huntingdon, he was able to use his contacts among the townspeople to rally support for his candidates in elections.

As the whigs consolidated their position in the county so the tories appeared to lose ground. After the fall of Huntingdon, there was no senior tory grandee to challenge Stamford. The minor aristocrats, the earls of Denbigh, Ferrers and the Irish peers, Lords Sherard and Beaumont of Swords, were all loyal 'Church and King' men but none really carried sufficient clout to provide the leadership required. However the strength of tory interests in the county should not be underestimated. The loyalists had lost the dominant position they had enjoyed in the 1680s but they still had a substantial presence in the magistracy and the militia, even after the Somers' alterations in 1694. Towards the end of William's reign, the opposition to the Junto were able to capitalise on the disquiet the landed gentry were feeling about the way that the war was being managed and the adverse effect it was having on the economy, the coinage and taxation. In the last years of the decade at a time when 'country' members were carrying out a successful campaign of attrition at Westminster against an unpopular whig administration, so the tory gentry in the county demonstrated their ability to stand up to their whig opponents by capturing both county seats in the 1698 election. In several respects, the 1690s marked a transitional period in Leicestershire politics, as old divisions appeared in their new guise of whig and tory factions committed to ensure that their opposing views about the proper way to run affairs in Church and State should prevail.

## **Chapter 7: The aristocracy, the gentry and politics in Leicestershire, 1698-1708**

In November 1700 and again a year later the king called two general elections at times when he and his ministers were facing sustained opposition in the Commons during the lull in the war with France. The first part of this chapter describes the course of these elections in the county and the borough. It is not possible to understand these elections without some knowledge of what was happening in neighbouring Derbyshire, where the duke of Devonshire invited Rutland's son, Lord Roos, to stand as Lord Hartington's partner. In both elections Roos caused considerable confusion due to his vacillation about whether to stand in Derbyshire or Leicestershire.<sup>1</sup> In the interest of clarity each campaign is dealt with separately and action common to both counties is cross-referenced where appropriate. A commentary is included on what was happening at a national and international level to provide a national context for these elections. Although national developments had a local impact, the main interest for this study is the interaction between the aristocratic families involved in these elections, the tory gentry and their respective supporters. The evidence comes principally from the papers of Thomas Coke, one of the Derbyshire candidates.<sup>2</sup> His correspondence contains a very full account of the Derbyshire elections but is also the main source for information on the Leicestershire elections.

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<sup>1</sup> E. Cruickshanks, S. N. Handley and D. W. Hayton, *History of Parliament: House of Commons, 1690-1715* 5 vols. (Cambridge, 2002), I.56.

<sup>2</sup> B.L. *Add. MSS.*, 69937-69942, Thomas Coke's correspondence, 1698-1726, *ibid.*, 69944-49, Additional correspondence, 1693-1708 and *ibid.*, 69954-69997, Papers related to Thomas Coke's political, legal and financial affairs. *H.M.C. Cowper*, vols. II and III contain printed versions of 1698-1726 manuscript correspondence.

The second part of the chapter describes the changes made in Leicestershire's commission of the peace in 1700, shortly after Sir Nathan Wright took up his appointment as lord chancellor.<sup>3</sup> These changes, which worked to the advantage of the county's tories, were prompted by complaints in the Commons about Lord Somers's management of the commissions and a national review initiated by the privy council.

The third part describes political developments in Leicestershire during the first five years of Anne's reign. This was a time when the tories were prospering both nationally and locally. Stamford lost his government appointments in the purge of whig officeholders that followed Anne's accession and suffered a decline in his local influence. The tories won all four seats in the elections of 1702 and 1705 before eventually ceding to the whigs in a by-election in the county in 1707. It was also a period when the supporters of the established Church were making a determined effort to control the spread of Dissent by attacking the practice of occasional conformity. The impact this had in Leicestershire is discussed in the final part of the chapter.

#### Part 1: The elections of 1701-2 in Leicestershire and Derbyshire

### I

#### (i) The national context for the first general election of 1701

Hayton estimated that the whigs came out of the 1698 election with marginally fewer MPs than before but still with more seats than the tories (246 to

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<sup>3</sup> H. C. G. Matthew and B. Harrison (eds.), *Oxford Dictionary of National Biography* 60 vols. (Oxford, 2004), LX.473-4, 'Wright, Sir Nathan (1654-1721)'; J. Campbell, *Lives of the Chancellors* 8 vols. (1846-69), IV.242-5. For earlier references to Wright, see above, p.106 and pp.171, 184 and passim.

208 with 59 unclassified): they were able to improve on this during the course of the parliament.<sup>4</sup> Somers was at a loss to interpret ‘what is to be aimed at ... The elections were made on an ill foot: uneasiness at taxes and the most dangerous differences of a Court and Country party; so that there is reason to doubt the behaviour of many of your best friends’.<sup>5</sup> He thought that the new assembly would prove more difficult to manage with so many new members (134 had no prior experience as MPs). On the other hand he welcomed the absence of some of his leading opponents.

Somers’s prediction proved accurate: the factional strife of the old parliament continued into the new. An alliance of tory politicians, independent country MPs and whigs critical of the Junto, managed by Harley after Foley’s death in November 1699, demanded drastic cuts in the army and revocation of the land grants given to William III’s Dutch advisers.<sup>6</sup> Meanwhile, William III was engaged in protracted, confidential negotiations in Europe over the Spanish succession.<sup>7</sup> Opinion was divided about the threat posed by France and conflicting views about English commercial interests in the Mediterranean and in the Spanish territories overseas. The opposition called for action against those ministers suspected of entering into secret agreements detrimental to English

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<sup>4</sup> *H.o.P. 1690-1715*, 1.220-1; H. Horwitz, *Parliament, Politics and Policy in the reign of William III*, (Manchester, 1977), pp.239-40.

<sup>5</sup> G. S. Holmes and W. A. Speck, *The Divided Society: Parties and Politics in England, 1694-1716*, (1967), pp.18-9, quoting from P. Yorke (ed.), *Hardwicke State Papers* 2 vols. (1778), II, 435, 25 Oct.1698, Letter from Somers to Shrewsbury; Horwitz, *Parliament, Politics and Policy*, p.239 (and n.116).

<sup>6</sup> For discussion of political alignments in this period see, D. W. Hayton, ‘The “Country Interest” and the Party System 1689-c1720’, in C. Jones, *Party and Management in Parliament, 1660-1784* (Leicester, 1984), pp.37-86; Horwitz, *Parliament, Policy and Politics*, pp.316-9 and passim; C. Rose, *England in the 1690s: Revolution, Religion and War* (Oxford, 1999) and for analysis of division lists, I.F. Burton, P. W. J. Riley and E. Rowlands, ‘Political Parties in the reigns of William III and Anne’, *B.I.H.R. Supplement* 7 (1966); also see above, pp.49-58.

<sup>7</sup> S. B. Baxter, *William III* (1966), pp.365-373 and 379-8.

interests during the negotiation of the partition treaties of 1698 and 1700. Because the Junto backed his foreign policy, William was reluctant to abandon his whig ministers. Under pressure, ministers looked to the Lords for protection, which contributed to a further deterioration in relations between the two Houses. William's patience finally ran out with the passing, in April 1700, of the Act of Resumption, which revoked all of William's Irish land grants. William prorogued parliament on 11 April and dismissed Somers a week later for failing to support him over the issue of the land grants.<sup>8</sup> During the summer and autumn of 1700 William III deliberated about future changes in the administration. He found places for Tories such as Rochester (as Lord-Lieutenant of Ireland) and Charles Hedges (as Secretary of State for the Northern Department), as well as bringing back Sidney Godolphin to his former place in the Treasury.<sup>9</sup> He did not recall parliament but eventually, with his ministerial changes complete, William announced the dissolution on 19 December 1700.

The death of the duke of Gloucester in July 1700 had revived the debate about the succession.<sup>10</sup> William had already made up his mind to promote the claims of the Protestant Electress Sophia of Hanover and her heirs. By 1700 he had persuaded her to abandon her support for James but he needed parliamentary agreement to this arrangement.<sup>11</sup> Uncertain what support he could expect to find in parliament, he turned to Harley for advice and assistance. Harley's price was the promise of further legislative controls on royal power. The international

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<sup>8</sup> Horwitz, *Parliament, Politics and Policy*, pp.262-70; Baxter, *William III*, p.375-6; Rose, *England in the 1690s*, pp.54-5.

<sup>9</sup> Horwitz, *Parliament, Politics and Policy*, pp.277-279.

<sup>10</sup> E.N. Williams (ed.), *Eighteenth-Century Constitution* (Cambridge, 1960), p.29

<sup>11</sup> Baxter, *William III*, p.372; B.L. *Add. MSS*, 69937, ff.159/60, 3 Aug. 1700, Chesterfield to Coke and *ibid.*, ff.161/2, 15-26 Aug. 1700, Jennings to Coke.

situation changed dramatically when Carlos II, king of Spain, died on 1 November 1700. Louis XIV, reneging on all previous agreements, accepted the terms of Carlos's will, in which the whole of Carlos's inheritance was bequeathed to Philip of Anjou, grandson of Louis XIV.<sup>12</sup>

It is not apparent what the four Leicestershire MPs thought about these issues.<sup>13</sup> The Commons' records are virtually silent on Verney, Villiers and Wilkins and there are only two brief references to the House in Verney's extant letters to Lord Hatton.<sup>14</sup> Their names appeared in a forecast prepared by an anonymous author on the eve of parliament, which Burton *et al* considered was drawn up to identify where MPs stood on the army issue. The compiler placed all three with the 'country' party, which would suggest they favoured disbandment, but there is no record how Verney or Wilkins voted on this issue.<sup>15</sup> However, Villiers was included in a list of 154 MPs, who supported the government on 18 January 1699.<sup>16</sup> More is known about Carter's activities, but the records suggest that he limited himself to constituency matters. He opposed a bill to improve the Derwent navigation in February 1699 and campaigned for legislation to reform London's two debtor prisons, prompted by the imprisonment of John Goodall, a leading Leicester trader and twice mayor.<sup>17</sup> The evidence from various lists places him as a whig but, like his Leicestershire colleagues, his politics seem to have been moderate, pragmatic and low-key.

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<sup>12</sup> Baxter, *William III*, pp.379-81. Philip of Anjou was the second son of Louis Dauphin and a great nephew of Carlos II.

<sup>13</sup> *H.o.P. 1690-1715*, V.726-9, 'John Verney'; *ibid.*, V.751, 'Sir William Villiers' and *ibid.*, V.864-5, 'John Wilkins'.

<sup>14</sup> B.L. *Add. MSS.*, 29567 ff.54 and 66, 14 & 28 May 1698.

<sup>15</sup> Burton, Riley and Rowlands, 'Political Parties in the reigns of William III and Anne', p.33 (and n.3).

<sup>16</sup> B.L. *Add. MSS.*, 28091 f.167, 18 Jan. 1699, quoted by Browning, *Danby*, III.213-17.

<sup>17</sup> *H.o.P. 1690-1715*, III.479, 'Lawrence Carter II'; G. A. Chinnery, *Records of the Borough of Leicester, 1689-1835 3 vols.* (1965), V.27, doc.80, n/d, Derwent petition.

By contrast Lord Hartington and John Coke, the two MPs who had been elected for Derbyshire in 1698, made a significant mark on the Commons between 1698 and 1700.<sup>18</sup> Their combative and partisan approach to politics during this parliament was to have a major consequence for the course and outcomes of the next three elections in Leicestershire as well as Derbyshire. It is therefore appropriate to give more detail about the performance of these two young men in the 1698 Parliament. Lord Hartington, the eldest son of the duke of Devonshire had already served for one term as the county's representative. Thomas Coke of Melbourne Hall, at 24, was standing for the first time in 1698.<sup>19</sup> They made an ideal pair, neatly balancing the different interests in the county, aristocracy - gentry and whig - tory and were elected without a contest.<sup>20</sup>

Both men were politically ambitious and used this next parliament to establish their credentials. Though capable of pursuing an independent line, Hartington identified himself closely with the whig administration.<sup>21</sup> He was active in resisting tory demands for the dismissal of foreign advisers from the royal council and supported Somers against charges relating to the Irish forfeitures and royal grants. It was rumoured that he was offered a post in the Household but refused it because he objected to Somers's dismissal. By contrast Coke allied himself to the opposition. As a new MP, he took some time to make an impression but, once established, he came into prominence as one of a small

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<sup>18</sup> *H.o.P. 1690-1715*, III.640-5, 'Thomas Coke' and *ibid.*, III.493-9, 'William Cavendish, Lord Hartington'.

<sup>19</sup> Eldest son of John Coke, former MP for Derby, who had stood as a candidate in the 1679 Leicestershire election, see above, pp.144-5.

<sup>20</sup> *H.o.P. 1690-1715*, II.128-31, 'Derbyshire'.

<sup>21</sup> *H.o.P. 1690-1715*, III.493-9.

group of opposition MPs, which included John Brydges, Charles Davenant, Jack Howe and Anthony Hammond, who were pursuing the whig administration over the issue of the Irish forfeitures and royal grants.<sup>22</sup> During a debate in February 1700, the speaker remonstrated with the opposition for exaggerating their case and Coke, in behaviour reminiscent of his father, cursed Harley and stormed out of the House.

(ii) The Derbyshire election, January 1701

It will be seen from the account above that Coke's politics were diametrically opposed to those pursued by Hartington and his father. This may go some way to explain why Wilkins reported a rumour that the duke of Devonshire was prepared to 'spend £10,000 to fling out Mr. Coke...' when the king unexpectedly called for a new election in December 1700.<sup>23</sup> To foil Coke, Devonshire invited Lord Roos, Rutland's eldest son, to run as Hartington's partner.<sup>24</sup>

Anticipating that there would be fresh elections, Coke's agents in Derbyshire had already begun their campaigning in August before the news broke about Roos's candidacy.<sup>25</sup> On 11 October, John Wilkins informed Coke's father-in-law, Lord Chesterfield, that Roos was contemplating joining Hartington in the county election. He alleged that Rutland had reservations about backing

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<sup>22</sup> For the political careers of Brydges, Davenant, Howe and Hammond, see biographical entries in vols. III-V in *H.o.P. 1690-1715* and Horwitz, *Parliament, Politics and Policy*, pp.265-6.

<sup>23</sup> B.L. *Add. MSS.*, 69944 f.133, 11 Oct. 1700, Wilkins to Chesterfield.

<sup>24</sup> Lord Roos, a courtesy title given to the eldest son in the Rutland family. John Manners used this title from 1679-1703, G.E.Cokayne (ed.), *The Complete Peerage*, 14 vols. (1910-59), XI.266-7.

<sup>25</sup> B.L. *Add. MSS.*, 69944 f.127, 24 Aug. 1700, Beresford to Coke;

his son's candidature, because of a commitment already given to Coke.<sup>26</sup> The mayor of Derby, William Franceys, was similarly convinced that when Rutland learned how 'the first gentlemen' felt about this 'he will never suffer his beloved son to stand in any hazard for a little honour'.<sup>27</sup> Both underestimated Devonshire's determination to unseat Coke.<sup>28</sup>

Roos's intervention caused considerable perturbation.<sup>29</sup> Chesterfield warned Coke that 'you have two powerful competitors that nothing ought to be neglected; and though you receive no prejudice by the failing of your pretensions, yet there will be glory in prevailing against two such candidates'.<sup>30</sup> Coke received letters of encouragement from friends, while other correspondents advised him that support might fall away should Roos join Lord Hartington.<sup>31</sup> Robert Harding of King's Newton, the most active of Coke's agents, urged Coke to take advantage of Roos's indecision by canvassing hard. He believed that Roos could be persuaded to look elsewhere, if Coke mustered sufficient early pledges.<sup>32</sup> At first it seemed that this tactic might work, for, as late as 26 December, Roos's steward, Mr. Calvert, said that 'Lord Roos would not stand in

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<sup>26</sup> B.L. *Add. MSS.*, 69944 f.133, 11 Oct. 1700.

<sup>27</sup> *Ibid.*, 69945 f.1, 2 Dec. 1700.

<sup>28</sup> *Ibid.*, 69938 ff.25/6, 19 Dec. 1700, Jennens to Coke. For an account of the 1701 elections in Derbyshire, see *H.o.P. 1690-1715*, II.128-31, 'Derbyshire' and related biographical entries in vols. III to V; P. W. U. Ward 'Members of Parliament and Electors in Derbyshire, Leicestershire and Staffordshire 1660-1714' (Univ. of Manchester M. A. thesis, 1959), pp.54-55; O.R.F. Davies, 'The Dukes of Devonshire, Newcastle and Rutland' (Univ. of Oxford D. Phil. thesis, 1971), pp.267-72.

<sup>29</sup> B.L. *Add. MSS.*, 69937 ff.185/6, Hardinge to Coke ; *ibid.*, 69944 ff.139-141, Hardinge to Coke; *ibid.*, 69945 f.2, 3 Dec.1700, Jennens to Coke, f.9, 8 Dec. 1700, Akerode to Coke, f.10, 8 Dec 1700, Clarke to Coke and f.14, 9 Dec. 1700, Bradshawe to Coke.

<sup>30</sup> *Ibid.*, 69938 ff.15/16, 16 Dec. 1700.

<sup>31</sup> The optimists: B.L. *Add. MSS.*, 69945 ff.10, 19, 29, 62; the pessimists: *ibid.*, 69945 ff.7, 14, 16,18,108, dated between Oct. and Jan. 1700/1.

<sup>32</sup> *Ibid.*, 69937 ff.190/1, 4 Nov.1700.

a poll unless he was certain he would carry it and would compute matters when they had tried the strength of their interest'.<sup>33</sup>

Hardinge advised Coke to approach Sir John Leveson Gower (Roos's brother-in-law) to ask him to persuade Roos to switch to Leicestershire.<sup>34</sup> On the other hand, colleagues in London urged him to cut his ties with the aristocracy and join Sir Gilbert Clarke or Curzon to fight off the challenge from the whig aristocrats.<sup>35</sup> Unwisely, Coke decided to pursue both routes simultaneously. Clarke and Curzon could not be tempted to come in at this late stage.<sup>36</sup> Gower had made little progress, because both Devonshire and Roos had been offended by Coke's approach to Clarke and Curzon.<sup>37</sup> Coke was also told that Lord Roos 'complained of being hardly dealt with by you or your friends, in first giving out that he did not stand, and since that what he did was without his father's consent', presumably a reference to Wilkins's clumsy intervention in October.<sup>38</sup>

All the contestants were very active in the two weeks either side of Christmas, the worst time of year to hold a campaign.<sup>39</sup> The burden of treating, transporting and of purchasing votes proved a considerable expense for the candidates and tested the organisational skills of their agents.<sup>40</sup> In a close contest, two local issues, the apportionment of the land tax and the Derwent and Trent

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<sup>33</sup> Ibid., 69945 f.75, 24 Dec.1700, Allen to [Coke]

<sup>34</sup> Ibid., 69937 ff.190/1, 4 Nov. 1700.

<sup>35</sup> Ibid., 69938 ff.1/2 and ff.13/4, 3 and 15 Dec. 1700, Davenant and Hammond to Coke.

<sup>36</sup> Ibid., 69945 f.18, 13 Dec. 1700, Gell to Coke and *ibid.*, 69938 ff.23/24, 19 Dec. 1700, Brydges to Coke.

<sup>37</sup> Ibid., 69938 ff.21/22, 19 Dec. 1700, Leveson Gower to Coke.

<sup>38</sup> Ibid., 69944 f.133, 11 Oct. 1700, Wilkins to Chesterfield.

<sup>39</sup> Ibid., 69938 ff.1, 19/20; *ibid.*, 69945 ff.2, 3, 37; *ibid.*, 69945 ff.40, 89; *ibid.*, 69938 ff.25/26 and 31/32, dated Dec.1700.

<sup>40</sup> Ibid., 69945 ff.70 and 78, 23 and 25 Dec. 1700, Clarke to Coke ref. transport; *ibid.*, f.72, 23 Dec.1700, Franceys to Coke ref. treating and *ibid.*, f. 114, 4 Jan.1701, Sir Gilbert Clarke to [no addressee].

navigation schemes, may have had a significant influence on the outcome.<sup>41</sup> The county electorate, as in Leicestershire, was sharply divided, a point noted by one of Coke's supporters, who observed, with a hint of pleasure and self-satisfaction, that Coke enjoyed a strong following among the gentry on the day of the poll while the two lords had to fall back on the votes of Dissenters.<sup>42</sup>

At the poll, Hartington and Roos secured the most votes, driving Coke into third place.<sup>43</sup> With such a close result, there was a strong chance the loser would consider an appeal. Coke's friends put in a huge effort, over the next few weeks, collecting evidence of malpractice. However no petition was lodged.<sup>44</sup> Instead, Coke set about looking for a borough seat. The duke of Devonshire had succeeded in preventing Coke's election but the resentment caused by the cavalier behaviour of these aristocratic families was to have significant repercussions for subsequent elections in both counties.

(iii) The elections in Leicester and Leicestershire, January 1701

Information on the election in the borough is sparse. There is no record that Sir William Villiers and Lawrence Carter junior faced any opposition in the run-up to the election on 3 January 1701, apart from the ambiguous reference in a letter Tate sent to Coke on 24 June 1700, 'It's my thoughts you will be cast at Leicester, for everyone seems to oppose a monopoly'.<sup>45</sup> Nor was there any

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<sup>41</sup> *Ibid.*, 69937 ff.190/1; *ibid.*, 69945 ff.21, 24, 56 and 83, Edward Coke, Beresford, Cunliff to Thomas Coke and f.83, Hardinge to Pole, all dated between Nov. and Dec. 1700.

<sup>42</sup> Centre of Kentish Studies, *Stanhope MSS.* u/1590/09/9, quoted in *H.o.P. 1690-1715*, II.129

<sup>43</sup> *B.L. Add. MSS.*, 69938 ff.42/3, 18 Jan. 1701, Jennens to Coke and *ibid.*, ff.40/41, 14 Jan. 1701, Mary Coke to Coke.

<sup>44</sup> *Ibid.*, 69938 ff.56/7, 3 Feb. 1701, Edward Coke to Coke, *ibid.*, ff.58/9, 3 Feb.1701, Capt. Beresford to Coke and *ibid.*, 69938, ff.44/5, 19 Jan.1701, Lady Mary Coke to Coke.

<sup>45</sup> *Ibid.*, 699387 f.157, 24 July 1700, Tate to Coke. It is not clear whether Tate was referring here to the election in the county or the borough.

repetition of the appointment of additional freemen. In the absence of any evidence to the contrary, Villiers and Carter's success suggests that Stamford's interest in the borough remained unchallenged.

At first, it seemed that the election in the county would follow the pattern of 1698. With Rutland's backing, John Verney and John Wilkins had already started their campaign in the early autumn: it appeared that Bennet Lord Sherard and George Ashby, who were supported by Stamford, would be their challengers.<sup>46</sup> However, as Wilkins indicated in his letter of 11 October to the earl of Chesterfield, Roos's indecision produced the same uncertainty in Leicestershire as it had in Derbyshire. Wilkins claimed that he had '.... more than once begged of my Lord Rutland for my Lord Ross to stand' in Leicestershire. He had even offered that he 'would [willingly] desist and give him my poor interest' but he claimed that it was now too late for '...the country [Leicestershire] is all made. The gentlemen for Mr. Verney and myself, and my Lord Stamford hath been diligent in making interest for my Lord Sherard and Mr. Ashby'.<sup>47</sup> Chesterfield was unimpressed by this clumsy attempt by Wilkins to protect his own position and to absolve himself from any blame attached to Roos's decision to consider standing in Derbyshire, complaining to Coke that 'some persons do endeavour to curry favour on all sides but the finesse of most country gentlemen is easily found out'.<sup>48</sup>

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<sup>46</sup> The Bennet lord Sherard referred to here was the son of Bennet, 2<sup>nd</sup> Baron Sherard, who represented the county on a number of occasions between 1679 and 1695 (see above, pp.103-4, 142-6, 153-4, 196-201, 260). The 3<sup>rd</sup> baron inherited the title following the death of his father in 1700. *H.o.P. 1690-1715*, V.467-8, 'Bennet Sherard, 3<sup>rd</sup> Baron Sherard of Leitrim (1677-1732)' and *ibid.*, III.65-6, 'George Ashby (1656-1728)'.

<sup>47</sup> B.L. *Add. MSS.*, 69944 f.133, 11 Oct. 1700; see also, *ibid.*, 69946 f.130, n/d, Wilkins to Coke.

<sup>48</sup> *Ibid.*, 69944 ff.131, 10 Oct. 1700, Chesterfield to Coke.

Wilkins's anxieties may have been justified for Roos appears to have kept his options open. On 4 November Hardinge told Coke that the earl of Huntingdon had reported 'that my Lord Rutland has sent to all his friends in Leicester town to reserve their votes both for town and county, saying he did not know but that he might have friends or relatives to recommend to them.'<sup>49</sup> The confusion this rumour caused is confirmed in a copy of an undated letter in Coke's papers, in which the authors, who sign themselves as 'freeholders', declared that they would support Lord Roos if he stood in the county but were anxious about the 'frequent assurances he [had] made in the next County ...that he would serve in that County if chosen'. The letter finishes with a plea to Roos to clarify his intentions.<sup>50</sup>

In the end Roos settled for Derbyshire, leaving the way open for Verney, Wilkins, Ashby and Sherard to fight for the two places in Leicestershire. Although there is no record of a poll, Hardinge subsequently reminded Coke that, thanks to the dissenting interest, Ashby had come within 40 votes of Verney, despite the considerable support the latter had from 'all Lord Rutland's, and our side'.<sup>51</sup> So Verney and Wilkins's victory may have been a close call, confirming that the divisions so apparent in 1698 were carried forward into this election. Wilkins could take some comfort in his success but in the process he had offended the earl of Rutland and, to judge from some comments by Hardinge, some of his gentry neighbours.<sup>52</sup>

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<sup>49</sup> *Ibid.*, 69937 ff.190/1, 4 Nov. 1700.

<sup>50</sup> *Ibid.*, 69945 f.101, n/d but probably Dec. 1700, a letter signed by 'Freeholders of Leics.' to Mr. Verney.

<sup>51</sup> *Ibid.*, 69938 ff.60/1, 3 Feb. 1701.

<sup>52</sup> *H.M.C. Cowper*, III.161, 29 Mar. 1701, Coke to -- (copy); B.L. *Add. MSS.*, 29946 f.128, n/d 1 o'clock Friday, Hardinge to Coke.

## II

### (i) The parliament of 1701 and other national political developments

The unpopularity of the government and signs of a shift of power at the centre away from the whigs may have assisted the tories in the election. The tories secured 249 seats, which they were able to extend to 259 during the life of the parliament, to the 219 gained by the whigs.<sup>53</sup> However, this was not sufficient for the tories to dominate the Commons without the support of the 'country members'. The king gave a further indication of his disenchantment with the whigs when he let it be known that he would prefer Harley as speaker.<sup>54</sup> A group of whigs, including Leveson Gower and Hartington, put forward an alternative candidate but Harley was voted in by 249 votes to 125. John Verney expressed the hope that 'we have chosen a Speaker that will despatch the business to his own honour and the satisfaction of the House'.<sup>55</sup>

Peace or war continued to be a defining issue in the new parliament. The tories were opposed to a resumption of a land war and continued to attack former ministers for their role in the partition treaties. The whigs, anxious about the threat from France, took their case beyond parliament. In May, Kentish petitioners demanded that parliament support measures 'that our religion and safety may be effectively provided for'. When they were imprisoned for their

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<sup>53</sup> *H.o.P. 1690-1715*, I.221-2; Horwitz, *Parliament, Politics and Policy*, pp.279-80.

<sup>54</sup> Horwitz, *Parliament, Politics and Policy*, p.281 and p.306, n.37

<sup>55</sup> B.L. *Add. MSS.*, 29568 f.2, 13 Feb. 1700, Verney to Hatton.

audacity, a vigorous pamphlet war followed, orchestrated for the whigs by Somers. He turned the 'country' argument against Harley by claiming that parliament should be answerable to the people.<sup>56</sup> A tory critique, *A True Picture of the Modern Whig*, appeared at the end of August, which built on the earlier charge that the new whigs had abandoned many of the cherished principles of 'old Whiggery'.<sup>57</sup> Although attributed to Davenant, it is highly likely that Harley had a considerable hand in its production. The whigs responded by accusing the Foleys, the Harleys and their allies of using an alliance with the tories as a lever to obtain influence and, in the process, deserting country principles. The propaganda campaign continued right up to the election and beyond with the tories having to fend off whig accusations of crypto-Jacobitism.

In 1701, William III's priorities were, firstly to gain parliamentary backing and the resources to maintain the struggle to contain Louis XIV and, secondly, to secure the Hanoverian succession.<sup>58</sup> To gain Harley's support for the succession bill, the king was forced to concede further limitations on the royal prerogative in the Act of Settlement, whose terms, not surprisingly, bore a close resemblance to the agenda of the country opposition of the 1690s.<sup>59</sup> John Verney feared it 'would wreck the unanimity of the House,' even though its provisions were planned to come into effect only after Anne's death. He was pleased to report a few days later that 'it had had the contrary effect. Ten days later (22 May) he was able to assure Lord Hatton that the bill had passed through the

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<sup>56</sup> J. A. Downie, *Robert Harley and the Press* (Cambridge, 1979) pp.46-48; D. Defoe, *The Legion Memorial* (1702), in G. A. Aitken, *Late Stuart Tracts* (1903).

<sup>57</sup> Downie, *Harley and the Press*, pp.49-50.

<sup>58</sup> Horwitz, *Parliament. Policy and Politics*, p.281.

<sup>59</sup> *Ibid.*, pp.283-4; Williams, *Eighteenth-Century Constitution*, pp.56-60, 'The Act of Settlement'.

Commons with broad support.<sup>60</sup> The king also worked assiduously to revive the grand alliance. On 27 August [o.s] Marlborough, by now plenipotentiary at The Hague, signed a new treaty on William's behalf.<sup>61</sup> One week later, James II died. Louis XIV's decision to recognise James's son, James Stuart's claim to the English throne so inflamed opinion in England that politicians of many persuasions rallied behind William's revival of the anti-French alliance.<sup>62</sup>

On the day that the French Secretary in London, Jean Baptiste Poussin, was given official notice to leave England, several tory MPs, among them Coke's friends, Davenant, Hammond and Tredenham, were seen dining with Poussin and the Spanish agent.<sup>63</sup> Such indiscretion was a gift to the whigs. With an eye to another election, both parties sought to denigrate their opponents and earn credit for their own side. They published lists that demonstrated where individual MPs stood on the controversial issues of the day. The whigs circulated a Black List of 'One unanimous Club of members of the late Parliament.... that met at the Vine Tavern in Long Acre who ought to be opposed at the next election'. They accused tories of opposing preparations for a renewal of the war and implied that all 167 MPs on the list were 'Poussineers', Francophiles and Jacobites.<sup>64</sup> A rival tory list, which included the names of John Verney and John Wilkins, recorded 'the courage and prudence of those opposed to a range of whig misdemeanours,

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<sup>60</sup> B.L. *Add. MSS.*, 29568 ff. 8-9, 1 and 11 Mar. 1701, Verney to Hatton.

<sup>61</sup> Baxter, *William III*, pp.390-2; *H.M.C. Cowper*, II.435, 18 Sept. 1701, Hammond to Coke.

<sup>62</sup> Horwitz, *Parliament, Politics and Policy*, pp.275-310.

<sup>63</sup> *Ibid.*, p.297; Baxter, *William III*, p.392. Poussin was expelled from London in retaliation for Louis XIV's recognition of the Prince of Wales as James II.

<sup>64</sup> *Somers Tracts*, XII, 212-15.

including 'the misapplication and embezzlement of forfeited estates and public money' and 'calling to account the authors of the treaties'.<sup>65</sup>

Both sides also engaged in an intensive pamphleteering campaign.<sup>66</sup> In early October, Charles Davenant sent Coke a parcel with multiple copies of two anonymously published pamphlets with a request for a guinea towards the costs, 'forty of one...and eighteen of the other to give away to your acquaintances ... antidotes against the poison spread about by the other side, who spare no cost to scatter their libels upon the Parliament round the kingdom'.<sup>67</sup> An identical packet was sent to Sir Justinian Isham in Northamptonshire, which gives some credence to Downie's opinion that the dissemination of this material was part of a deliberate campaign, probably orchestrated by Harley, to influence political opinion in the country in advance of the election.<sup>68</sup>

Friends continued to feed Coke with the latest news from London. Lord Chesterfield believed that anti-French hysteria was now so strong that it was inevitable that the two Houses would be unanimous in supporting a resumption of war, when parliament reassembled.<sup>69</sup> Jennens reported that there was still anger at court that Coke's friends had dined with the French and Spanish envoys.<sup>70</sup> Whigs continued to circulate rumours in London of an early dissolution but, according to reports from Jennens, Hammond and Brydges, the council was divided and the king remained resolute in the face of extreme pressure from the

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<sup>65</sup> Horwitz, *Parliament, Politics and Policy*, pp.297 and 309, n.126.

<sup>66</sup> Downie, *Harley and the Press*, pp.53-55; Horwitz, *Parliament, Politics and Policy*, pp.298-300.

<sup>67</sup> *H.M.C. Cowper*, II.436-7, 6 Oct. 1701.

<sup>68</sup> Northamptonshire RO, IC 4982, 27 Sept. 1701, Davenant to Isham.

<sup>69</sup> *H.M.C. Cowper*, II.437, 3 Nov. 1701.

<sup>70</sup> *Ibid.*, II.436, 25 Sept and 4 Oct. 1701.

whigs.<sup>71</sup> It was therefore to his surprise that Brydges learnt on 11 November that the king intended to issue a proclamation for the dissolution.<sup>72</sup> Jennens confirmed that the new parliament would be summoned for 30 December 1701.<sup>73</sup> After less than a year, the electorate was again called upon to participate in the political battle.

(ii) The Derbyshire election, December 1701

The rivalry between the aristocratic candidates and the tory gentry in Derbyshire carried over into the second election of 1701. Even before the dissolution was announced, Coke and Curzon declared their intention to run as partners for the two seats.<sup>74</sup> They could look for support to local tory aristocrats such as Chesterfield and Scarsdale, but they had to contend with considerable opposition from Devonshire, Newcastle and Rutland, all of whom had significant territorial influence in the county and, in the case of the first two, political clout in London. Walter Burdett warned Coke not to expect fair treatment, ‘...the talk at London is to keep you out, and pressing messages are sent to ministers to make what interest they can against Coke.’<sup>75</sup> John Coke advised Thomas not to trust the security of his post, ‘your letters being very subject to be opened at this juncture’.<sup>76</sup>

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<sup>71</sup> *H.M.C. Cowper*, II.435 and 437, 18 Sept. and 11 Oct. 1701, Hammond to Coke; *ibid.*, II.436, 25 Sept. 1701, Jennens to Coke; *ibid.*, II.437-8, 8 Nov. 1701, Brydges to Coke; Horwitz, *Parliament, Politics and Policy*, pp.296-7.

<sup>72</sup> *B.L. Add. MSS.*, 69946 f.1, 11 Nov. 1701, Brydges to Coke.

<sup>73</sup> *H.M.C. Cowper*, II.439, 11 Nov. 1701, Jennens to Coke.

<sup>74</sup> The earliest reference to the two standing is in *B.L. Add. MSS.* 69945 f.169, 18 Sept. 1701, Wilmot to Coke, but letters from Akerode, Wilmot, Burdett, and Harding to Coke suggest that the announcement may have been early Sept. or even late Aug, *ibid.*, 69945 ff.163-167, 22, 24 Aug. and 11, 15 Sept. 1701.

<sup>75</sup> *H.M.C. Cowper*, II.442, 8 Dec. 1701.

<sup>76</sup> *Ibid.*, II.441, 4 Dec. 1701.

However, what happened in London was marginal to the local campaign. Chesterfield was in no doubt ‘that your greatest opposition will come from the Presbyterian party, who are able to do more hurt than the Church of England party can do good, because they are always lazy and wavering’.<sup>77</sup> Coke’s correspondence shows how well organised the two gentlemen were in their campaign in contrast to the two lords, who were slow to get their campaign off the ground.<sup>78</sup> Roos may have begun to have second thoughts about his chances in Derbyshire, for he wrote to his father on 13 September complaining that his task had been made more difficult by the decision to abandon the family residence at Haddon Hall.<sup>79</sup> Notwithstanding his existing commitment to Hartington, Roos asked his father’s approval to stand as a candidate in Leicestershire. Rutland eventually acceded to this request and, on 17 November, sent his secretary, Roger Herbert, to the mayoral feast in Leicester with instructions to announce the decision.<sup>80</sup> When asked about Roos’s intentions, Herbert apparently gave the impression that Roos would withdraw from Derbyshire should he be successful in Leicestershire.

In Derbyshire, Henry Gilbert received this news with delight. He told Coke that this news ‘will make your affairs go more smoothly in this County and give occasion to many Persons to bestow their Votes more readily on you and Mr. Curzon’.<sup>81</sup> Coke wrote to those who had already pledged their support to

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<sup>77</sup> *Ibid.*, II.440, 22 Nov. 1701, Chesterfield to Coke.

<sup>78</sup> B.L. *Add. MSS.*, 69946 ff.1-100 passim, 11 Nov. to 8 Dec. 1701 for correspondence relating to the campaign.

<sup>79</sup> *H.M.C. Rutland*, II.167, 13 Nov. 1701, Roos to Rutland; *V.C.H. Leicestershire*, (1958), II.122, (and n.97); *H.M.C. Cowper*, II.425, 5 May 1701, Beresford to Coke.

<sup>80</sup> *H.M.C. Portland*, II.181, 18 Nov. 1701, Coke to the duke [of Newcastle] and B.L. *Add. MSS.*, 69946 f.63, 25 Nov. 1701, Tate to Coke. Roger Herbert is described in *H.M.C. Rutland*, II.67 as the earl’s secretary, a post he had occupied from at least 1682.

<sup>81</sup> B.L. *Add. MSS.* 69946 f.38, 18 Nov. 1701.

Roos asking them 'to favour me with your interest this next election'. The replies he received indicate the confusion created by Roos's prevarication.<sup>82</sup> Roos made matters worse by letting it be known that he would withdraw from Derbyshire if either Coke or Curzon agreed to do the same.<sup>83</sup> Fearing a trap, neither gentleman took the bait. Captain Tate reported from Leicestershire on the continuing confusion in the Cavendish/Rutland camp. While it was alleged that Rutland was annoyed that anyone should suppose that his son would stand for Derbyshire, Hartington expressed his unease that Roos was considering standing in Leicestershire.<sup>84</sup> Hartington and his supporters in Derbyshire were naturally anxious and applied pressure on Roos to end the speculation by making a personal appearance in the county.

Hartington felt it necessary to set the record straight with the duke of Newcastle:-

We were very much surprised at it [Roos's decision to stand in Leicestershire], and I told him that if he did not stand for Derbyshire it would be a very great prejudice to me since there was not time to make interest for another to join with me, and by standing alone I knew there was no possibility of carrying it against two. Lord Roos told me rather than I should be put to that hardship he would continue to stand for Derbyshire, though he were chosen in the other place, and did resolve that if he were chosen in both counties he would make his choice to serve for

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<sup>82</sup> *H.M.C. Portland*, II.181, 18 Nov. 1701; *B.L. Add. MSS.*, 69946 f.46, 19 Nov. 1701, Gell to Coke.

<sup>83</sup> Belvoir Castle, *Rutland MSS.*, XXI.188, 13 Nov. 1701, Roos to Rutland, quoted by Davies, 'Devonshire, Newcastle and Rutland', p.269; *H.M.C. Cowper*, II.439-40, 18 Nov. 1701, Chesterfield to Coke.

<sup>84</sup> *B.L. Add. MSS.*, 69946 f.63, 25 Nov. 1701, Tate to Coke.

this. Notwithstanding that we give this out, people will not believe it, and several votes in this town fall off from him to Mr. Coke.<sup>85</sup>

Even after his success in the Leicestershire election on 4 December, Roos still kept both friends and foes in the two counties guessing about his intentions right up to the day of the Derbyshire election, which took place a week later.

At the poll in Derby, on 11 December, Coke and Curzon were elected with 1659 and 1581 votes ahead of Hartington and Roos with 1562 and 1291.<sup>86</sup> From Dublin, Burdet Jodrell congratulated Coke on his success and took pleasure that Coke and Curzon had had 'little opposition from the best sort of people', while their opponents had had to rely on the mob.<sup>87</sup> After the poll, Hartington said that he was satisfied with the count. But with less than twenty votes separating Curzon and Hartington, it was almost inevitable that the latter would consider challenging the result.<sup>88</sup> Both sides accused their opponents of bad faith and set about collecting evidence of malpractice.<sup>89</sup> Hartington presented his petition on 3 January but, towards the end of the month, Coke heard that Hartington was close to accepting a borough seat in Norfolk.<sup>90</sup> Early in February, Hartington was chosen as the member for Castle Rising and therefore withdrew

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<sup>85</sup> *H.M.C. Portland*, II.181-2, 26 Nov. 1701, Hartington to the duke [of Newcastle].

<sup>86</sup> *H.M.C. Cowper*, II.446, Votes polled at election in Dec. 1701.

<sup>87</sup> *H.M.C. Cowper*, II.448 7 Jan. 1702, Jodrell to Coke.

<sup>88</sup> *Ibid.*, II.448, 10 Jan. 1702.

<sup>89</sup> *B.L. Add. MSS.*, 69946 ff.113, 114, 118-196 passim, Dec.-Jan. 1701-2, and *H.M.C. Cowper*, II.443, 447-52, Dec.-Jan. 1701-2; *ibid.*, II.447, 6 Jan. 1702, Lady Mary Coke to Coke; *B.L. Add. MSS.*, 69954 ff.72-85, n/d (references to Coke and Curzon indicate that these records relate to the second election of 1701), Lists of freeholders and records of votes cast in the election by hundred and township.

<sup>90</sup> *B.L. Add. MSS.*, 69946 f.171, 22 Jan. 1702, Hopegood to [Coke] and *ibid.*, f.183, 31 Jan. 1702, Hardinge to Coke; *H.M.C. Cowper*, II.452-3, n/d Jan. 1702, Lady Mary Coke to Coke.

his petition.<sup>91</sup> William Turner thought Hartington had done himself no favours by this action for 'Several persons that voted for him are disgusted and will next time be against him'.<sup>92</sup> Neither Hartington nor Roos stood in Derbyshire in the 1702 election, thus leaving the field clear for Coke and Curzon.<sup>93</sup> While this brought to an end the direct link between elections in the two counties, as an important landowner in north-east Leicestershire, Coke continued to play an active part in the county's elections.<sup>94</sup> Increasing preoccupation with his career led him to forfeit the support of his core supporters in Derbyshire, for which ultimately he paid the price of defeat in 1710.

(iii) The Leicestershire election, December 1701

Shortly after defeat in the first election of 1701, Coke asked Hardinge for advice about campaigning in Leicestershire. Hardinge's reply provides a useful contemporary view of political configurations in the county:-

It has been reported that you would stand. If it be so, Mr Verney must be applied to: and Wilkins, though I would not have you do it yourself. My Lord Roos, Lord Hartington and Lord James [Cavendish] must be spoke to. Our side will be with you. My Lord Stamford must either be active for you or not against you. And Leicester town is considerable, so that you must have Villiers and Carter for. I think there is more to fear from Ashby than Lord Sherard: when they polled with Verney they came up to him within 40 votes, though he had all Lord Rutland's and our side. So that it is a great undertaking without almost a general consent; and all the

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<sup>91</sup> *H.M.C. Cowper*, II.454, 11 Feb 1702, Burdett to Coke and *ibid.* II.454, 17 Feb. 1702, Sherratt to Coke.

<sup>92</sup> *Ibid.*, II.447-8, 7 Jan. 1701/2, Turner to Coke.

<sup>93</sup> *H.o.P. 1690-1715*, II.128-131, 'Derbyshire'.

<sup>94</sup> See below, pp.307 and 322-5.

gentlemen inter [?] Harborough and Leicester must be more than ordinarily diligent, and the Dissenters laid asleep, or you will be baffled. There is many freeholders towards Hinckley, and Mr Bird and Mr Charnell must be engaged.<sup>95</sup>

Two days later, Hardinge informed him of rumours that Lord Sherard, Ashby, Bird, and Sir Robert Haslerigge were thinking of standing. 'The three last are the Dissenters's favourites, but I hear none of them talked of. There is nobody else that can pretend to any interest.'<sup>96</sup> Having received this advice, Coke may have decided it was too much of a risk to set up in Leicestershire, for soon after he was looking for patrons in other parts of the country.<sup>97</sup>

Later in the year, the tory gentry rallied behind John Verney and Sir George Beaumont, who had now agreed to let his name go forward.<sup>98</sup> These plans had to be hurriedly revised in November, when Lord Roos decided to stand in Leicestershire as well as Derbyshire. Rutland was at first reluctant to support his son. Roos tried to assuage his doubts by playing on his father's wish to keep on the right side of William. He informed Rutland that 'The King has been pleased to signify that those who are his friends and have interest will use it for such as are of the opinion we were last session'.<sup>99</sup> Eventually Rutland relented and despatched Roger Herbert to the mayoral feast in Leicester on 17 November to inform the gentlemen of the county that his son, Lord Roos, would stand for

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<sup>95</sup> B.L. *Add. MSS.*, 69938 ff.60/1, 3 Feb. 1701, Hardinge to Coke

<sup>96</sup> *Ibid.*, ff.62/3, 5 Feb. 1701.

<sup>97</sup> *H.M.C. Cowper*, II.420-25 *passim*.

<sup>98</sup> Belvoir Castle, *Rutland MSS.*, XXI.192, 18 Nov. 1701, Ambrose Phillips to Rutland, quoted by Davies, 'Devonshire, Newcastle and Rutland', p.270 [printed in *H.M.C. Rutland*, II.168].

<sup>99</sup> Belvoir Castle, *Rutland MSS.*, vol. XXI, 13 Nov. 1701, Roos to Rutland [Part printed in *H.M.C. Rutland*, II.167].

Leicestershire and that Sherard would be his partner. Herbert asked the gentlemen for their support.<sup>100</sup> The company, which included Verney, were quite taken aback by this news for they thought that Roos was already committed to stand elsewhere. They realised that they would have to revise their original plans.

Although Verney was disappointed, he considered it a matter of honour to stand aside. Two days later, he confirmed that ‘I do very readily comply with your Lordship’s desires as I told you I would’, and promised Roos full support.<sup>101</sup> He was, however, troubled by Roos’s prevarication and sought assurance that Roos would withdraw his candidature in Derbyshire. Tate was concerned that the failure of the Rutlands to come clean about their intentions was creating great uncertainty. Hartington had expressed similar unease when he visited Leicester on the previous Saturday. Some of those who had already offered Verney support felt slighted by Lord Roos and were disappointed that Verney had withdrawn.<sup>102</sup> Sir George Beaumont, defending Verney, denied that the withdrawal was a political ruse. He told Hardinge that Verney had behaved ‘as might be expected from a man of honour and gratitude. And none that know him is ill suppose he would ever design them [i.e. his previous backers] any prejudice’. Sir George said he was certain that Roos was fully resolved to stand in Leicestershire and would not now face any opposition.<sup>103</sup> George Ashby, who originally intended to stand as Sherard’s partner, found it easier than Verney to withdraw his candidature and rally behind the two lords. Echoing whig

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<sup>100</sup> B.L. *Add. MSS.*, 69946 f.63, 25 Nov. 1701, Tate to Coke; *H.M.C.* Portland, II.181, Coke to Newcastle. [This is the same event referred to on p.299 above]

<sup>101</sup> B.L. *Add. MSS.*, 69946 f.51, 20 Nov. 1701, Verney to Rutland; *ibid.*, 69946 f. 68, 26 Nov. 1701, Sir George Beaumont to Hardinge.

<sup>102</sup> *H.o.P. 1690-1715*, II.349, quoting from ‘A copy of a Letter to Mr. Verney from some freeholders of Leicestershire’, n/d but attributed to Nov. 1701.

<sup>103</sup> B.L. *Add. MSS.*, 69946 f.68, 26 Nov. 1701, Sir George Beaumont to Hardinge.

arguments about the need for national unity in the face of the threat from France, Ashby told Rutland, 'I cannot think of anyone so ill-advised as to oppose Lord Sherard and [Lord Roos]. It is the only expedient that could be proposed to prevent a division among us when unanimity is so requisite at home to preserve the peace of Europe'.<sup>104</sup>

Verney's withdrawal left the tory gentry in disarray. It is not clear whether Beaumont continued his campaign. In a letter sent from London on 20 November, John Coke referred to three candidates, Sherard, Verney and Wilkins (in addition to Roos). He spoke with warmth about the young Lord Sherard, whom he thought 'may be prevailed upon possibly to vote right'. John Coke wrote of Verney, 'I perceive the party will be as well satisfied to have Mr Verney chuse as Lord Roos; for they say his eyes are opened, and is come over to them'. Although these were prophetic sentiments, there is no evidence that Verney took any further part in this election.<sup>105</sup>

It is a mystery why Wilkins's name appeared at this stage for, during a chance meeting in London in March, he had admitted to Coke, that he regretted his impetuosity in intervening in Roos's affairs in the last election. Coke noted that Wilkins 'seems mighty desirous to regain his past step, and says he has disoblged my Lord Rutland forever by not making an interest for him. And I believe his case is he has sat down between two stools'.<sup>106</sup> There is no other evidence of Wilkins's involvement. What is clear is that the heat went out of the

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<sup>104</sup> Belvoir Castle, *Rutland MSS.* XXI.191, 17-19 Nov. 1701, Ashby to Rutland, quoted by Davies, 'Devonshire, Newcastle and Rutland', p.270.

<sup>105</sup> *H.M.C. Cowper*, II.440, 20 Nov. 1701, John Coke to Thomas Coke.

<sup>106</sup> *Ibid.*, III.161, 29 Mar. 1701, Copy of a letter drafted by Coke.

gentry campaign at this point. Lords Roos and Sherard were returned as the county's representatives, apparently without a poll, but the matter was not finally resolved until a week later when the Derbyshire electorate spared Roos an uncomfortable decision by rejecting him at the polls.

(iv) The Leicester election, November 1701

In the borough, Sir William Villiers decided not to stand in the second election of 1701.<sup>107</sup> In Hanham's opinion, Villiers may have sensed the tide was beginning to turn against whig candidates.<sup>108</sup> On the other hand, financial problems may have forced his decision.<sup>109</sup> With Rutland's approval, James Winstanley, whose seat was at Braunstone, three miles to the west of Leicester, took his place.<sup>110</sup> The Winstanleys had settled in the county in the mid-seventeenth century and had prospered to become one of the leading gentry families in the county.<sup>111</sup> In recognition, James Winstanley had been appointed a justice in 1694 and six years later a deputy lieutenant.<sup>112</sup> His nomination as a parliamentary candidate was a further indication of the esteem in which he was held. However, Rutland may have been under the impression that Winstanley was following the family tradition as a whig.<sup>113</sup> Later, he was put out to learn from Ambrose Phillips that Winstanley was campaigning against the two lords in the county and from George Ashby that he had been seen with 'non-jurors and

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<sup>107</sup> *H.o.P. 1690-1715*, II.351-2, 'Leicester'.

<sup>108</sup> *Ibid.*, V.751, 'Sir William Villiers'.

<sup>109</sup> Plumb, *The Growth of Political Stability*, pp.83-4.

<sup>110</sup> *H.o.P. 1690-1715*, V.903-4, 'James Winstanley'.

<sup>111</sup> See above, p.105 n.57.

<sup>112</sup> R.O.L.L.R., QS1/7, 24 July 1694; P.R.O. SP44/104, 14 Dec. 1702, Nottingham to Chancellor of the Duchy of Lancaster, and *ibid.*, 170 f.173, 11 June 1703, D.L. approvals.

<sup>113</sup> In 1662, his grandfather lost his post as the borough recorder (held since 1653) for refusing to take the oaths.

people who will not vote for the two Lords when the next election comes'.<sup>114</sup> The other candidate was Stamford's protégé, Lawrence Carter junior, who had represented Leicester for the last two parliaments.<sup>115</sup> Carter and Winstanley appear to have been elected on 24 November without a contest but the fact that a tory candidate was chosen indicates the political change that was taking place. Once again there was a modest rise in the number of freemen appointed in advance of the election but nowhere near the scale of 1698.<sup>116</sup>

A further indication of the increasing tension between whig and tory in the county was demonstrated in a letter John Wilkins sent to Coke earlier in the summer. He warned Coke that George, the new earl of Huntingdon, had 'fallen into ill-hands, namely Carter of Leicester... 'tis an ill step: pray let him be dissuaded, for he's a rascal, and will ruin his reputation in the country'.<sup>117</sup> Wilkins alleged that Carter had tricked the new earl into signing a paper giving him responsibility for the earl's manorial courts. Since Carter senior had acted as a legal adviser to the seventh earl for a number of years, such a move does not seem unreasonable. However, it would appear from Wilkins's reference to 'reputation' that his concerns were essentially political, especially as he went on to question Carter's probity. In raising this matter, Wilkins defended his action by claiming that he only wanted to be of service for 'Upon my Lord's first steps depends the character that he must wear the longest day of his life'.

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<sup>114</sup> Belvoir Castle, *Rutland MSS.* XXI, 18 Nov. 1701, Phillips to Rutland' and 19 Nov. 1701 Ashby to Rutland, quoted by J. H. Plumb, *V.C.H. Leicestershire*, II.122 n.2; R. W. Greaves, *Corporation of Leicester* (Oxford, 1939), p.99.

<sup>115</sup> According to *H.o.P. 1690-1715*, II.351-2 and III.480, it was Carter senior who stood at this election. However, H. Hartopp, *Leicester: Register of Freemen* 2 vols (Leicester, 1927), I.185 states that it was Lawrence Carter junior, recorder of Leicester; Ward 'Elections in Derbyshire, Leicestershire and Staffordshire', p.337.

<sup>116</sup> See below, Appendix 2, p.407.

<sup>117</sup> *H.M.C. Cowper*, II.429, 17 June 1701. Carter was referring to George Hastings who inherited the earldom following the death of his father, Theophilus, the seventh earl, on 30 May 1701.

(v) The final parliament of William III's reign

Nationally, the whigs had fought a strong campaign, profiting from branding their opponents as 'Poussineers' and crypto-Jacobites. Almost a third of the tories on the Black List lost their seats, including Coke's three friends, Davenant, Howe and Hammond. One contemporary estimate gave the whigs a gain of about thirty seats in the new parliament.<sup>118</sup> Yet, despite these gains, the whigs, like the tories after the previous election, did not have an absolute majority in the Commons. Hayton calculated that they had 248 seats to the tories 240 with 24 unclassified.<sup>119</sup>

By comparison with the previous two parliaments, this one was relatively calm. The deteriorating relationship with France, the apparent inevitability of war, the balance of the parties in parliament and William's continuing refusal to put himself in thrall to one party and the feeling that the reign of William was near its end all contributed to this better atmosphere. In these circumstances, ministers and party managers appear to have moved with moderation and caution.<sup>120</sup> The four Leicestershire representatives made little impression during the short life of this parliament.<sup>121</sup> Winstanley confirmed his tory credentials when, in 1702, he voted in favour of the impeachment of ministers in the

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<sup>118</sup> H. L. Snyder, 'Party Configurations in the early Eighteenth Century', *B.I.H.R.* 45 (1972), 43 and 55-8, App. A, 'Sunderland's forecast 30 Dec. 1701'; Horwitz, *Parliament, Politics and Policy*, pp.298-9.

<sup>119</sup> *H.o.P. 1690-1715*, I.222-4.

<sup>120</sup> K. Feiling, *The Tory Party, 1640-1714*, p.358.

<sup>121</sup> *H.o.P. 1690-1715*, III.478-80, 'Lawrence Carter'; *ibid.*, IV.751-3, 'John Manners, Lord Roos', V.467-8, 'Bennet Sherard, 3<sup>rd</sup> Baron Sherard of Leitrim' and *ibid.*, V.903-4, 'James Winstanley'.

company of Coke and Curzon.<sup>122</sup> Carter busied himself with hearings on election petitions. Roos led a whig manoeuvre in March to prevent a tory motion to adjourn the session and Sherard also made a brief appearance in the records.

Coke kept his friends and supporters in the county informed of events at Westminster by circulating copies of the *Votes* and the king's speech.<sup>123</sup> His performance was followed closely by his tory constituents, such as John Lord, who informed Coke that, 'Our trust under Providence is in you and we hope you will be the instruments of our happiness'.<sup>124</sup> On the other hand, John Fisher warned Coke that false rumours about his stance on the Abjuration Bill, 'hath done you disservice. Your friends fear this will give the opposition some advantage'.<sup>125</sup> Fisher also noted the positive response that Hartington had gained from the appearance of his name in the *Votes*. These local correspondents were well aware that such impressions could be crucial in influencing the outcome of the next election.

(vi) The significance of the elections of 1701 in Leicestershire

Plumb described the December 1701 election in Leicestershire as 'the most complete victory ever achieved by the Rutlands'.<sup>126</sup> The following account of the elections of 1701 suggests that his assessment requires some modification. There can be no question that Roos and Sherard secured a comfortable victory in

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<sup>122</sup> In J. Drake, *Some Necessary Consideration relating to all future elections of members to serve in Parliament* (1702), re-printed in *Somers Tracts*, xii, pp.215-8 and quoted by Horwitz, *Parliament, Politics and Policy*, p.339.

<sup>123</sup> *H.M.C. Cowper*, II.447, 5 Jan. 1702, Jennens to Coke and 7 Jan. 1702, Turner to Coke.

<sup>124</sup> *Ibid.*, II.446-7, 3 Jan. 1702, John Lord to Coke.

<sup>125</sup> *H.M.C. Cowper*, III.4, 21 Mar. 1702, Fisher to Coke; for the parliamentary context, see Horwitz, *Parliament, Politics and Policy*, pp.300-3.

<sup>126</sup> *V.C.H. Leicestershire*, II.122.

the county but this can hardly be credited to the political skills of the two candidates. As aristocratic candidates with whig credentials, they were able to draw on a reservoir of loyal support in the county. The disintegration of their rivals' campaign following Roos's late intervention made their task easier. However, Roos's insensitive behaviour was not forgotten and the resentment carried over to the next election.

Looking at this confrontation primarily in terms of a clash between the aristocracy and the gentry obscures the actual fault lines in the county in 1700, where tory gentry (and like-minded minor aristocrats) were competing against aristocratic whig families to secure the return of MPs who would represent their interests at Westminster.<sup>127</sup> Burdett Jodrell emphasized this point when he wrote 'At this Juncture of Affairs' there was a great need 'for honest gentlemen who stand up for their country'.<sup>128</sup> These competing factions drew their core support from existing political groupings in both counties. While epithets such as the 'Church Interest' and 'the Presbyterians' located the political origins of these groupings and gave them a local identity, the use of the newer names of 'tory' and 'whig' helped to link them into a wider national network, which joined together at Westminster.

Coke's correspondence and political papers indicate the tactical awareness and organisation that underpinned his campaigns. In the absence of comparable evidence, it is not possible to know how far this was replicated in Leicestershire. Wilkins took on the role of a political agent but his impetuosity

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<sup>127</sup> *H.o.P. 1690-1715*, II.348, 'Leicestershire'.

<sup>128</sup> M. Knights, *Representation and Misrepresentation in Later Stuart Britain* (Oxford, 2005), esp. pp.163-205; B.L. *Add. MSS.* 69946, 1 Jan. 1702, Jodrell from Dublin to Coke.

sometimes undermined his endeavours, especially in a social milieu, where he was regarded by some as a parvenu. On the other hand, Harding's advice about Leicestershire demonstrates such a good grasp of electoral politics in the county that it is possible that the Leicestershire tories were as well organized as their neighbours in Derbyshire but the limited evidence suggests that their counter attack did not become fully effective until Anne's reign.

## Part 2: The Commission of the Peace in Leicestershire in 1700

### I

One of the charges laid against Lord Chancellor Somers was that he was using his position to remodel the commissions of the peace for partisan advantage. In March 1700, the privy council ordered a thorough review of all the commissions, following receipt of a report from a Commons' committee set up to investigate changes made since 1692. In an Address, the Commons asked the king to put into the commission only 'Gentlemen of Quality and good Estates', to leave out 'Men of small Estates' and to avoid the appointment of such men in the future. lords lieutenants, *custodes rotulorum* and assize judges were consulted in this review, which was both comprehensive and rapid.<sup>129</sup> Before it finished its work Somers had been dismissed from his office and it was left to his successor to complete the task. To universal surprise, Sir Nathan Wright, a relatively obscure tory lawyer, whose most senior post before this elevation was as Recorder of Leicester, was appointed as Somers's successor on 21 May 1700.<sup>130</sup>

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<sup>129</sup> P.R.O. PC 2/78 Apr to May 1700, pp.13, 17, 18-9 and 32; C.J. XIII.8, 39, 264, 301-2 and 308, 29 Nov 1699-1 Apr.1700; L. J. K. Glassey, *Politics and the Appointment of the Justices of the Peace, 1675-1720* (Oxford,1979), pp.131-3.

<sup>130</sup> *H.M.C. Cowper*, II.398, 26 May 1700, Brydges to Coke; R.O.L.L.R., *Hall Papers* BR/II/18/38 f.302, n/d, Corporation Address; Glassey, *Appointment of Justices*, pp.135-6, 168-70; Plumb, *Growth of Political Stability*, pp.83-4.

Sir Christopher Musgrave reacted rudely to the news, ‘Is it not ominous to choose a Lord Keeper from the gravel pits?’<sup>131</sup> His assessment of Wright was probably widely shared at court, even if others expressed it with greater delicacy.

## II

During the summer of 1700, every English county received an amended commission. In Glassey’s opinion, Wright, though motivated to reverse the changes made by Somers, moved with circumspection at this stage.<sup>132</sup> Of the thousand changes made across the country, the vast majority came by way of additions rather than removals. In Leicestershire, sixty-eight working justices were named in the commission issued on 2 August 1700, twenty more than in 1697.<sup>133</sup> Seven from the 1697 list were removed, three of whom had died. The other four, Thomas Charnells, Edward Conyers, Sir John Hartopp and Thomas Hartopp, were all whigs, who had been appointed as justices in Somers’s regulation of 1694. Thirty-seven new justices were added, including the two serving MPs in the county, John Verney and Sir William Villiers. Four were sons of former justices, who had succeeded their fathers on the bench. The list also included seven who had been left out in 1694 and 1697. Sixteen of those appointed at this stage were subsequently removed in purges under whig administrations. Only five whigs can be identified among the new additions. Given that the last two commissions had been weighted in favour of whigs, it could be argued that, by adding more Tories, the new commission did little more than redress the political balance. However, the dismissal of four prominent whigs does at least suggest deliberate bias against whigs.

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<sup>131</sup> *H.M.C. Portland MSS.*, III.620, Musgrave to Harley.

<sup>132</sup> Glassey, *Appointment of Justices*, pp.136-42

<sup>133</sup> R.O.L.L.R., QS 1/9, Commission of the Peace, 7 July 1700; see below, Table 5, pp.434-40.

So much can be deduced from numerical analysis. What is more problematic is to interpret what this says about the balance of political interests in the county in 1700. If Stamford, as *custos rotulorum*, was given the chance to comment, it is unlikely that his opinions would have carried much weight with Wright. Certainly he was in no position to prevent the dismissal of Charnells, Conyers and the two Hartopps. There is no indication that Rutland expressed a view but in the light of his performance in selecting deputy lieutenants, where he ignored several of those named here, it seems unlikely that he would have been pressing for more tory justices in 1700. As lord chancellor, Wright was in a position to use both his office and his personal knowledge of the county to influence the composition of the commission. The inclusion of his son, George, suggests that this may have been the case but there are two reasons to question this assumption. First, Wright, thrust unexpectedly into high office, may have considered it prudent to proceed cautiously in these first few months in office. Second, it is possible the list was virtually compiled before Wright took over. Some of the county's lesser aristocrats, such as Denbigh, may have spoken up for the appointment of these men but the most likely explanation was that this list was the logical outcome of the Commons' request to restore 'Gentlemen of Quality and good Estates'. One point can be stated with some assurance: it is further proof of political division within the county. The arrival of the new commission reinforced the message coming back to the county through other means that power and influence at the centre were shifting back to the tories, a message no doubt welcomed by men who had been excluded from local office during the period when the whigs were ascendant.

Part 3: The accession of Anne and the tory revival, 1702-5

I

(i) Anne's accession

Anne's accession on 8 March radically transformed the political context. The tories saw in the new monarch someone more sympathetic to their concerns than her predecessor, especially in respect to the established Church. They also hoped that her succession would bring a change in political direction.<sup>134</sup> Although deeply committed to the established Church, Anne was just as determined as her predecessor to maintain a government that was not in thrall to any one faction at a time when party distinctions were even more sharply drawn than in the previous decade.<sup>135</sup> Over the next three months, the queen put together an administration built around Marlborough, as captain-general, and Godolphin as lord treasurer. For the first six years of Anne's reign, these two men, with the assistance of Robert Harley, were the effective leaders in Anne's administration and were also responsible for the highly successful prosecution of the war against Louis XIV.<sup>136</sup> Although Rochester and Nottingham had not achieved all they were hoping for from the new monarch, there was a decisive shift towards the tories in the administration. Somers, Halifax, Wharton and Orford were left off the privy council and posts in the household and ministerial appointments were given to tories and moderate whigs.<sup>137</sup>

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<sup>134</sup> Feiling, *The Tory Party, 1640-1714*, pp.362-4.

<sup>135</sup> E. Gregg, *Queen Anne* (1980), pp.151-60.

<sup>136</sup> G. S. Holmes, *British Politics in the Reign of Anne* (1987), pp.189-94; J. Hoppit, *A Land of Liberty? England, 1689-1727* (Oxford, 2000), pp.287-300.

<sup>137</sup> Feiling, *The Tory Party, 1640-1714*, pp.364-5.

This change in the political climate effectively foreshortened Stamford's political advance, notwithstanding his later recall to office under a whig administration.<sup>138</sup> Stamford was dismissed from the chancellorship of the duchy of Lancaster and from the Board of Trade during a major purge of central and local offices.<sup>139</sup> His loss of salary and office perquisites may have aggravated the financial problems that contemporaries claimed he was experiencing through his mismanagement of his affairs.<sup>140</sup> Macky stated that his '...zeal for the publick led him from the care of his own private affairs; which he did not mend by his employment.... From a good estate he is become very poor, and much in debt'. According to the tory earl of Ailesbury, 'That poor headed earl had a reasonable paternal estate, but entailed, so he cut down all his vast fine woods, ruined the mansion house, and took money in advance on this estate and spent it...his maternal estate upwards of three thousand pounds per annum and ate up absolutely and all sold'.<sup>141</sup> In 1702 Stamford visited Zell and Hanover to introduce himself to the Elector and the Electress Sophia in a clumsy and unsuccessful attempt to curry favour with Anne's potential successor.<sup>142</sup> His loss of office, like Huntingdon's a decade earlier, limited what he could achieve politically. Wilkins was quick to point out to Coke that Stamford's loss of office provided an opportunity to reduce Carter's influence. He advised Coke to persuade the new chancellor of the duchy of Lancaster, Sir John Leveson Gower, to dismiss Carter as steward of the honor of Leicester and put in his place

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<sup>138</sup> *Oxf. D.N.B.*, XXIII.887-8, 'Grey, Thomas, 2<sup>nd</sup> earl of Stamford (1653/4-1720)'.  
<sup>139</sup> Sir R. Somerville, *Office Holders in the Duchy of Lancaster from 1603* (Chichester, 1972), p.4.

<sup>140</sup> Nichols, *Hist. Leics.* III.680; J. Macky, *Memoirs of the Secret Services: Characters of the Court of Great Britain in the Reign of Queen Anne* (Roxburghe Club, 1895), pp.62-3. For the authorship of the 'characters', see above, p.102 n.42.

<sup>141</sup> W.E. Buckley (ed.) *Memoirs of Thomas, Earl of Ailesbury* 2 vols. (Roxburghe Club, 1890), II.534

<sup>142</sup> *H.M.C. Portland.*, IV.55-6, Account of Stamford's visit; *H.o.P. 1690-1715*, III.40, which states that Lawrence Carter accompanied Stamford on the visit to Hanover.

someone politically more reliable.<sup>143</sup> During the next decade, Stamford's financial position worsened and in 1711 Marlborough appealed to the Elector to give Stamford a pension to relieve his debts. His estate, which passed to his wife in the absence of an heir, was still encumbered with debt when he died in 1720. The title passed to a cousin.

(ii) Rutland, Nottingham and the Leicestershire Lieutenancy, 1702-3

In common with the majority of lords lieutenant, Rutland was reappointed at the beginning of Anne's reign as lord lieutenant of Leicestershire. He was also nominated as *custos rotulorum* in Stamford's place, according him the recognition that Rutland felt he had been denied in 1690.<sup>144</sup> However, the new administration was more ruthless in its purge of the other local offices, which decisively altered the political balance in both the lieutenancy and in the commission of the peace.

On 10 March 1701 Vernon had asked Rutland to supply a list of deputy lieutenants.<sup>145</sup> Rutland's list bore a very close resemblance to the complement of 1690.<sup>146</sup> Fifteen names were recorded, as compared to eighteen in 1690. Of the eighteen, three had died and ten others were still serving as deputy lieutenants. There is no discernible pattern among those added. Rutland had nominated two of his relatives, Lord Roos and John Noel, but his son-in-law Sir Scrope Howe was no longer included. It seems likely from subsequent evidence that two tories,

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<sup>143</sup> *H.M.C. Cowper*, III.6, 20 Apr. 1702. Carter was replaced by John Coke, see Somerville, *Office Holders in the Duchy of Lancaster*, p.180.

<sup>144</sup> See below, Appendix 1, p.406.

<sup>145</sup> *C.S.P.D. 1700-02*, p.248, 10 Mar. 1701, Vernon to Rutland and p.252, n/d, Rutland's recommendations.

<sup>146</sup> See below, Table 2, pp.418-24.

William Jesson and Rolande Browne were included but the third, George Ashby, was indisputably a whig, as his political record as a candidate in several elections between 1695 and 1715 demonstrates.<sup>147</sup> No places were found for Winstanley or Sir George Beaumont, which, in Hanham's opinion, was revenge for the defeat of Rutland's candidates in the 1702 election in Leicester.<sup>148</sup> Otherwise, the list appears to owe more to inertia than partisanship.

The earl of Nottingham, who was appointed secretary of state in May 1702, did not approve of Rutland's selection.<sup>149</sup> In December 1702, Sir John Leveson Gower tried to resolve the conflict by asking Rutland (his father-in-law) to consider appointing Sir John Chester, Sir George Beaumont and Mr. Winstanley as deputy lieutenants.<sup>150</sup> Five days later, he wrote again, enclosing a letter from Nottingham, who expressed surprise that Rutland had seen fit to overlook the claims of nine men, all tories, whom Nottingham listed in his letter.<sup>151</sup> He claimed that 'they had been recommended to the Queen as worthy gentlemen, considerable in the county, and some of them Members of Parliament'. Nottingham declined to sign the warrant until Rutland had explained why they had been left out. Rutland reacted very badly, for Sir John wrote again on 26 December to remonstrate with his father-in-law for refusing to accept Nottingham's additions:-

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<sup>147</sup> *H.o.P. 1690-1715*, III.65-6.

<sup>148</sup> *H.o.P. 1690-1715*, V. 903.

<sup>149</sup> *C.S.P.D. 1702-3*, pp.390-7, 15 June 1702. This records approvals for the appointment of deputy lieutenants for the majority of English counties. Leicestershire was not included.

<sup>150</sup> *H.M.C. Rutland.*, II.173, 10 and 15 Dec. 1702, Gower to Rutland. Leveson Gower was married to Rutland's daughter, Katharine.

<sup>151</sup> P.R.O., SP44/104 f.179-80, 14 Dec. 1702, Nottingham to Gower.

In whatever term it is expressed, whatever reasons you give, the Queen will suspect the true one to proceed from your unwillingness to employ the gentlemen who are recommended by her to you. She is resolved not to follow the example of her predecessor in making use of a few of her subjects, and would have all the parties and distinctions of former regimes ended and buried in hers, and in order to it expects that those who she employs shall give the first example.

He went on:-

Shall it be said my Lord Devonshire and my Lord Carlisle... could forget the affronts and disappointments they had met with, in their several countries, and that my Lord Rutland would not? Will your Lordship give up the command of your own country to some other family, when it is at present thought almost of right to belong to yours?<sup>152</sup>

It is interesting to observe Gower employing the queen's ideal image of a non-partisan administration to cover up what appears to be gerrymandering on Nottingham's part. Nottingham was determined to brook no opposition in his campaign to promote tory interests in the counties. The following June, a warrant was issued for the appointment of eighteen deputy lieutenants in Leicestershire. Thirteen of these were new, including eight of those recommended by

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<sup>152</sup> *H.M.C. Rutland.*, II.173, 26 Dec. 1702.

Nottingham. Only five were retained from Rutland's list and the casualties included Roos and George Ashby.<sup>153</sup>

It is not clear whether Rutland carried out his threat to resign but, after his argument with Nottingham, his tenure of these two posts was no longer secure. On March 1703, Rutland was dismissed from both the lord lieutenancy and *custos rotulorum* and a tory peer, the earl of Denbigh, was appointed in his place.<sup>154</sup> This controversy provides an interesting insight into Rutland's personality and his relations with his extended family at a time when they were currently engaged in negotiations at the court on his behalf to secure his elevation to a dukedom.<sup>155</sup>

(iii) The Commission of the Peace in Leicestershire in 1704

*Faute de mieux*, Anne reappointed Sir Nathan Wright as Lord Keeper of the Great Seal.<sup>156</sup> In the summer of 1702, his office delivered new commissions to every county, which Glassey believed materially assisted the tories in the election.<sup>157</sup> As secretaries of state, Nottingham and Hedges, played a key role in this process, channelling recommendations from local tory leaders to Wright. The 1702 commission for Leicestershire is not among those preserved in the county record office but its composition can be deduced from the list presented to the Lords on 20 March 1704. The House of Lords' list shows that three more

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<sup>153</sup> *C.S.P.D. 1702-3*, p.279, 11 June 1703, List of deputy lieutenants for Leicestershire.

<sup>154</sup> P.R.O. C231/9 f.92, 23 Mar. 1703; Glassey, *Appointment of Justices*, p.158; Chinnery, *R.B.L.*, V.42, 12 July 1703, 'Visit of earl of Denbigh'.

<sup>155</sup> *H.M.C. Rutland*, pp.171-5 and *Oxf. D.N.B.* XXXVI.466, 'Manners, John, 1<sup>st</sup> duke of Rutland'.

<sup>156</sup> Glassey, *Appointment of Justices*, p.153 and n.2.

<sup>157</sup> *Ibid.*, pp.157-8.

whigs, Sir Edward Abney, William Byrd and William Jesson lost their places on the commission sometime between 1700 and March 1704.<sup>158</sup>

Wright's alterations inevitably attracted criticism. In the twelve months from March 1704, a campaign was mounted from the Lords criticising him for the changes he had made in the magistracy.<sup>159</sup> In a sequence of actions reminiscent of the attack on Somers in 1699-1700, the Lords called for a list of all the commissions and an account of those dismissed since Wright's first appointment.<sup>160</sup> The House then asked the queen to review all the commissions 'so that no persons but men of quality and estates, of known affection to the Queen's title, the Protestant Succession and the Church of England might be continued; and that men so qualified who had been unjustly turned out, might be restored'.<sup>161</sup> Anne agreed with these findings and asked Wright to carry out this review. As a result, a new commission was issued in July 1704 for virtually every county, though, as Glassey has pointed out, to judge by the outcome Wright took little heed of the Lords' concerns.<sup>162</sup>

Leicestershire's new commission was issued on 7 July 1704.<sup>163</sup> At 69 the number of working justices was two more than in 1700 but significant changes had taken place in the membership in that time. In addition to eight justices left off, who had been brought in at 1689 or during Somers's time as lord chancellor, four others had died. Sir Thomas Cave and Sir Benjamin Hudson had succeeded

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<sup>158</sup> H.L.R.O., *Main Papers 2011*, 20 Mar. 1704, Leicestershire, and *ibid.*, 2117, 16 Feb. 1704; *H.M.C. House of Lords MSS.* vol. VI (n. s.), p.287; Glassey, *Appointment of Justices*, p.156.

<sup>159</sup> Glassey, *Appointment of Justices*, pp.160-5.

<sup>160</sup> *L.J.*, xvii, 482,483,484 and 489.

<sup>161</sup> H.L.R.O., *Min.*, H.L. 30 and 31 Mar. 1704.

<sup>162</sup> Glassey, *Appointment of Justices*, pp.164-70.

<sup>163</sup> R.O.L.L.R., QS 1/10, Commission for the Peace, 7 July 1704.

their fathers and eleven other men had been added, including Sir William Broughton and William Inge from across the border in Warwickshire and Staffordshire, in a conscious effort to strengthen the tory presence on the bench. At the same time, Wright dispensed with the services of several prominent whigs. In removing men such as Sir John Hartopp, George Ashby, William Byrd and Thomas Charnells and by adding men proud to be recognised as members of 'the Church Party', Wright was sending out an unambiguous message to a county with which he was very familiar.<sup>164</sup> The partisan intent is irrefutable.

Since the number of additions far exceeded those dismissed, there were even greater changes in the political balance of the commissions countrywide than the number of dismissals suggest. However, these changes were generally made at the margins rather than in the heart of the commission. In Leicestershire, for example, where significant alterations were made in the membership, there was a group of justices, typically about a quarter of the whole and drawn from a range of political persuasions, who provide a permanent core of justices. Beyond this core, tenure was much more subject to the vagaries of 'party' fortunes. Lords chancellor and their advisers had to be careful not to undermine the operation of the commission in their pursuit for political gain.<sup>165</sup>

Surprisingly, Wright held on to his office until October 1705, despite a further Lords' enquiry, the hostility of Godolphin and Harley and the resignations of Seymour and Nottingham, which deprived him of valuable allies

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<sup>164</sup> For details of the changes in the Leicestershire commission, see below, Table 5, pp.434-40.

<sup>165</sup> Herts. R.O. *Panshanger MSS.* D/EP f.152, Cowper's memo to George I, July 1715.

in the cabinet.<sup>166</sup> The delay in finding a successor meant that Wright continued to protect tory interests in the run up to the 1705 election.<sup>167</sup> The whigs had no regrets about his departure. The duchess of Marlborough dismissed him ‘as a man of no use to the Crown, one despised by all parties ... whose sordid undistinguished Covetousness had render’d his personal Character vile & scandalous all over the nation’.<sup>168</sup> While due allowance must be made for the duchess’s political bias, Wright had profited sufficiently from his legal practice and government service to invest heavily in land in Leicestershire and Warwickshire, including the purchase of Sir William Villiers’s house and estate at Brooksby.<sup>169</sup>

## II

### (i) The election of 1702 in Leicestershire

Under the terms of an Act of 1696, the existing parliament continued to meet until its dissolution on 2 July 1702 and writs for new elections were sent out in August.<sup>170</sup> In her closing speech in July, Anne advised her audience that:-

I shall be very careful to preserve and maintain the Act of Toleration, and to set the minds of all my people at quiet. My own principles must always keep me entirely firm to the interests and religion of the Church of England and will incline me to countenance those who have the truest zeal to support it.

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<sup>166</sup> L.J., XVII.659 and 665; H.L.R.O., *Main Papers* 2117, 16 Feb. 1705 and H.L.R.O., Committee Book, H.L. 22 Feb. pp.76, 85; Glassey, *Appointment of Justices*, p.163.

<sup>167</sup> Glassey, *Appointment of Justices*, p.164-8.

<sup>168</sup> Gregg, *Queen Anne*, p.202 (and n.12).

<sup>169</sup> Plumb, *Growth of Political Stability*, pp.83-4.

<sup>170</sup> Horwitz *Parliament, Politics and Policy*, p.178 for the political context of the 1696 Act.

This was a firm message to give to MPs as they departed to their constituencies to face a fresh election.<sup>171</sup>

In some respects, the election in Leicestershire was a sequel to that of 1701, which had left old scores to be settled. Ten days after Anne's accession, John Verney, as courteous as ever, asked Rutland for his backing.<sup>172</sup> It is clear that Verney expected to get little support from the Rutland family for, three days later, he wrote to Coke:-

We are like to have a great contest at our next election for this county for Lord Roos and Lord Sherard join against Mr Wilkins and me...Your estate at Melton is seated in the enemy's quarters and therefore it will be a particular obligation to us, if you will dispose your interest in favour of Mr Wilkins and your humble servant' – the enemy being Lord Roos and his partner Lord Sherard.<sup>173</sup>

Walter Burdett claimed that he was optimistic about the two men's chances in this election because the 'country are as unanimously against my Lord Roos as they were for him'.<sup>174</sup>

Over the next three months, Wilkins was busy drumming up support for himself and Verney. In March, he informed Coke that 'the country gentlemen have sewn Mr Verney and myself together' and asked him to '...send to Melton

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<sup>171</sup> W. Cobbett (ed.), *The Parliamentary History of England*, 12 vols. (1806-12), VI.25, 25 May 1702: Feiling, *The Tory Party, 1640-1714*, p.362.

<sup>172</sup> *H.M.C. Rutland*, II.169. 18 Mar. 1702, Verney to Rutland.

<sup>173</sup> *H.M.C. Cowper*, III.3, 21 Mar. 1702, Verney to Coke.

<sup>174</sup> *Ibid.*, III.3, 23 Mar. 1702, Burdett to Coke.

to all your friends for all the Presbyterians are very busy'.<sup>175</sup> As a quid pro quo, Wilkins promised Coke his support in the Derbyshire elections. Wilkins was worried about the commitment of the new earl of Huntingdon. He urged Coke to speak to him '...with speed. He will not go with us, unless you can stem the tide. You can make him passive, and get him I hope'.<sup>176</sup> Two weeks later, William Inge confirmed Wilkins's fears that Huntingdon was continuing to make 'all the interest he can for the two Lords, *Com. Leic*'.<sup>177</sup> Wilkins was also troubled by a rumour that Lord Roos was about to be made *custos rotulorum*.<sup>178</sup> On the other hand Tate thought everything was going 'very well here for Mr Verney and Wilkins and if we were now to poll are certain of carrying it'. His concern was what effect 'the Lords coming and spending' might have but he still forecast that the two gentlemen would win.<sup>179</sup>

On 14 June, Wilkins wrote again to confirm that he and Verney had 'joined our interest' adding that 'Lord Stamford is not against us'.<sup>180</sup> He advised Coke how best to deploy his votes to the maximum effect in the Leicestershire poll. As the date grew closer, Verney was still concerned about the support the two lords commanded in the north-east of the county. He urged Coke to come to Leicester 'for your presence would give great reputation to us, and encouragement to our friends'.<sup>181</sup> Coke responded by appearing in person with

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<sup>175</sup> Ibid., III.3, 25 Mar. 1702; J. O. Richards, *Party Propaganda under Anne* (Georgia, 1972), p.47.

<sup>176</sup> Ibid., III.3, 23 Mar. 1702.

<sup>177</sup> Ibid., III.5, 4 Apr. 1702, Inge to Coke.

<sup>178</sup> B.L. Add. Mss. 69947 f.19, 27 Apr. 1702, Wilkins to Coke.

<sup>179</sup> Ibid., 69947 f.17-18, 25 Apr. 1702, Tate to Coke.

<sup>180</sup> *H.M.C. Cowper*, III.10, 14 June 1702, Wilkins to Coke.

<sup>181</sup> Ibid., III.13, 8 July 1702, Verney to Coke.

tenants and friends from his side of the county.<sup>182</sup> This vigorous campaigning appeared to be succeeding and there is little evidence that the two lords mounted a credible counter-attack. By July, even Lady Roos was having doubts about her husband's chances.<sup>183</sup> Wilkins was confident of carrying the day, provided they could get their voters to the poll.<sup>184</sup> His prediction was right: the result was a triumph for the two gentlemen. Wilkins polled 2,475 votes, Verney 2,437, while Sherard and Roos lagged behind in third and fourth place with 2,054 and 2,010 votes respectively.<sup>185</sup>

Wilkins and Verney may have benefited from the swing towards the tories and the encouragement the Queen's Speech had given the 'Church Interest' but their success can largely be attributed to a very well organised campaign. By contrast, Roos's behaviour in the previous election had infuriated the gentry and triggered a number of changes, which radically altered political allegiances in the county. Faced with this hostility, the aristocratic families proved unable to provide the leadership required to maintain their interests in the short-term. When his interests were directly threatened, Rutland could stir himself, but he seems to have made little effort to nurture his political interests over a longer period. His refusal to cooperate with Stamford, the collapse of Stamford's position at court and Ashby and Byrd's decision to continue to defer to Roos's candidature served to fragment any common front that these two whig families might have mounted against the challenge from the tory gentry.

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<sup>182</sup> B.L. *Add. MSS.* 69947 f.55, 17 July 1702, Wilkins to Coke and *H.M.C. Cowper*, III.14, 21 July 1702, Bromley to Coke.

<sup>183</sup> *H.M.C. Rutland*, II.172-3, 14 July 1702, Lady Russell to her daughter, Lady Roos.

<sup>184</sup> B.L. *Add. MSS.*, 69947 f. 55, 17 July 1702, Wilkins to Coke.

<sup>185</sup> *H.M.C. Cowper*, III.14, 5 Aug. 1702, Inge and Wilkins to Coke; *H.o.P. 1690-1715*, p.347, quoting *Post Boy*, 8-11 Aug 1702, records the votes as:- Wilkins, 2,475, Verney, 2,457, Sherrard, 2,054 and Roos, 2,020.

(ii) The election of 1702 in the borough

Earlier in the year, Lawrence Carter had approached Rutland to ask for his support for his candidature in the next borough election.<sup>186</sup> He may have also asked Stamford but, by this time, the latter's influence was suffering from his loss of favour at court.<sup>187</sup> On this occasion, Carter faced opposition from two tory candidates for Sir George Beaumont had decided to join James Winstanley, standing for the second time. Sir George was the second son of the late Sir Henry Beaumont, MP for the borough in 1679, 1681 and 1685 and confidant of the earl of Huntingdon in the 1680s.<sup>188</sup> Sir George had already embarked on an academic career, when, in 1690, his elder brother died unexpectedly while serving in the army in Ireland, leaving George to inherit the title and the family estate. Initially Sir George had been reluctant to stand for parliament but experience of campaigning for a seat representing Oxford University in January 1701 seems to have given him a taste for entering parliament.<sup>189</sup>

Although there is no record of a poll, Hanham believes that one did take place. Whatever the position, the result was probably decisive, because there is no record that Carter submitted a petition. It appears that some measures were taken in advance to boost the chances of the tory candidates. In April and May, 152 additional freemen were enrolled and, by the date of the election, 20 July, the year's total stood at 206.<sup>190</sup> The majority of the freemen appointed came from families within the borough but a few came from elsewhere in the county and

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<sup>186</sup> *H.M.C. Rutland*, II.171, 27 Mar. 1702.

<sup>187</sup> *H.M.C. Cowper*, II.10, 14 June 1702, Wilkins to Coke.

<sup>188</sup> See above, pp.141, 146 and 191-3.

<sup>189</sup> Nichols, *Hist. Leics.* II.858-60; *H.o.P. 1690-1715*, III.158-61, 'Sir George Beaumont'.

<sup>190</sup> Hartopp, *Register of Freemen*, pp.183-93 and below, Appendix 2, p.407.

were serving an apprenticeship in the town. Without a surviving poll book, it is impossible to establish how these men voted but, given the circumstances, it seems probable that these measures were designed to counteract the popular vote.<sup>191</sup> Winstanley and Beaumont came out the winners, a further setback for Rutland. This victory was the beginning of a remarkable run: both men represented the borough until their deaths, Winstanley in 1719 and Sir George not until 1737. It also marked the beginning of a long period of tory domination of the borough's parliamentary seats.<sup>192</sup>

(iii) The national outcome of the 1702 election

Nationally, the result was a landslide for the tories.<sup>193</sup> Speck estimated that they had a majority of 133 over the whigs.<sup>194</sup> Just as Somers's personal management of propaganda in the previous year had helped the whigs in the second election of 1701, so the relentless campaign that Harley had waged against ministers in the previous year both in parliament and out-of-doors paid off in the summer election.<sup>195</sup> The result encouraged the tories. Sir Nathan Wright expected 'a true Church of England Parliament' and Lord Denbigh hoped that 'a Church of England Parliament' would 'settle the affairs of England a little better than they have been of late'.<sup>196</sup>

Neither Winstanley nor Beaumont appears to have sought any preferment in government. While both men appear to have played a minor political role in

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<sup>191</sup> *H.o.P. 1690-1715*, II.352.

<sup>192</sup> R. R. Sedgwick (ed.), *History of Parliament: House of Commons, 1715-1754* 2 vols. (1970), I.275-6, II.352-3; Greaves, *Corporation of Leicester*, pp.99-100; *V.C.H. Leicestershire*, IV.121-5.

<sup>193</sup> *H.o.P. 1690-1715*, I.224-5.

<sup>194</sup> Speck, *Tory and Whig*, p.123 App. D.

<sup>195</sup> Horwitz, *Parliament, Politics and Policy*, pp.277-8; Downie, *Harley and the Press*, pp.41-56.

<sup>196</sup> B.L. *Add. MSS.* 29588 ff.117, Denbigh to Nottingham.

parliament, Sir George's activities as a political manager explain why Holmes described him as a 'rising star among the rank and file of the tory party'.<sup>197</sup> Beaumont was an active in support of tory parliamentary candidates both in the county and in mobilising support for the tory cause across the Midlands, which earned him the sobriquet of 'the Sergeant'. His neighbours held him in such respect that they turned to him for advice. Through his connections with other prominent parliamentary tories, Sir George's reputation extended beyond the county. One of his close associates was the Warwickshire high tory, William Bromley, who led the attack, in the Commons, against the practice of occasional conformity.<sup>198</sup> Sir George Beaumont shared the same uncompromising views as Bromley on the absolute necessity of coming to the defence of the established Church, a stance which led Jonathan Swift to celebrate Beaumont as a 'a zealous advocate for the rights of the Church'.<sup>199</sup>

(ii) Politics and religion.

So far in this chapter, the emphasis has been on the secular aspect of politics. This next section redresses that imbalance. The Toleration Act of 1689 disappointed both Dissenters and Anglicans.<sup>200</sup> While the Dissenters were pleased to be allowed to worship freely, they were disappointed that nothing was done to relieve their civil disabilities. On the other hand, supporters of the

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<sup>197</sup> Holmes, *British Politics*, pp.301 and 307; Nichols, *Hist. Leics.* II.860; *H.o.P. 1690-1715*, III.158-61, 'Sir George Beaumont'.

<sup>198</sup> William Bromley served initially as one of the knights of the shire for Warwickshire and from 1701 to 1732 as a representative for Oxford University. From 1710 to 1714 he was Speaker of the House of Commons and, from 1713 to 1714, Secretary of State for the Northern Department; Holmes, *British Politics*, p.277-9 and passim; *H.o.P. 1690-1715*, III.341-59 and *Oxf. D.N.B.* VIII.826-7, 'Bromley, William (*bap.*1663, *d.*1732)'.  
<sup>199</sup> R. W. Greaves in *V.C.H. Leicestershire*, IV.122-3, quoting from Bodl. Libr. Rawlinson Mss. J 4'5, f.252.

<sup>200</sup> Williams, *Eighteenth-Century Constitution*, pp.42-6; Harris, *Politics under the Later Stuarts*, pp.139-40, 152-6, 179-82.

established Church, both lay and clerical, were concerned that the greater freedom given to Dissenters had promoted Nonconformity and encouraged the spread of Deism and Socinianism. By the middle of the 1690s, the alarm came from many pulpits that the Church was in danger. It was argued, most influentially by Atterbury, that the only way to stem the growth of heresy and blasphemy was to recall Convocation, a demand eventually conceded by William III in 1700.

The high flyers were particularly incensed by the practice of occasional conformity, which some Dissenters employed to circumvent the Test and Corporation Acts.<sup>201</sup> Between 1702 and 1704, when the tories had a majority in the Commons, William Bromley and Henry St. John introduced three bills intended to break this 'auxiliary body of false churchgoers'. They believed that this bill had the queen's backing. These proposals alarmed not only the whigs, who saw the intended legislation as a partisan attack on their supporters, but also Marlborough and Godolphin, who saw such extreme measures dividing the country when unity was needed to prosecute the war against Louis XIV.<sup>202</sup> Anne was also annoyed that the high churchmen were forcing this issue, which contributed to her gradual estrangement from her tory ministers. Marlborough and Godolphin enlisted the support of Harley to form a coalition of moderate tories and whigs in order to counter this threat. Frustrated by resistance in the Lords, Bromley conceived the dubious plan of tacking the measures to a financial bill. This tactic split the tories and the bill was defeated in the

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<sup>201</sup> Cobbett, *Parl. Hist.* VI.61-8; for a provincial view see *H.M.C. Cowper*, III.18, 8 Nov. 1702, Inge to Coke.

<sup>202</sup> Feiling, *The Tory Party, 1640-1714*, pp.362-4; Holmes *British Politics*, pp.101-3; H. Horwitz, *Revolutionary Politicks: The career of Daniel Finch, Second Earl of Nottingham, 1647-1730* (Cambridge, 1968), pp.185-90, 197-202.

Commons on 28 November 1704 by 251 votes to 134.<sup>203</sup> The way Leicestershire's MPs voted reflected these divisions. Beaumont and Winstanley were in favour of 'the Tack' and Verney and Wilkins opposed it.<sup>204</sup> In the Lords, Denbigh favoured the prohibition of the practice of occasional conformity while, predictably, Stamford was against taking any action.

These issues were also publicly aired in pamphlets and sermons. In 1702 Sacheverell published *The Political Union: A Discourse Showing the Dependence of Government on Religion* in which he stressed the interdependence of the civil and ecclesiastical state and warned about the threat posed by Dissenters.<sup>205</sup> He slated occasional conformity as 'such a religious piece of hypocrisy as even heathen government would have endured' and, thanks to God, 'there is now a person on the throne who so justly weighs the interest of Church and State, as to remove so false an engine, that visibly overturns both'. Defoe responded in December 1703 with 'The Shortest Way with Dissenters' in which he lampooned high church extremists. This infuriated Nottingham, who had him incarcerated in Newgate, where Harley recruited Defoe for his own purposes. James Drake, in his 1705 *Memorial of the Church of England*, blamed Godolphin and Marlborough for 'pretending to vote and speak for it [the Occasional Conformity Bill] themselves, while they solicit and bribe others with pensions and places to be against it' and criticised the queen for dismissing Nottingham and Seymour.<sup>206</sup> The queen took exception to *The Memorial* and a Grand Jury in

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<sup>203</sup> Holmes, *British Politics*, pp.102-3.

<sup>204</sup> Cobbett, *Parl. Hist.*, VI.359-61. See also R. W. Greaves's observations on Winstanley's parliamentary voting record in *V.C.H. Leicestershire*, IV.122.

<sup>205</sup> Kenyon, *Revolutionary Principles*, pp.91-3 and 226, notes 26-31 for references to *The Political Union*.

<sup>206</sup> *Ibid.*, pp.98-9.

London ordered the book to be burnt as a seditious libel. Halifax succeeded in forcing a debate in the Lords a month later, which culminated in a resolution, which had overwhelming support in both Houses:-

That the Church of England, by law established...is now...in a safe and flourishing condition, and that whoever goes about to suggest and insinuate that the Church is in danger under her Majesty's administration is an enemy to the queen, the Church and the Kingdom.<sup>207</sup>

By proclamation, this was sent to all justices, with orders to prosecute anyone who argued to the contrary.<sup>208</sup>

It was inevitable with such strong feelings being expressed that these views resonated in Leicestershire where the populace were already polarised on religious lines. During a visit to Leicester in October 1705, Defoe referred to 'A monstrous story here about the Election and the Contending partyes here Dayly together by the Eares'.<sup>209</sup> Two days later he was in Lutterworth, which he described as 'A highflying town', where he picked up a story about a local justice, Thomas Bradgate, who was alleged to have ridden his horse into a meeting house, disrupted the service and accused the parson of lying.<sup>210</sup> Defoe was outraged and complained that next to the clergy, high-flying justices are 'the greatest hindrance to the forming of people into moderation and union among

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<sup>207</sup> Cobbett, *Parl. Hist.* VI.479-506.

<sup>208</sup> Kenyon, *Revolutionary Principles*, pp.99-100.

<sup>209</sup> *H.M.C. Portland*, IV.270, Defoe to Harley.

<sup>210</sup> Thomas Bradgat(t)e had been a justice since 1704, see below Table 5, p.435.

themselves'.<sup>211</sup> A year later he was back in Leicester, where he informed Harley that a book was in circulation:-

In which besides a great deal of virulence and high church poison, I am told the whole memorial [i.e. Drake's banned *Memorial*] is couched, and as it were reprinted. 'Tis boasted of in this country as a defiance to the Court and indeed the impudence of the party is intolerable in these parts, and such as I never met with the like in England.<sup>212</sup>

Although the book was printed in London, Defoe had heard it said that it is 'wrote by the Coventry parson Kinderly, others that Mr. Bromley and a Club are the authors, others that the memorial authors have done it'. Defoe no doubt relished this opportunity to link this clandestine publication with William Bromley, the leader of the campaign in the Commons against occasional conformity.<sup>213</sup> A year later, Jonathan Swift was in Leicester visiting his mother during the time when a by-election was in progress. Like Defoe, Swift commented on the partisan divisions, '[T]here is not a chambermaid, prentice or schoolboy, but is warmly engaged on one side or another'.<sup>214</sup> Even allowing for hyperbole, Defoe and Swift's observations confirm the deep religious and political divisions in the community.

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<sup>211</sup> G. H. Healey (ed.), *Defoe's Letters*, (Oxford, 1955), p.113.

<sup>212</sup> Healey (ed.), *Defoe's Letters*, pp.128-9; also in *H.M.C. Portland* IV.332, 22 Sept. 1706.

<sup>213</sup> On Bromley and the campaign against occasional conformity, see above pp.328-31. Jonathan Kimberley the vicar of Trinity Church, Coventry was his chaplain. Defoe believed him to be one of the chief campaigners against Nonconformity.

<sup>214</sup> D. Woolley (ed.), *The Correspondence of Jonathan Swift D.D.*, 4 vols. (Frankfurt on Main, 1999), I.163-6, 6 Dec. 1707, Swift to A/Bp. King.

The clergy in Leicestershire were as divided as the gentry.<sup>215</sup> In 1689, almost all had taken the oath of allegiance: only nine refused and suffered the loss of their livings as a consequence. Although the rest found ways of accommodating to the succession of William and Mary, for some the dividing line between passive obedience and loyalty to the new regime remained problematic. While tory clergy found it difficult to come to terms with the new regime's tolerant attitude towards Dissent, whig clergy who were in a minority in the county felt under pressure from tory claims that they were the 'enemies of the Church of England and friends to the Dissenters'.<sup>216</sup> In these circumstances, it was difficult to draw a line between politics and religion. Thomas Sawbridge, chaplain to the duke of Rutland, advised his clerical colleagues not to 'meddle in these matters, whereof they are not competent judges' but to leave political issues to the 'cognizance and determination of Statesmen and Lawyers, who best understand the Constitution of Government and the Force and Effect of the Laws of their Respective Countries'. Yet he was active in politics as an agent for the Rutland family.<sup>217</sup>

It was difficult for clergy, trained in more conservative times, to accept what they saw as the apparent official indifference to the forms of Church government and the toleration extended to Dissenters. The Reverend Humphrey Michel, the intemperate and litigious incumbent of Blaston and Horninghold in the south-east of Leicestershire, branded whigs and Dissenters alike as 'Scandalous Schismatics and Hereticks'. According to Pruett, 'By following

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<sup>215</sup> J. H. Pruett, *The Parish Clergy under the Later Stuarts*, (Chicago, 1978), pp.158-62.

<sup>216</sup> *Ibid.*, p.162, quoting from a treatise by Archdeacon Frank of Bedford of 1715 in Wake MSS. CCLI.

<sup>217</sup> Pruett, *Parish Clergy*, pp.158-9, 161-2; *H.M.C. Rutland*, II.188, Sawbridge to Ligonier, and 190, Sawbridge to Lady Granby.

national political developments through the *Monthly Mercury*, and other newsletters, Michel became convinced that ‘virtue everywhere was being corrupted by Whiggery ... [and] did his best to defend the forces of truth and justice’.<sup>218</sup> In a dedication to two sermons on the subject of Charles I’s martyrdom, Michel castigated the followers of John Toland, ‘who too presumptuously only intrigued and attempted to seduce...even our sagacious and religious senate into an irreligious and infamous repeal of that Anniversary Fasting,’ and in the second called for national penitence for this act of sacrilege.<sup>219</sup> In his diary, he railed against a former incumbent of Hallaton who had preached in favour of the king’s execution.<sup>220</sup> However, on another occasion he made it clear he was not wedded to unfettered autocracy. Monarchs are ‘no more exempted from Obedience to the Laws of Piety, Charity, Equity and Sobriety, than the meanest of their subjects’, and they must rule ‘by Reason, Law and Religion’.

Samuel Carte, whose living was at Eastwell in the north-east of the county, blamed whig clergy for slavishly following the political lead of their patrons. He may well have had in mind his near neighbours in the Vale of Belvoir, eleven of whom owed their living to Rutland’s patronage. In 1707, ten of these voted for the whig candidate in the election.<sup>221</sup> According to Pruett’s calculations, 137 clergy who voted in 1707 supported the tory candidate by a

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<sup>218</sup> Ibid, p.161 and Nichols, *Hist. Leics.* II.43-5 ‘Blaston’.

<sup>219</sup> J. H. Hill, ‘The Diary of the Rev. Humphrey Michel, Rector of Blaston and Vicar of Horninghold 1657-1722’ *Associated Architects Reports and Papers*, IV [pt.1], 180-194, (1859); Pruett, *Parish Clergy*, pp.71-4 and 160-1.

<sup>220</sup> Hill, ‘Diary of Rev. Michel’, 191-3 and Nichols, *Hist. Leics.* II.601, Parson Bohemy of Hallaton.

<sup>221</sup> C.U.L. MS Mm.vi61, ff.200-23, ‘Poll for the Dec.1707 election’; Pruett, *Parish Clergy*, pp.166 and 129-30 for information about Edward Vernon, the renegade rector of Redmile.

ratio of almost three to one.<sup>222</sup> Pruett was able to match about forty percent of the 137 to patrons, whose political sympathies were known, from which he calculated that about 80 percent voted in line with their patrons. Pruett was not, however, prepared to accept this as proof that the clergy blindly followed their patron's lead. He argued that many of those clergy who were most active politically felt strongly about the issues involved and sought out patrons whose views they could share.

In their ministry and especially in their sermons, the clergy were in a strong position to influence the opinion of their parishioners even if some, like Archdeacons Rogers and Frank, were careful not 'to stir up a nest of Hornets and render myself incapable of supporting my friends'. No such reticence held back Dr. Henry Sacheverell who preached an assize sermon at All Saints' Church in Leicester on 25 July 1706 on 'The Nature, Obligation and Measures of Conscience'. He claimed that those who abused the laws designed to protect the Church wear 'nothing but the vizard mask of cozenage, knavery and hypocrisy; it is the spiritual tool to serve the turn of all wicked designs, mere party cant and fanatical jargon, the very sound of which should be a warning piece to alarm every honest man to stand upon his guard and look about them'.<sup>223</sup> While some in the congregation would have warmed to his sentiments, there would have been others in this town, where for over a century a succession of town lecturers had preached a very different doctrine, who would have recoiled from this onslaught.

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<sup>222</sup> Pruett, *Parish Clergy*, p.166.

<sup>223</sup> H. Sacheverell, *The Nature, Obligation and Measures of Conscience, a sermon preached in Leicester, 25 July 1706* (Oxford, 1706), p.20; Kenyon, *Revolutionary Principles*, pp.115-6.

## IV

The elections of 1705 in Leicestershire and Leicester.

After the excitement of the previous three elections in the county, the election in May 1705 was a calm affair. Some pressure was put on Lord Roos to stand but, when he heard that Verney and Wilkins intended to do so, he considered his chances of success were slight.<sup>224</sup> Instead, he chose the safer option of Grantham.<sup>225</sup> Verney and Wilkins were returned without opposition.

By contrast, the election in Leicester was highly contentious. Political differences between Lawrence Carter, the whig candidate, and Sir George Beaumont and James Winstanley, the two tory candidates, were stark and this was reflected among their supporters. Beaumont and Winstanley had the support of the mayor and corporation and the 'Church Party', while Carter appealed to the Dissenters and their supporters in the wider electorate. After a bitter campaign and poll, in which all parties were accused of malpractice, Beaumont and Winstanley were elected with 685 votes and 593 against Carter's 592.<sup>226</sup> Despite government attempts to unseat the 'Tackers', the whigs were able to improve on their position compared to the last parliament but they still lagged behind the tories.<sup>227</sup>

All three candidates appear to have boosted their chances by persuading potential supporters to apply to become freemen, with the candidates in some instances allegedly paying off the debts of voters who would otherwise be

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<sup>224</sup> *H.M.C. Rutland*. II.182, Granby to Rutland.

<sup>225</sup> *H.o.P. 1690-1715*, IV.751-3, 'John Manners'.

<sup>226</sup> *Ibid.*, II.351-3 'Leicester'.

<sup>227</sup> *Ibid.*, I.225-7; W. A. Speck, *Tory and Whig*, pp.98-109.

disqualified. The Commons' committee that examined the evidence in January 1706 concluded that both Winstanley and Carter had indulged in this practice. It appears that the corporation was actively involved in this campaign for a minute records that a committee was appointed on 5 January 1705 to look into 'the best method to form all those that exercise any trade, art, mystery or occupation within this borough, not being freemen to take their freedom'.<sup>228</sup> There is no record of the outcome, but between 4 April and 1 May 1705 (the election was on 5 May) 143 freemen were enrolled, giving a full year total of 169.<sup>229</sup> When added to those appointed in 1698 and 1702, this new intake of freemen substantially increased the electorate, even after allowing for those freemen who had since been disqualified, died or moved out of the area. In a close fought contest, these additional voters could have a decisive effect on the outcome. Given the support the whigs could expect from the 'scot and lot' householders, it was in the interest of tory candidates to look to an enhanced body of freemen to boost their votes, although the evidence suggests that the practice was not confined to the tories.

Given the close result, Carter decided to appeal. He accused the mayor, Thomas Ayres, the bailiff, Thomas Palmer and sundry others of irregularities in the way the poll was conducted. He claimed that voters were intimidated and bribed, unqualified men were permitted to vote, the poll was slow and ended early, and a poll-book had gone astray. Carter did not directly challenge the principle of appointing additional freemen *per se* but concentrated on abuses of

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<sup>228</sup> R.O.L.L.R., *Hall Papers*, BR/II/18/39 f.144.

<sup>229</sup> Hartopp, *Register of Freemen*, pp.196-200, and below, Appendix 2, p.407.

the system such as permitting freemen, who were otherwise disqualified, from registering their votes.<sup>230</sup>

On 16 January 1706 the issue was referred to the committee for privileges and elections.<sup>231</sup> Before it considered the allegations of malpractice, all parties agreed that ‘the right of election to be in the freemen not receiving alms and the inhabitants paying scot and lot,’ an historic judgement given the disputes on this issue over the last forty-five years. The committee decided to take the poll-books compiled by John Boley, the town clerk, as the authentic record and Carter agreed to restrict his challenge to Winstanley.<sup>232</sup> It then proceeded to review the evidence from both sides. Having rejected 176 votes as irregular, the committee found in Carter’s favour by 113 to 107, much to the delight of his supporters in Leicester.<sup>233</sup> However, their pleasure was short-lived for, when the matter was reported back on 8 February, the Commons noted the report’s conclusions but refused to accept the fifth resolution reversing the result in favour of Carter. Instead, the House confirmed the election of Beaumont and Winstanley by 190 votes to 150 ‘to the great mortification of Presbyterians and the friends of that knavish crew’.<sup>234</sup> It was to be seventeen years before Carter stood again in the borough but he returned to the Commons in 1710 as the MP for Bere Alston, thanks to the patronage of the earl of Stamford.<sup>235</sup> In the meantime, he concentrated on his legal career for which he was awarded a knighthood in 1724

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<sup>230</sup> *V.C.H. Leicestershire*, IV.122.

<sup>231</sup> *C.J.*, v. 135-7; R.O.L.L.R., QS66/1, Copy of Proceedings in Parliamentary Committee of Privileges, 1706; T. Carew, *An Historical Account of the Rights of Elections* 2 vols. (1755), I.322-4.

<sup>232</sup> Chinnery, *R.B.L.* V.49, Authority to take the corporation records to London.

<sup>233</sup> Luttrell, *Brief Relation*, VI.10-1.

<sup>234</sup> *Hearne Colls.* I.182-3, quoted in *H.o.P. 1690-1715*, II.352-3, ‘Leicester’.

<sup>235</sup> *H.o.P. 1690-1715*, III.478-80 and *H.o.P. 1715-1754*, I.532, Both relate to ‘Lawrence Carter’.

when a whig administration was firmly in control. Two years later he was appointed a baron of the exchequer.

## V

The by-election in the county, 1707

On 31 October 1707, at the age of 55, John Verney died from a fever having served the county as one of its parliamentary representatives since 1685, except for two short breaks. Although instinctively a tory, he was moderate in his views. He never sought political preferment and his correspondence with Lord Hatton shows the lively but detached interest he took in events at Westminster.<sup>236</sup> He was much respected for his moderation and good manners. As a result of his death, the county was faced with a by-election. Lord Sherard initially agreed to stand as the whig candidate and opposing him was Geoffrey Palmer, a tory candidate.<sup>237</sup> Sir Thomas Cave, canvassing on Palmer's behalf, was relaxed about Sherard's challenge 'most think [he] will not much prejudice Mr. Palmer, however, in prevention much care is taken by our side'. Later that day he learnt that Sherard had stepped down for personal reasons and would be replaced by George Ashby, who had already served as a county MP from 1695 to 1698.<sup>238</sup> So the choice was clear-cut and the outcome finely balanced. As Swift observed, support for the two candidates was 'pretty equal on both sides, the parties as usual, High and Low'.<sup>239</sup> His prediction was right: Ashby was victorious at the

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<sup>236</sup> B.L. *Add. MSS.* 29565 to 29568 passim, Apr 1693 to Jan. 1703/4, 24 letters from Verney to Lord Hatton; *H.O.P. 1690-1715*, V.726-9, 'John Verney'.

<sup>237</sup> B.L. *Verney MSS.* m/f.636/53, 3 and 10 Nov. 1707, Cave to Fermanagh. For further information on Palmer, see above p.106 n.59 and ch. 8 passim.

<sup>238</sup> Bodl. *Mss.*, *Eng. Hist.* c 478, f.251, quoted in *H.O.P. 1690-1715*, V.467.

<sup>239</sup> Woolley (ed.), *Swift Correspondence*, I.163-6, 6 Dec. 1707, Swift to A/Bp. King.

poll with 2,230 votes against Palmer's 2,092.<sup>240</sup> At Westminster some court-tories were vociferous in their disappointment but Godolphin was more upset about the disruptive effect of 'the malicious insinuations that are made upon every such occasion'.<sup>241</sup>

This is the only Leicestershire election for which a full record of the votes cast has survived in the period covered by this study. It was copied from the original poll-book by Thomas Davis, the Vicar of Syston.<sup>242</sup> As an isolated record, its value is restricted but it does give a snapshot of the political profile of the county in 1707 when these 4200 voters were faced with a straight choice between a tory and a whig candidate.<sup>243</sup> Both drew support from across the whole county but an analysis by hundreds demonstrates some variation. For example, in Framland in the northeast, Ashby secured 76% of the votes and 72% in adjacent West Goscote. In the southeast and the southwest of the county the proportions were reversed with Palmer securing 70% in Gartree and 64% in Sparkenhoe. The tally was much closer in Guthlaxton in the south, where Ashby was slightly ahead and in West Goscote in the northwest, where Pickering edged in front of Ashby.<sup>244</sup>

The aggregated figures for each hundred conceal considerable variations at a village and township level. In Framland, which includes the Vale of Belvoir

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<sup>240</sup> *H.O.P. 1690-1715*, II.347 and 349, quoting from Bean's Notebooks.

<sup>241</sup> *H.M.C. Portland*, IV.464, Godolphin to Harley.

<sup>242</sup> C.U.L. MS. Mm.vi.61, ff. 200-23, 'Poll for the Dec.1707 election'; S. W. Baskerville, P. Adnam and K. Beedham, 'Manuscript Poll Books and English County Elections', *Archives XIX* 86 (1991), 384-403.

<sup>243</sup> The total number of voters was at least 4,827 in the 1708 general election; *H.O.P. 1690-1715*, II.346.

<sup>244</sup> See below, Appendix 4, p.410.

where Rutland's interest was dominant, Palmer depended on votes from Bottesford and Melton to supply two thirds of his total vote in the hundred (77 out of 111). The Dissenters were also active in this area.<sup>245</sup> Without these votes Palmer's results in this hundred would have been calamitous, which explains why Wilkins and Verney were so anxious to enlist Coke's aid in the 1702 election.<sup>246</sup> In Guthlaxton Hundred, Ashby did well in a cluster of villages, Claybrooke (home of William Byrd, Ashby's partner in several county elections), Bitteswell and Ullesthorpe. Palmer drew his support from across the hundred but his vote was particularly strong in Lutterworth and adjacent villages. What also stands out is the distribution of votes within a village, of which the most remarkable was Wigston, where the 95 votes were split 52 to Ashby and 43 to Pickering, indicating the political divisions to be found within communities. There were similar characteristics in West Goscote where Palmer drew support from eight towns and villages between Ashby and Loughborough (Ashby, Worthington, Osgathorpe, Kegworth, Belton, Long Whatton, Hathern and Loughborough), while Ashby did well in Shepshed, Quorndon and Thurcaston/Anstey. The West Goscote returns include Leicester, where Ashby gained 157 votes against Palmer's 122.<sup>247</sup>

Ashby's success in East Goscote Hundred was primarily due to strong support in Barkby, Syston, Thurmaston, Queniborough, Sileby, Mountsorrel and Barrow-on-Soar. These votes account for just over half of Ashby's tally (222 out of 430). Palmer performed strongly in Gartree (SE) and in Sparkenhoe (SW)

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<sup>245</sup> A. Whiteman *The Compton Census of 1676* (Oxford, 1986) records significant numbers of Nonconformists in Nether Broughton, Long Clawson and Harby.

<sup>246</sup> See above, pp.323-4

<sup>247</sup> See below, Appendix 4, p.410.

hundreds, picking up 57 votes out of 83 in Hinckley and 34 out of 45 in Kirkby Mallory, yet Ashby had significant pockets of support in Billesdon and Houghton-on-the-Hill in Gartree and Desford, Ratby, Groby and Thornton in Sparkenhoe. There are also examples of divided communities in both these hundreds. In Gartree, the candidates drew an equality of votes in Foxton, Smeaton Westerby and Mowsley where 36, 28 and 24 votes were registered. In Hinckley (in Sparkenhoe) Palmer acquired over two thirds of the votes cast, but Ashby's 26 represented a substantial minority. While it is necessary to recognize the limitations of this analysis, it does provide some crude numerical evidence to support the anecdotal evidence that political opinion in Leicestershire was much polarised in this period. It also shows that these divisions ran throughout each hundred and also within villages.<sup>248</sup>

## VI

Stamford's dismissal from the chancellorship of the duchy of Lancaster was clear confirmation to the county of the shift in political power at the centre. The changes made in the commission of the peace between 1702 and 1705 and the stand-off between Nottingham and Rutland over the appointment of deputy lieutenants left no doubt that the secretary of state was determined to exploit every political advantage his party had gained by Anne's accession. The change in monarch gave encouragement to those clergy and laity, who believed that the Church was under threat, to follow the lead of Dr. Sacheverell in campaigning against the practice of occasional conformity. While the clergy in Leicestershire were as divided over this issue as the laity, nevertheless the voices of those who

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<sup>248</sup> See below, Appendix 4, p.410.

believed the Church was under threat provided powerful support for county Tories.

Stamford's loss of office may have weakened his influence locally but, to judge from the outcome of the elections in 1700, he was already beginning to lose ground in both the county and the borough. This time, unlike 1689, no aristocratic candidate in the county was capable or willing to fill the political vacuum. The seventh earl of Huntingdon had died in 1701 and his heir in his short life showed no interest in local politics, although Wilkins was alert to the danger of this vulnerable young man coming under Carter's influence. Rutland was preoccupied with personal matters and appears to have left the family's engagement in local politics largely to his son. The defeat Roos and Sherard suffered in the election of 1702 exposed the weakness of their political position in the county, at the same time the success of all four Tory candidates showed how the balance of power was also changing at a local level. The local Tories were fortunate to be fighting these elections at a time when nationally the political current was running against the Whigs but it would be a distortion to attribute their success solely to the shift in power at the centre. Verney and Wilkins were successful because the Tory gentry ran a much better organised campaign than their opponents. They turned Roos's tactical mistakes in the previous election to their advantage and, most importantly, maintained a united front in contrast to their performance in the second election of 1701. The success of the Tory gentry in the county elections has to be seen in the context of an electorate that continued to be sharply divided. The poll returns from the 1707 election provide a unique opportunity to see the extent that these divisions

penetrated throughout the county, even splitting small communities. As the 1705 election demonstrated, a whig candidate could still command considerable support in the borough but even in that constituency the tories were developing means to ensure that their representatives were returned to Westminster in 1702 and again in 1705. The regular mobilization of the local electorate and the public nature of this process helped to give some shape and coherence to these competing factions.

## **Chapter 8: Tory control and whig recovery, 1708-16**

### Introduction

Party conflict intensified at a national level during the second half of Anne's reign. One of the principal elements fuelling this conflict was continuing controversies over religion but uncertainty about the Protestant succession and conflicting opinions about the conduct of the war and the negotiations for a peace settlement from 1710 were also significant factors. The different political positions that politicians took about these issues helped to distinguish whig from tory but they also contributed to a disastrous split in the tory party at the end of Anne's reign. Generally the whigs were more successful than the tories in maintaining their unity but their ruthless pursuit of Dr. Sacheverell damaged their credibility. Anne did her best to remain above party, initially working through Godolphin and Marlborough and latterly through Harley, as her chief ministers, but the battle between the parties permeated throughout the political system.<sup>1</sup>

In certain respects, Leicestershire's politics during these ten years were more predictable than they had been during the previous thirty years. Apart from Sir George Beaumont, who performed a managerial role for the midland tories and eventually served as a minor official during Oxford's ministry, there was no one in the county who had the ambition or the status to follow Huntingdon and Stamford's example of becoming a player on a national stage.<sup>2</sup> The duke of Rutland was elderly. He died in 1711 and his successor made little impact. George, the eighth earl of Huntingdon, died of a fever in 1705 and was succeeded by his eight-year-old half-brother. Stamford briefly regained some of

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<sup>1</sup> G. S. Holmes, *British Politics in the Age of Anne* (Oxford, [2<sup>nd</sup> edn., 1987]).

<sup>2</sup> *Ibid.*, pp. 301, 307 and 310; R. R. Sedgwick (ed.), *History of Parliament: House of Commons, 1715-1754* 2 vols. (1970), II.158.

his national offices under a whig administration but generally was a spent force. It was therefore left to the minor peers and the gentry to provide political leadership in the county. Four general elections took place in these seven years. Save for Sir Gilbert Pickering's success in 1708 and the unusual circumstances of John Manners' six-month tenure in 1710, tory gentry dominated parliamentary representation in the two constituencies throughout the rest of Anne's reign. But their success was not achieved without a struggle, reaching a climax in the highly controversial election of 1715. The alterations that took place in the commission of the peace and the militia are analysed at the beginning of the chapter. Again, these changes confirm the partisan nature of politics and demonstrate how party conflict was permeating governance at all levels. The whig ministers who came into office under George I sought to strengthen their position through a major purge of both central and local appointments. At the same time they portrayed the tories as crypto-jacobites. The chapter concludes with an examination of whether such stereotyping had any basis in the context of Leicestershire's politics.

The principal source for information on Leicestershire's politics in this period, albeit from a distinctly tory perspective, is the correspondence of Sir Thomas Cave of Stanford and that of his father-in-law, Sir John Verney (in 1703 created Lord Fermanagh) of Claydon House in Buckinghamshire.<sup>3</sup> The two families became linked when Sir Thomas secretly married Sir John's daughter Margaret in February 1703. Sir Roger Cave (1655-1703), who had ambitions for

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<sup>3</sup> Cave's correspondence is in R.O.L.L.R., *Braye MSS.*, 23D57 [Pts. I and II], DE 2399 and DE 3128. *The Verney Papers*, which includes correspondence between the Cave and Verney families, are held at Claydon House in Buckinghamshire. A selection of these letters was edited and published by M. Verney in *Verney Letters of Eighteenth Century* 2 vols. (1930). Subsequently Princeton University Library published a collection on microfilm under the title of *Claydon House Letters, 1642-1720: copies available in British Library (M/636/53-6) and Centre for Buckinghamshire Studies (M/II/53-56).*

a lucrative match for his son, was never reconciled to this love-match. However, Thomas and Margaret's marriage proved to be the beginning of a warm and devoted relationship and also the start of a strong bond between the two families.<sup>4</sup> Their family archives provide a remarkable insight into the lives of two gentry families, who shared a common life-style and political attitudes. They become relevant to this study from the moment in 1711 when Sir Thomas Cave was persuaded to stand as a candidate in a county by-election.

In the sixteenth century, the Caves had purchased the manor of Stanford-on-Avon, a former monastic property situated in the south of the county near to Lutterworth.<sup>5</sup> The family prospered over the next two centuries and by the end of the seventeenth were among the wealthiest gentry families in the county, a fact Sir Roger proclaimed with the rebuilding of Stanford Hall in 1697.<sup>6</sup> Sir Thomas' grandfather had been a fervent supporter of Charles I and, in return, was rewarded with a knighthood in 1641 followed by the baronetcy.<sup>7</sup> His father joined Princess Anne in Nottingham in 1688 but, true to his convictions, Sir Roger voted in the Convention against declaring the throne vacant.<sup>8</sup> Sir Roger married twice, first in 1676, to Martha, daughter of John Browne, for twenty years Clerk of Parliament and for the second time, in 1691 to Mary Bromley, a sister of William Bromley.<sup>9</sup> As a result, his eldest son, Thomas, born in 1680, grew up familiar with the political world but his personal pleasure lay in living the life of a country gentleman.

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<sup>4</sup> S. Whyman, *Sociability and Power in Late-Stuart England: The Cultural Worlds of the Verneys, 1660-1720* (Oxford, 1999).

<sup>5</sup> J. Nichols, *History of the Families and Antiquities of Leicestershire* (1795-1814), IV.350-3.

<sup>6</sup> N. Pevsner, E. Williamson and G.K. Brandwood, *Buildings of England: Leicestershire* (1984), pp.384-6.

<sup>7</sup> G. E. Cokayne (ed.), *Complete Baronetage* (1900-06), II.93-4.

<sup>8</sup> B. D. Henning (ed.), *History of Parliament: House of Commons, 1660-1690* 3 vols. (1983), I.33.

<sup>9</sup> William Bromley was Speaker of the Commons from 1710-13 and Secretary of State from 1713-14.: see above p.328 n.198.

Part 1: The Commission of the Peace and the militia 1708-1714

I

Partisan remodelling of the commissions of the peace reached new levels during this period when the balance of political power swung away from the tories in 1705-6 and back decisively to the tories in 1710. At the end of 1705 Lord Cowper replaced Sir Nathan Wright as lord keeper and subsequently, in 1710, lost his place to the tory Sir Simon Harcourt.<sup>10</sup> After George I came to the throne, Cowper was recalled for his second term as lord chancellor. In 1715, Cowper wrote a memorandum for the new king in which he attempted to justify his actions in his first term in office, claiming that his principal objective was to improve the quality of the magistracy.<sup>11</sup> In reality, the alterations both he and Harcourt made between 1705 and 1715 significantly tilted the political balance of the commissions, first one-way and then the other. The changes that took place in Leicestershire's commission in these ten years amply demonstrate this turbulence.<sup>12</sup>

One sign of whig recovery was Rutland's return to the lord lieutenancy in 1706 in place of Denbigh.<sup>13</sup> However, it is not clear what influence, if any, Rutland had in Cowper's first remodelling of the county commission in 1707. Commenting on the national picture, Glassey considered that Cowper was not unduly influenced by political considerations at this stage, although he did

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<sup>10</sup> L J. K. Glassey, *Politics and the Appointment of the Justices of the Peace 1675-1720* (Oxford 1979), pp.168, 171-2, 200, 235-7.

<sup>11</sup> Herts. R.O., *Panshanger MSS*, D/ EP Fl 52; Glassey, *Appointment of Justices*, pp.172-3.

<sup>12</sup> See below, Table 5, pp.434-40.

<sup>13</sup> *H.M.C. Rutland*, II.184, 23 Apr. 1706, Marchioness of Granby to Rutland; PRO C231/9 f.144, I July 1706, see below, Appendix 1, 406.

concede that the tories suffered more in Leicestershire.<sup>14</sup> Seen from a local perspective, the changes appear draconian.<sup>15</sup> Ten working justices were left off and ten others added, together with two local peers, the earl of Gainsborough and Lord Rockingham. Those left out can all be identified as tories, seven of whom had been brought into the commission during Wright's time in office. It included Sir Thomas Cave and Francis Munday, both of whom stood as tory candidates in elections during the next decade.<sup>16</sup> Other tories to lose their places were Sir John Chester, William Boothby of Potters Marston, Thomas Boothby of Tooley Park, Charles Jennens, a close friend of Thomas Coke, Richard Lister junior, Roger Rooe, who had been reinstated by Wright after he lost his place in 1697, Henry Firebrace and, for the second time, Sir Wolstan Dixie. Two years later, Cowper removed Captain Henry Tate, an active tory campaigner in the county, and Samuel Bracebridge of Lindley Hall, who was tory MP for Tamworth from 1710. By contrast, Cowper's new appointments show a distinct bias towards whigs with the recall of men like Lawrence Carter, Thomas Caldecotte, Thomas Charnells and the inclusion of John Rogers, the whig archdeacon of Leicester.<sup>17</sup> These alterations look like a determined effort both to reverse the tory gains under Wright and to strengthen the presence of whigs on the bench, an unambiguous reflection of the shift of power at the centre.

Only minor changes were made in Leicestershire's commission of the peace during the remainder of Cowper's time in office. Although Cowper survived in office with Harley's support longer than most of his whig colleagues, eventually he was dismissed in September 1710 and was replaced a month later

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<sup>14</sup> Glassey, *Appointment of Justices*, p.180.

<sup>15</sup> See below, Table 5, pp.434-40.

<sup>16</sup> E. Cruickshanks, S. N. Handley and D. W. Hayton (eds.), *History of Parliament: House of Commons, 1690-1715* 5 vols. (Cambridge, 2002), III.489-91, and *H.o.P. 1715-54*, I.280.

<sup>17</sup> J. H. Pruett, *The Parish Clergy under the Later Stuarts: the Leicestershire experience* (Chicago, 1978), pp.162-8.

by Sir Simon Harcourt.<sup>18</sup> Harcourt was an influential figure in a highly partisan administration that enjoyed a large parliamentary majority from October 1710.<sup>19</sup> The scale and pace of the changes he initiated far exceeded Cowper's efforts.

In two fiats issued in 1711, Harcourt added twenty-nine to the Leicestershire commission.<sup>20</sup> Some of these were replacements for former justices who had died but included eight tories whom Cowper had turned out in 1707. Among the remainder were two more prominent tories, Sir Nathan Wright, the former lord keeper, and Sir Justinian Isham, MP for Northamptonshire since 1698 and an owner of property in Leicestershire.<sup>21</sup> The fact that fifteen of these new appointments subsequently lost their places in the alterations made by a whig administration in 1715 lends further support to the argument that this was a partisan operation.

A comparison between the commission of 1712 and that issued for the county in August 1689 illustrates the extent of Harcourt's changes.<sup>22</sup> Although several whigs, such as George Ashby and Thomas Pochin, who had served continuously throughout the two intervening decades, were retained in 1712, five men, all identifiable as whigs from other contexts, Thomas Byrd, William Hartopp, Thomas Hartopp, Matthew Simmonds and Issac Wollaston, were dropped from the Commission.<sup>23</sup> Despite these removals, the addition of such a large contingency of tories took the size of the 1712 Commission to 73. This was 24 more than in the 1689 Commission. If the annotations Rutland made on a list

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<sup>18</sup> Glassey, *Appointment of Justices*, pp.193-9.

<sup>19</sup> *Ibid.*, pp.200-28, esp.p.202-8.

<sup>20</sup> See below, Table 5, pp.434-40.

<sup>21</sup> *H.o.P. 1690-1715*, IV.638-9, 'Sir Justinian Isham'

<sup>22</sup> See below, Table I, pp.411-17 and Table 5, pp.434-40.

<sup>23</sup> Thomas Byrd was the son of William Byrd of Claybrooke, who died in 1705.

in 1714 are to be believed, Harcourt may have been forced to draw on a wider social pool than had been the previous practice.<sup>24</sup>

As with Cowper's remodelling, there is no specific evidence to establish what account Harcourt took of local opinion. Rutland died in January before the fiats were issued, leaving a vacancy in the lord lieutenancy. He was replaced by Denbigh but not until September, too late for the latter to influence these decisions in his official capacity.<sup>25</sup> On the other hand, given the active role that Denbigh and particularly Sir George Beaumont played in the Leicestershire by-election later in the year, it is reasonable to assume they used their contacts in London to advise on the composition of the commission. Following his appointment as lord lieutenant, Denbigh submitted a list of twenty-one deputy lieutenants, which received Dartmouth's approval on 12 July 1712. Like the contemporary commission of the peace, tories dominated the appointments made in the militia. However, except for references to the lieutenancy, there are no items relating to Leicestershire in the relevant Entry Book between 1703 and 1712, so it is not possible to see what changes, if any, occurred during the intervening years. A comparison between the 1712 list and the earlier one in 1703 shows only marginal changes, which is not surprising because Denbigh was lord lieutenant on both occasions. Twelve of those named in 1703 were commissioned in 1712 (or had taken the place of a deceased father). All these were identifiable tories. No place was found for whigs, such as George Ashby or Thomas Byrd. In a slightly longer list, commissions were offered in 1712 to nine men with sound tory credentials. Both the appointments in the militia and in the magistracy demonstrate how the tories in the county were strengthening their

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<sup>24</sup> Herts. R.O., *Panshanger MSS.*, D/EP F153 [Sept.-Dec.] 1714, Rutland's recommendations to Cowper.

<sup>25</sup> P.R.O., C/231/9 f.240.

grip on local administration. But as the record of elections in the county shows, the whigs were prepared to counter tory domination with strong resistance.

## II

Within six months of the 1707 by-election, the county was engaged in a general election in May 1708 as required under the Triennial Act. Initially Rutland was keen for his son to stand but, despite Thomas Sawbridge's exhortation, the marquis decided to stay with Grantham.<sup>26</sup> The whigs put forward George Ashby and Sir Gilbert Pickering. Sir Gilbert was a substantial landowner with property both in Northamptonshire and Leicestershire. His marriage to a Bedfordshire heiress in 1691 brought him a considerable fortune. Until 1703, he lived at West Langton in the south east of the county but, on his father's death, he inherited the family estate at Titchmarsh on the other side of the River Welland. Opposed to Sir Gilbert and Ashby were two tory candidates, Geoffrey Palmer from the southeast of the county and Henry Tate from the northwest, near to Loughborough. Palmer had stood in the 1707 by-election but Tate had no experience of running in an election. However, Tate's correspondence with Coke in 1700-1 shows that, as a tory, he took an active interest in local politics.<sup>27</sup> Although no account has survived of the campaign, it was probably a close contest with only 175 votes separating the four candidates. Geoffrey Palmer came first with 2,494 votes, Sir Gilbert second with 2,441 and Tate and Ashby slightly behind with 2,400 and 2,319 respectively.<sup>28</sup> Ashby appealed against the result, accusing Palmer of obtaining votes 'by bribes, menaces, threats and other

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<sup>26</sup> Belvoir Castle, *Rutland MSS.*, XXI, 3 Mar. 1708, Sawbridge to Lady Granby [Thomas Sawbridge was both a chaplain and a political agent for the Rutlands]; B.L., *Claydon House Letters*, M/636/53, 29 Feb. and 5 Apr. 1708, Cave to Fermanagh; *H.o.P. 1690-1715*, II.349-50.

<sup>27</sup> B.L., *Add. MSS.* 699387 f.157, 24 July 1700 and *ibid.*, 69946 f.63, 25 Nov 1701; see above, p.291 n.45.

<sup>28</sup> R.O.L.L.R., *Braye Mss.* 23D57 [Pt. II] 2990, Election results, 20 May 1708. Identical figures from *Bean's Notebooks* are quoted in *H.o.P. 1690-1715*, p.347.

indirect practices...in manifest wrong of the petitioners' but his petition came to nothing.<sup>29</sup> The result again confirmed that the county electorate was firmly split along party lines. Nationally, the whigs improved their position with 268 seats in the Commons to the tories 225 and during the course of the parliament ruthlessly strengthened their control.<sup>30</sup>

### III

During the early years of Anne's reign, under the joint leadership of Godolphin and Marlborough, the administration built up a reputation for sound economic management and military success.<sup>31</sup> However, by the end of the decade the cost of sustaining the war against France was creating political and social tensions at home. So long as the government was able to demonstrate military success, criticism was muted, but when conditions changed, there was increasing disquiet about the conduct and purpose of the war and mounting criticism of the government. By the summer of 1710, Anne was persuaded that a negotiated settlement with France would be preferable to maintaining the military campaign. Increasingly, she was taking advice from Robert Harley who, like the queen, believed the time had come to reach an accommodation with Louis XIV. The problem facing the queen was whether she could bring about this change of policy without a change of ministers.

It was a religious issue, which finally undermined confidence in the whig administration. In early November 1709, Dr. Sacheverell preached his provocative sermon, proclaiming that under the present regime the 'Church was in Danger'. The government was so incensed that they decided to initiate impeachment proceedings against Sacheverell. This high profile case aroused a

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<sup>29</sup> T. Carew, *An Historical Account of the Rights of Elections* 2 vols. (1855), 1.320.

<sup>30</sup> *H.o.P. 1690-1715*, I.227-9.

<sup>31</sup> See above, p.314 n.136.

great deal of public interest not only at Westminster but across the whole country. Petitions flooded into parliament, the majority in favour of Sacheverell and strongly opposed to the impeachment. Harley advised the queen both to consider reconstituting her administration and to take the bold step of dissolving parliament, even though it had another year to run. With great reluctance she dropped Godolphin and replaced him as lord treasurer with a board of commissioners in which Harley, newly appointed as chancellor of the exchequer, was to play an influential role. On 21 September, without consulting her ministers, Anne dissolved parliament and called for fresh elections.

Notwithstanding the controversies that were swirling around nationally, the 1710 election in Leicestershire appears to have been settled amicably at a meeting of the gentry in July. The agreement, which appears to have been brokered by Earl Ferrers, was that the meeting should accept Lord Manners' offer to stand again as one of the knights of the shire, leaving the gentry to choose the second representative.<sup>32</sup> Elizabeth Coke commended this solution as the best way to preserve unity.<sup>33</sup> Sawbridge expressed the same sentiments, 'truly I find all people of all parties are mightily glad that matters are thus accommodated'. As Manners' political agent, he was probably very relieved that this compromise would spare the Rutland interest another damaging defeat.<sup>34</sup> In the context of the partisan politics of the time, this agreement appears to hark back to a past, when, in Kishlansky's opinion, the ideal was to arrive at such a decision through consensus rather than conflict.<sup>35</sup> To appeal to tory voters, the gentry chose Geoffrey Palmer. The agreement held and Manners and Palmer

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<sup>32</sup> *H.o.P. 1690-1715*, II.350; *H.M.C. Portland*, IV.571-2, Monckton to Harley. John Manners, Lord Roos, became Marquis of Granby on his father's elevation to the dukedom in 1703.

<sup>33</sup> *H.M.C. Cowper*, III.87, 26 June 1710, Elizabeth Coke to Thomas Coke.

<sup>34</sup> Belvoir Castle, *Rutland MSS.*, XXI, 12 July 1710, Sawbridge to Lady Granby.

<sup>35</sup> M. A. Kishlansky, *Parliamentary Selection: Social and Political Choice in Early Modern England* (Cambridge, 1986), pp. 225-30.

were returned unopposed. The arrangement was short-lived, for Manners was summoned to the Lords as second duke of Rutland, following the death of his father on 10 January 1711.<sup>36</sup>

In the national election, the tories reversed the whig majority in the last parliament by winning 329 seats to the 168 seats secured by the whigs, even before appeals were heard.<sup>37</sup> Notwithstanding, Harley advised the queen to appoint a ministry that reflected the views of moderates. His main priorities were to put public finance on a more secure footing and to take steps to bring the war to an end. In September 1710, the government opened up confidential unilateral negotiations with France. Although Harley could expect support for his initiative from the tory majority in the Commons, he faced considerable opposition both from the whigs, and their friends in the City and from Britain's continental allies. But with the queen's support and the backing of the Commons, Harley was in a sufficiently strong position in 1711 to withstand this opposition.

However many tory MPs were far from happy about Harley's policy of maintaining a balanced administration. Among the 189 new members were a substantial number of tory extremists, who had been elected on the back of the emotions stirred by Dr. Sacheverell's trial. Soon after parliament opened, a number of these tories met at the Fountain Tavern to prepare for the first session. Out of this grew the October Club, which met weekly to debate policy and to determine how to force the government to accept their programme. According to Peter Wentworth, their declared intention was 'to have every Whig turned out, and not to suffer the New Ministry shou'd shake hands as they see they do with

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<sup>36</sup> G.E.C., *Complete Peerage*, XI.266. The first duke was aged 72 at his death.

<sup>37</sup> *H.o.P. 1690-1715*, 1.230.

the old'.<sup>38</sup> They attempted to introduce a range of measures during the first session that reflected long-standing 'country' policies to curb the power of the executive.<sup>39</sup> The administration, therefore, faced a curious combination of opposition from the whigs, a considerable body of tories within the Commons and some tory grandees in the Lords who disliked Harley's policies. There were growing tensions within the administration, as relations deteriorated between Harley and his younger colleague Henry St. John, who increasingly identified himself with the tory extremists. The publication of newspapers, prints and pamphlets, such as Swift's 'Conduct of the Allies', ensured that these issues were aired with an audience beyond Westminster.

## Part 2: The by-election of 1711 and the general election of 1713

### 1

The by-election in Leicestershire, caused by Manners' elevation to the Lords, was arranged for 22 February 1711.<sup>40</sup> Geoffrey Palmer may have decided for financial reasons not to stand. Henry Tate was quick to declare his intention. This prompted John Wilkins, who, according to Geoffrey Palmer, hated Tate, to rally tory interests behind a new contender, Sir Thomas Cave. His name had been put forward by Cave's friend and neighbour, the earl of Denbigh.<sup>41</sup> Wilkins assured Cave that 'with good management' they could secure the support of the new duke of Rutland. He was also convinced that Tate would withdraw as soon

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<sup>38</sup> *Wentworth Papers*, p.180, 20 Feb. 1711, Wentworth to Raby, quoted by H. T. Dickinson, 'The October Club', *Hunt. Lib. Quart.*, vol. XXXIII (1970), 155. At its height in 1711 the October Club attracted over 150 members.

<sup>39</sup> According to Jonathan Swift, Sir George Beaumont was a member of the October Club until he became disillusioned, Bodl. Libr. *MSS. Rawlinson A 286 f.39* and Holmes, *British Politics*, p.509, n.60.

<sup>40</sup> *H.o.P. 1690-1715*, II.350.

<sup>41</sup> R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2845, 6 Feb. 1711, Denbigh to Cave; 2857, 10 Feb. 1711, Palmer to Cave; 2843, 5 Feb. 1711, Wilkins to Cave; Northants. R.O., *Isham Corres.* IC2785, 1 Feb. 1711, Benson to Sir Justinian Isham.

as Cave made his intention public. In the event, Tate delayed announcing his withdrawal until five days before the poll.<sup>42</sup>

Sir Thomas received further encouragement from a friend in London and from Samuel Bracebridge, who thought it would be fatal for the 'Church Interest' should Sir Thomas refuse to stand.<sup>43</sup> On 6 February, Sir Thomas received a request, signed by an impressive list of 23 tory aristocrats and gentry with interests in the county, asking him to stand as knight of the shire and assuring him of their support.<sup>44</sup> Twelve of these signatories also signed a declaration affirming that 'Cave is a Gentleman with an estate of about £4000 a year and would be fit to serve the county'.<sup>45</sup> At last Sir Thomas relented and Wilkins busied himself on Cave's behalf soliciting the gentry for their support. He urged Sir Thomas to work hard on his side of the county, especially in the Harborough area.<sup>46</sup>

The tories were now alarmed at the prospect of two tory candidates competing for votes.<sup>47</sup> Sir John Chester and eleven other gentlemen signed a letter assuring Sir Thomas that Tate was ready to stand down, but were emphatic that Cave should first declare his candidature.<sup>48</sup> A public declaration was required to dispel rumours that talk of Cave's candidature was a whig ruse 'to make divisions among ourselves that a Whig may be let in'. Sir Thomas was

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<sup>42</sup> B.L., *Claydon House Letters*, M11/54, 19 Feb. 1711, Lady Cave to Fermanagh.

<sup>43</sup> R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2844, 6 Feb. 1711, R. C[larke (?)] to Cave'; 2850, 6 Feb. 1711, Bracebridge to Cave. Samuel Bracebridge was a tory MP for Tamworth from 1710-23, *H.o.P. 1690-1715*, III.306-7 and *H.o.P. 1715-54*, I.481. He lived at Lindley Hall, in the south-west of the county.

<sup>44</sup> *Ibid.*, 2845-9, 6 Feb. 1711, Denbigh to Cave; Nichols, *Hist. Leics.* III.353.

<sup>45</sup> R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2848-49, 6 Feb. 1711.

<sup>46</sup> *Ibid.*, 2851, a and b, n/d and 7 Feb. 1711; 2852 n/d [? 7-9 Feb. 1711].

<sup>47</sup> Northants. R.O. *Isham Corres.* IC2431, 17 Feb. 1711, Sir Justinian Isham in London to Justinian Isham.

<sup>48</sup> R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2853, n/d [prob. 6/7 Feb. 1711].

concerned about Tate's continuing prevarication, 'I must confess t'would be unhappy to have the Church Interest once divided, which would be difficult to Unite'.<sup>49</sup> When Tate eventually withdrew, on 17 February, Sir Thomas strongly refuted allegations that he had paid Tate. Tate issued an equally vigorous declaration explaining the reasons for his action.<sup>50</sup>

Sir Thomas' campaign continued to gain strength with his wife's support.<sup>51</sup> On 16 February, Lady Cave informed her husband that she had heard that Mr Wilkins had secured Rutland's support but prudently advised Sir Thomas to check personally that Wilkins' information was accurate.<sup>52</sup> There was still concern that the whigs might put up Sir Gilbert Pickering or George Ashby as a candidate. Geoffrey Palmer had already advised Sir Thomas:-

You must ply Gartree hundred. Many of them go to Conventicles and their inclinations will lead them in that way. You need not question the gentry and the clergy in that hundred. I have by this post written to many of the best freeholders on your behalf they were my friends that I have desired they will be yours.

He recommended Cave to write to Mr Bletsoe of Great Bowden 'a gentleman of fortune and interests in the neighbourhood' and Mr Roberts and the Parson of Langton all three of whom would support Cave, but warned him to 'be careful of

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<sup>49</sup> *Verney Letters*, I.323-4, 11 Feb. 1711, Cave to Fermanagh.

<sup>50</sup> R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2870, 17 Feb. 1711, Declaration by Henry Tate; 2871, 17 Feb. 1711, Declaration by Cave; 2872, n/d, Circular letter. Centre for Bucks. Studies, *Claydon House Letters*, M11/ 54, 19 Feb. 1711, Lady Cave to Fermanagh.

<sup>51</sup> Northants. R.O. *Isham Corres.* IC2785, 1 Feb. 1711, Benson to Sir Justinian Isham and IC1715, 17 Feb. 1711, Lady Isham to Sir Justinian Isham; *Verney Letters*, I.323-4, 11 Feb. 1711, Cave to Fermanagh.

<sup>52</sup> R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2867, 16 Feb. 1711, Lady Cave to Cave; 2865, n/d, Francis Wilkins to Cave confirming Rutland's support.

their neighbours, since this is Sir Gilbert Pickering's parish'. Palmer also advised him to contact Medbourne, Hallaton and other villages in that area, 'where there are numerous freeholders'.<sup>53</sup>

Letters of support came from several peers and gentlemen in the county.<sup>54</sup> From Norton, in Northamptonshire, Mr. Breton gave Cave detailed advice about how to secure out-county votes but apologised that he was unable to give his personal support since he was already pledged to Sir Gilbert should he decide to stand.<sup>55</sup> Sir George Beaumont warned him not to make use of Earl Ferrers' name since the earl had already given his backing to Tate.<sup>56</sup> By 19 February, Lady Cave informed her father that, 'Sir Thomas having made many good friends, at the Markets, which he attended constantly the last week, met with great encouragement and contrary to all former imaginations, Dissenters of all kinds readily complied or made offers of their Service: that t'was an unaccountable jumble, or union of interests'.<sup>57</sup> This robust campaign paid off, for Sir Thomas was elected without a contest. On 22 February 1711, he informed his father-in-law that 'this day [I] had the honour of riding in the Curuli [sic] very peaceably.... I had a good appearance of both gentry and clergy, among the first were Sir Wolfstan Dixie and Sir John Chester'.<sup>58</sup> Sir Thomas let little time elapse

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<sup>53</sup> Ibid., 2857, 10 Feb. 1711, Palmer to Cave. Compare to Hardinge's advice in Dec. 1701, see above, p. 302-3

<sup>54</sup> Ibid., 2868, 17 Feb. 1711 from Nottingham, 2869, 9 Feb. from Denbigh, 2861, 11 Feb. from Nathan Wright, 2859, 10 Feb. from Sir William Broughton, 2862, 11 Feb. from Sir Richard Halford, 2873, 17 Feb. from Thomas Hungerford, 2860 11 Feb. from Jonathan Shepherd, 2865, n/d from Francis Wilkins.

<sup>55</sup> Ibid., 2863, 12 Feb. 1711.

<sup>56</sup> Ibid., 2864, 14 Feb. 1711.

<sup>57</sup> Centre for Bucks. Studies, *Claydon House Letters*, M11/54, 19 Feb. 1711.

<sup>58</sup> *Verney Letters*, I.324, 22 Feb. 1711, Cave to Fermanagh. 'Curuli', presumably an orthographic error for 'curule', a latin term for a magistrates' chair: hence the 'chairing' used to celebrate an election victory.

before he took up his seat in the Commons and Lady Cave followed him to London a few days later.<sup>59</sup>

Sir Thomas found the atmosphere of London uncongenial.<sup>60</sup> Though a critic of the former whig administration, he does not appear to have associated with those extreme tories who were putting pressure on Harley. In one of his letters to his father-in-law, Sir Thomas reflected the prevailing frustration of the country gentlemen at the prolongation of the costly war. Otherwise, his correspondence reveals little more than an observer's interest in the politics of Westminster. The government had successfully advanced the peace negotiations with the French to the point where a treaty was signed at Utrecht in March 1713. Although considerable advantages accrued to England from this treaty, the peace settlement was received with suspicion, especially from a section of the tory party, who were opposed to the commercial concessions given to the French. The queen's deteriorating health also meant that the succession once again became a live issue in national politics. The whigs did their utmost to exploit divisions within the government and in the rank and file of the party on both these issues and concerns about the succession.

## II

Under the three-year rule parliament, was dissolved in July 1713 and writs issued for new elections. The successful conclusion of the peace negotiations with France and all that implied for reducing the economic burden of war worked to the benefit of the existing administration, although there were concerns about the effect divisions among the tories might have on the outcome.

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<sup>59</sup> *Verney Letters*, II.324, 9 Apr. 1711, Lady Cave to Fermanagh.

<sup>60</sup> *H.o.P. 1690-1715*, III.490.

Sir Thomas Cave stood again as a candidate in Leicestershire and was joined by Lord Tamworth, the twenty-year-old grandson of Earl Ferrers.<sup>61</sup> Sir Thomas was concerned about a rumour that Lord Sherard and Sir Gilbert Pickering might stand but hoped that nothing would come of it.<sup>62</sup> In the event, no other candidate came forward. The whigs may have felt this was one election they could not win, notwithstanding the time they had to prepare the ground and experienced campaigners to draw upon. Two years later, Sir George Beaumont suggested another explanation. He reminded Sir Thomas how ‘...some friends of yours got a little money out of Lord Tamworth and with that and more of their own, so ply’d ‘em that they gave up all hopes of success and let you be chosen without opposition’.<sup>63</sup> Whether or not this action was as decisive as Sir George believed, Lord Tamworth and Sir Thomas were returned unopposed on 13 September.<sup>64</sup> A year later, Lord Tamworth died of small-pox and Sir Geoffrey Palmer (as he had now become following the death of his father a few months previously) was returned as the successful candidate in the resulting by-election.<sup>65</sup>

### III

In the borough, Sir George Beaumont and James Winstanley were returned for the fifth time but not without opposition. A report in 1708 that a whig contender was garnering votes in the town had caused the two men a moment of anxiety but, in 1713, the opposition was coming from a different direction and

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<sup>61</sup> Ibid., II.350; Northants. R.O., *Isham Corres.*, IC1746, 20 Jan. 1713, Justinian Isham to Sir Justinian Isham, relaying information from Sir Geo. Beaumont in London; *Verney Letters*, I.245, 26 Jan. 1713 Cave to Fermanagh; G. E. C. *Complete Peerage*, V.331-2 and *H.o.P. 1690-1715*, V.471, ‘Robert Shirley, Lord Tamworth’.

<sup>62</sup> *Verney Letters*, I.245, 26 Jan. 1713, Cave to Fermanagh.

<sup>63</sup> R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2890, n/d Oct. 1714.

<sup>64</sup> *H.o.P. 1690-1715*, II.350; *Verney Letters*, I.245, 8 Feb. 1713, Lady Cave to Fermanagh.

<sup>65</sup> Northants R.O., *Isham Corres.*, IC1799, 10 July 1714, Vere Isham to Justinian Isham.

reflected the divisions among Tories over the commercial treaty.<sup>66</sup> As someone holding office in Oxford's administration, Sir George Beaumont was a target for those Tories who objected to the treaty. Henry Tate and Thomas Noble decided to challenge the two sitting MPs. The immediate response of the Corporation, probably at Beaumont and Winstanley's request, was to appoint more freemen. One hundred and eleven were enrolled in the three days leading up to the election, following Tate's last minute decision to enter the contest.<sup>67</sup> However Sir George succeeded in persuading Tate to withdraw before the matter came to a poll and the two serving MPs were re-elected.<sup>68</sup> Nationally the election was a triumph for the Tories and a disaster for the Whigs. Hayton has calculated that the Tories won 354 seats compared to 148 to the Whigs with 11 unclassified.<sup>69</sup>

#### IV

Because of the queen's indisposition and disagreements between ministers about tactics, parliament did not meet until 16 February 1714, when Sir Thomas Hamner was elected as Speaker.<sup>70</sup> The session then went into a semi-recess for two weeks in order to give Anne further recovery time before the official opening. A year earlier, Sir Thomas had commented how the queen's illness had left the Whigs 'very uppish' and the Tories 'dejected, of which they had sufficient reason'.<sup>71</sup> He was very relieved when the queen recovered, because of 'the ill Consequences of her Death & what Confusion it must have created, while affairs are so unsettled'. Her renewed bout of illness created similar

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<sup>66</sup> J. Hoppit, *A Land of Liberty? England, 1689-1727* (Oxford, 2000), pp.300-6

<sup>67</sup> See below, Appendix 2, p.407.

<sup>68</sup> Bodl. *Carte* 127 f. 441; Ballard 18 ff.49-50. Sir George's official appointments (Commissioner of Privy Seal 1711-12 and Ld. of Admiralty 1714) required that he had to apply for re-election in Jan. 1712 and in Apr. 1714: on both occasions he was returned unopposed.

<sup>69</sup> *H.o.P. 1690-1715*, I.232.

<sup>70</sup> Hoppit, *Land of Liberty?*, pp.306-11; E. Gregg, *Queen Anne* (1980), pp.374-95 and E. Cruickshanks, 'The Tories and the Succession to the Crown in the 1714 Parliament', *B.I.H.R.* 46 (1973), 176-85.

<sup>71</sup> *Verney Letters*, I.244-5, 16 Jan 1713, Cave to Fermanagh.

uncertainty in 1714. Lord Fermanagh was also ill: Sir Thomas regretted his absence 'for assuredly there was never more need of every Individual Member elected' for 'The Whigs are very troublesome'.<sup>72</sup> A week later, he complained about '... the excessive hurry and fatigue I have undergone by a continual close attendance of the House'. He had nothing but contempt for whigs. It is 'really monstrous to see what lies and impossibilities they suggest to us; I can equal their practices at the best to nothing but the Snake in the Grass'.<sup>73</sup> He was nevertheless hopeful that the government would soon be back in control and looked forward to the end of the session. His optimism was premature.

The lord treasurer was hopeful that his personal standing with the queen and the substantial majority the tories had in the Commons would ease the government's business: six months later the government was losing control. The tories were divided over the succession, some favouring the Hanoverians, others the Jacobites. Despite her refusal to allow the Hanoverians to take up residence in England during her lifetime, Anne never wavered from her commitment to the Act of Settlement. Moreover, an unequivocal statement from James that he had no intention of giving up his faith killed any hopes of a peaceful jacobite succession.<sup>74</sup> The whigs used every device to exploit the situation. Richard Steele was expelled from the Commons on 20 March for accusing ministers of Jacobite sympathies, showing how sensitive the government was to such accusations.<sup>75</sup> Early in April, they felt compelled to introduce a motion into the Lords insisting that the Protestant succession was not in danger. This was only carried by a

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<sup>72</sup> Ibid., I.246, 17 Apr. 1714, Cave to Fermanagh.

<sup>73</sup> Ibid., I.246, 24 Apr. 1714, Cave to Fermanagh.

<sup>74</sup> Cruickshanks, 'Tories and Succession', 178; Gregg, *Queen Anne*, pp.376-7; J. MacPherson, *Original Papers* 2 vols. (1775), II 525-6.

<sup>75</sup> J. A. Downie, *Robert Harley and the Press: propaganda and public opinion in the age of Swift and Defoe* (Cambridge, 1979), pp.178-81.

narrow margin.<sup>76</sup> Such was the level of strife that both the French and Hanoverian ambassadors reported their belief that civil war seemed inevitable.<sup>77</sup>

Relations between the queen and Oxford were strained as he continued to press her to allow the duke of Cambridge – the future George I – to be allowed to take his place in the Lords. Sir Thomas, like many of his contemporaries, found it difficult to fathom the lord treasurer's mind, deferring to his father-in-law's ability 'well enough to digest his dark speeches'.<sup>78</sup> By June, Sir Thomas had extracted himself from what he called the 'Westminster Hell' for 'another mouthful of agreeable Leicestershire air'.<sup>79</sup> Despite Sir Thomas's concern that he would receive an urgent summons from Sir George Beaumont, none came before the session ended and he immersed himself with zest in the pleasures of the countryside.<sup>80</sup> He did his best to keep up with events at Westminster, where the passage of the Schism bill was again creating divisions among the Tories.<sup>81</sup> In order to protect Bolingbroke from further attacks on the Spanish commercial treaty, Parliament was prorogued on 9 July. Oxford's authority was progressively weakened as he came under attack from all sides. On 27 July, Anne decided she had had enough of Oxford's intrigues and dismissed him.<sup>82</sup>

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<sup>76</sup> Gregg, *Queen Anne*, p.380.

<sup>77</sup> Ibid., p.380 n.143 and Cruickshanks, 'Tories and Succession', p.176, quoting P.R.O, 31/3/202 ff.60-2, 17 April 1714, d'Iberville to Louis XIV: B.L. Stowe 226 f.110 and f. 394, 9/20 Apr. 1714, Scultz to Robethon.

<sup>78</sup> *Verney Letters*, I.246-8, 27 Apr. 1714 and 11 May 1714, both Cave to Fermanagh.

<sup>79</sup> Ibid., I.248, 7 June 1714, Cave to Fermanagh and 6 June 1714, Cave to Ralph Verney.

<sup>80</sup> Ibid., I.250, 26 June 1714, Cave to Ralph Verney.

<sup>81</sup> Ibid., I.248, 7 June 1714, Cave to Fermanagh.

<sup>82</sup> Gregg, *Queen Anne*, pp.387-92.

Part 3: The Hanoverian succession and the Leicestershire election of 1715

I

After another brief illness, Anne died on 1 August 1714. The privy council took immediate military precautions, brought Hanoverian representatives into their discussions and requested the elector to come to England. The new king's proclamation passed off without incident. Parliament was recalled but was prorogued three weeks later and did not meet again before its dissolution in January 1715.<sup>83</sup> George I's accession came at an inauspicious time for the tories. Internal dissension among both the rank and file and the leadership had gravely weakened the party. Oxford's dismissal was a major set-back and Bolingbroke was thought to be too close to the jacobites for comfort. George I had already taken against the former tory ministers for their part in promoting peace with France, which he saw against the interests of Hanover. When his attempts to persuade pro-Hanoverian tories like Sir Thomas Hanmer and William Bromley to accept office failed, he had no alternative but to turn to the whigs. For the first time in two decades the royal administration was drawn from one faction.

II

The whigs took full advantage of this situation to consolidate their position. During the last months of 1714, the government carried out a thorough purge of offices in the royal household, the lord lieutenancies, the revenue departments, military posts, legal offices and lesser places throughout the land.<sup>84</sup> Lord Carnarvon complained that 'Hardly one Tory is left in any place though

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<sup>83</sup> R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2877, 3 Aug. 1714.

<sup>84</sup> Glassey, *Appointment of Justices*, pp.235-52; B. W. Hill, *The Growth of Parliamentary Parties* (1976), pp.151-3.

never so mean a one'.<sup>85</sup> Sir Thomas reported how 'the Whigs daily purge the House of honest men' and said he had heard a rumour that the earl of Stamford would take Lord Abingdon's place and Lawrence Carter would be made a solicitor.<sup>86</sup>

On 11 September 1714, the duke of Rutland was appointed lord lieutenant of Leicestershire in place of Denbigh.<sup>87</sup> For the second time, Cowper took over the office of lord chancellor and immediately embarked on a review of the commissions of the peace.<sup>88</sup> During this review, Rutland was asked for his comments. He recommended a large number of changes, the majority of which were included in the Commission issued on 4 Jan. 1715.<sup>89</sup> Thirty-one justices were left off, including 18 who had been added by Harcourt. Seventeen were added: seven of these were restorations of former justices but nine were new, including two baronets from neighbouring counties, Sir Thomas Parkyns and Sir James Robinson. There can be no doubt about the objective. It was to increase the number of whigs on the bench and reduce the number of tories, notwithstanding the reasons Rutland gave in making his recommendations. However, several prominent tories, including Sir Thomas Cave, Sir John Chester and Henry Tate, remained in office. Cave was not so fortunate in the militia. He was dismissed from his deputy lieutenancy along with at least eleven others who can be identified as tories, including Sir George Beaumont, James Winstanley, Geoffrey Johnson and Sir John Chester. Their places were filled by whigs,

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<sup>85</sup> Quoted by W. A. Speck, 'The General Election of 1715', *E.H.R.* 90 (1975), 507; Northants R. O., *Isham Corres.* IC1810-11, 7 and 11 Dec. 1714, Justinian to Sir Justinian Isham and Sir Justinian's reply, regarding Justinian's dismissal from the Leather Office; see above pp.80-1 n.290.

<sup>86</sup> *Verney Letters*, 1.339, 18 June 1715, Cave to Fermanagh.

<sup>87</sup> P.R.O. C231/9 f.332, see below, Appendix 1, p.406.

<sup>88</sup> Glassey, *Appointment of Justices*, pp.235-52.

<sup>89</sup> R.O.L.L.R., QS1/14, see below, Table 5, pp.434-40. For Rutland's recommendations, see Herts. RO *Panshanger MSS.* D/Ep F 153 [Sept-Dec. 1714].

including George Ashby, Sir Geoffrey Pickering, Thomas Pochin and Thomas Byrd.<sup>90</sup> In addition to remodelling the militia and the commission of the peace, the government, for the first time, made significant changes in the county's commission of assessment in the interests of the whigs.<sup>91</sup> Not since 1688 had the county witnessed such a wholesale purge of local offices.

Simultaneously, the whigs launched a vigorous campaign against the tories, resorting to their well-tried tactic of using Addresses to condemn the previous government and to expose the tories as crypto-jacobites. They turned to their advantage the Pretender's claim in November 1714 that the late queen and her last ministry supported his succession as evidence of collusion between the tories and the Jacobites. By contrast, the tory response was muted. Their only substantial pamphlet was Atterbury's *Advice to a Freeholder* in which he accused the whigs of wanting to start a new war, establish a standing army, damage the Church and extend the life of parliament. Ministers turned this intemperate publication to their advantage by offering rewards for the exposure of the author and the printer. On 15 January 1715, a royal proclamation was published giving firm guidance to the electorate in calling for the return of members 'such as showed a firmness to the Protestant succession when it is most in danger'. In Hill's opinion, at last the whigs had an opportunity to fight an election on 'the issues of peace treaties and ministerial policies allegedly designed to prevent the Protestant succession'.<sup>92</sup>

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<sup>90</sup> R.O.L.L.R., LM2/4, Militia Order Book, 1715, n/d but prior to 24 Oct. 1715, List of Deputy Lieutenants; *Verney Letters*, I.341, 24 Oct.1715, Cave to Ralph Verney and I.342, 26 Oct.1715, Cave to Fermanagh; see below, Table 2.1, pp.418-21.

<sup>91</sup> B.L. *SPRMicP27* Public General Acts, 3 George I c.13 1716, pp.97-9; see, N. Landau, *The Justices of the Peace 1679-1760* (Berkeley, 1984), p.93 for a similar process in Kent.

<sup>92</sup> Hill, *Growth of Parliamentary Parties*, p.153.

### III

(i) The 1715 election in Leicestershire; the preliminaries

Only three weeks after the queen's death in August 1714, Sir George urged Denbigh to speak to Sir Thomas about the forthcoming election for 'If he does not stand we must find another quickly'. He confirmed that Ferrers was willing to support any gentleman named by Denbigh, 'So we hope that you Lords and they will pitch on one speedily.... I never knew anyway to ensure success to anybody but by beginning early to secure his Interest and preventing his Opposers'.<sup>93</sup> Sir George believed that the tories would have a majority in the new House of Commons. He was also optimistic about Leicestershire: he saw no reason why the tories should not win all four seats, although Cave's procrastination troubled him.<sup>94</sup> He urged Denbigh to put pressure on Sir Thomas to make a public declaration to end the uncertainty.<sup>95</sup> Denbigh responded immediately by sending Cave several letters, in which he referred to Sir Geoffrey's anxiety about Cave's procrastination. He said that within the last few days there had been rumours that the whig, Thomas Byrd, was considering standing. He implored him to act quickly to remove the uncertainty and assured Cave that 'if you declare immediately you will have no opposition'.<sup>96</sup>

At the beginning of September 1714, Cave at last gave way to this pressure and wrote to Rutland to ask him to endorse Sir Geoffrey Palmer and himself as candidates for the county.<sup>97</sup> Sir Geoffrey told Denbigh on 8 September that 'we shall not meet with any opposition and if we do it will be but weak. For I have sent into all parts of the country and cannot learn any faction is making any

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<sup>93</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2878, 19 Aug. 1714.

<sup>94</sup> *Ibid.*, 2880, 26 Aug. 1714, Beaumont to Cave.

<sup>95</sup> *Ibid.*, 2879, 21 Aug. 1714, Beaumont to Denbigh

<sup>96</sup> *Ibid.*, 2881, 28 Aug. 1714, 2882, 4 [Sept.] and 2883, n/d Tues. night.

<sup>97</sup> *Ibid.*, 2888, n/d, Copy of letter from Cave to Rutland.

interests'. He also reported that he had received a very kind letter from Mr. Wilkins and 'even Major Hartopp' had promised that 'he will serve us both to the utmost of his power.'<sup>98</sup> He then left for a ten-day tour in the north of England. Denbigh was still anxious about the threat of opposition. He urged Cave to 'either write or see Byrd as soon as you can. If you find him other than wavering, speak boldly to him and I'm sure you will frighten him'.<sup>99</sup> Sir George Beaumont displayed his exasperation with the candidates' dilatory approach;-

I shall be glad you may have a quiet election. Though to do your brother and you justice, you have done your parts to promote an opposition, in running out of the country and not condescending so much as to let your Countrymen know you offer your service to them. We meet with Leicestershire men daily in Town who from neglect of the former Knights of the Shire conclude they are to have new ones. It's almost impossible to convince them of it.<sup>100</sup>

For his part, Sir George pitched into action. He sent Sir Thomas names of certain influential people whom he had contacted in London on behalf of the two knights and promised that he would come down to Leicestershire as soon as he could be spared from his business in London.

Let me beg of you....not to loose time but go on to pursue your Interest as hard as you can drive ... One Guinea well bestowed now will do more than ten when your adversaries have determined on an Opposition, and agreed upon their men, to declare you. I speak this to you out of a Principle of

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<sup>98</sup> Ibid., 2884, 8 Sept. 1714, Palmer to Denbigh.

<sup>99</sup> Ibid., 2885, 11 Sept. 1714, Denbigh to Cave.

<sup>100</sup> Ibid., 2886, 10 Sept. 1714, Beaumont to Cave.

saving money for a much less charge beforehand timely applied will prevent a poll than can support one when it is begun.<sup>101</sup>

He advised Sir Thomas to seek the advice of Wilkins and Winstanley for 'There is nobody more experienced in these affairs'. As late as 19 October, Sir Thomas was confident that the whigs were finding it difficult to identify suitable candidates.<sup>102</sup> Sir George Beaumont's instincts were more reliable: a contest became inevitable when the whigs named George Ashby and Thomas Byrd as their two candidates.

(ii) The Leicestershire election: the campaign

By the end of October 1714, the campaign had begun in earnest and lasted through to the election in early February. Lady Cave's sister informed Fermanagh that Sir Thomas and Sir Geoffrey were busily engaged in campaigning and that their opponent Byrd was very active.<sup>103</sup> Letters of support, canvassing lists and arrangements for transporting voters to the polls, preserved in the Braye manuscripts, show the efforts the candidates and their agents made to identify their supporters both within and outside the county and to secure their presence at the poll.<sup>104</sup> Lists were drawn up to assist with canvassing in different areas of the county. Amongst these were three lists, the first of potential tory supporters in Sparkenhoe Hundred, the second the names of certain freeholders in Warwickshire, Rutland, Northamptonshire and Leicestershire and the third, a

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<sup>101</sup> Ibid., 2890, [early] Oct. 1714, Beaumont to Cave.

<sup>102</sup> *Verney Letters*, I.251, 19 Oct. 1714, Cave to Ralph Verney.

<sup>103</sup> Ibid., I.324-5, 27 Nov. 1714, Mary Lovett to Fermanagh.

<sup>104</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2894, 27 Dec. 1714, Newdigate to Wright, 2896, 24 Dec. 1714, Blower to Newdigate; 2897, 2 Jan. 1715, Boothby to Dr Alibone; 2900, 28 Jan. 1715, Thomas Pryor to Cave; 2909, n/d Letter to [Sir Thomas] concerning Lady Cavendish's tenants; W. A. Speck, *Tory and Whig: the struggle in the constituencies, 1701-1715* (1970), pp.36-46.

list of public houses in the south and east of the county.<sup>105</sup> From Hinckley, in the southwest, Peter Gerrard reported on the activities of Byrd and warned Cave about the difficulties of getting supporters to the poll in Leicester, for ‘they are poor and will not stir without’.<sup>106</sup> Three weeks later, Sir Thomas was still concerned that his support was falling off in this area.<sup>107</sup> On 26 December, Lady Cave informed her father that the two knights were exhausted by ten days of campaigning.<sup>108</sup> A few days later, Sir Thomas intimated that the odds were beginning to stack up against them.<sup>109</sup> Ralph Palmer pithily summed up the situation then facing Sir Thomas in a letter to Ralph Verney shortly before Christmas, ‘the little Knight is as busy as a Bee, he has two powerful adversaries, the D. of Rutland and Lord Harborough. I am sorry for his Expenses’.<sup>110</sup>

The cost of the campaign was an increasing worry.<sup>111</sup> Aside from the costs of getting their supporters to the polls, both parties were raising the financial stakes. Thomas Hull from Mountsorrel, noting that George Ashby had recently passed through the town, reported that the opposition were offering 10 to 20s per vote, despite an initial forecast that the going rate would be around 5s.<sup>112</sup> Sir Thomas was convinced his opponents ‘were being largely supplied with money incognito’: Rutland and Sherard were rumoured to be the likely source.<sup>113</sup> George Ashby retaliated, accusing the two knights of buying votes but Sir

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<sup>105</sup> *Ibid.*, 2902-6, n/d [1714?], Canvassing lists for Hinckley, Husbands Bosworth, Swinford, Kimcote and Walcote, Harborough; 2907, Sparkenhoe; 2910, Public Houses; 2912, Freeholders.

<sup>106</sup> *Ibid.*, 2898, 27 Jan. 1715.

<sup>107</sup> Nichols, *Hist. Leics.* IV.353 16 Jan. 1715, Copy of letter from Cave to [...].

<sup>108</sup> *Verney Letters*, II.21, 26 Dec. 1714.

<sup>109</sup> *Ibid.*, I.325, 1 Jan. 1715, Cave to Fermanagh.

<sup>110</sup> *Ibid.*, I.360, 21 Dec. 1714.

<sup>111</sup> *Ibid.*, II.21, 26 Dec. 1714, Lady Cave to Fermanagh and I.325, 1 Jan. 1715, Cave to Fermanagh.

<sup>112</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2901, 29 Jan. 1715, Thomas Hull to Cave and 2991, n/d Estimate of supposed expenses attending the coming election.

<sup>113</sup> *Verney Letters*, I.325, I Jan. 1715, Cave to Fermanagh, and I.324-5, 27 Nov. 1714, Mary Lovett to Fermanagh.

Thomas was concerned to protect both his pocket and his reputation.<sup>114</sup> When allegations were made against him of corruption in Hinckley, he was moved to enquire of his agent whether the £4 he had 'left had been misapplied. 'Tis certain our intention was void of all intended offence'.<sup>115</sup>

On 1 January, Sir Thomas claimed that they faced 'innumerable difficulties' because 'All the Great Men are against us and our Sheriff a rank Whig'.<sup>116</sup> The sheriff referred to was Sir John Meres of Kirkby Bellars, a distant kinsman of Sir Geoffrey Palmer. Shortly after his appointment, Meres tried to persuade Palmer that he would have an easier election if he abandoned Cave and took another partner. 'The alternative is that there will be opposition out and he may not carry the day and be a prejudice to yourself'.<sup>117</sup> Meres hoped that Palmer would accept this advice in the spirit given, which seems ironical given Sir John's partisan behaviour in the election that followed.

Three printed documents in the Braye manuscripts suggest that character defamation rather than political argument was the main currency of the campaign. One of these was a gentle lampoon in the form of a *faux* election address, in which it was claimed that 'Sir Jeffrey Pushpin' and 'Sir Thomas Thumb' are totally dominated by Sir George Bombast and Lady Thumb. 'They are both very quick-sighted and can take a sign from Sir George presently, so there is no danger of their giving a wrong vote when Sir George is in the House'.<sup>118</sup>

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<sup>114</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2943, 12 Feb. 1715, Ashby to Lord Harborough.

<sup>115</sup> Nichols, *Hist. Leics.*, IV.353, 16 Jan. 1715, Copy of letter from Cave to [...].

<sup>116</sup> *Verney Letters*, I.325, 1 Jan. 1716, Cave to Fermanagh.

<sup>117</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2893, 10 Dec. 1714, Meres to Palmer.

<sup>118</sup> *Ibid.*, 3004, n/d [1715?], A public letter.

In an attempt to undermine their opponents, the tories had accused the whigs of misrepresentation by claiming that they had Rutland's support. They also alleged that Thomas Byrd was not qualified to be a justice of the peace. Byrd responded with a handbill refuting these charges.<sup>119</sup> This provoked a vitriolic response from the tories attacking Byrd's pedigree, his character, and his qualifications, and rubbishing his Declaration. The author accused Byrd of using his position as a justice to serve his friends and to win votes. He was a 'person tied down by no Principles of Honour, Honesty, Religion, Law or Government, as a man no Oaths can Bind, a Person Resolute to Execute, too Blind to Foresee, or if he could too Weak to Judge of their Aim and Ends' The author concluded that Byrd's election would be a disaster for the nation. By contrast Sir Geoffrey and Sir Thomas are

Men of Unblemished Reputation, both well Descended, of ample Fortunes and such as will never see the Landed interest go to the Wreck, if their voices can prevent it. They are Gentlemen of Thought, Reason and Understanding: both their integrities have already been tried in Parliament; and the Honour and Resolution of each of them is Conspicuous to all the world. How blind then we should be ... to leave either of these Worthy Gentlemen, and choose to be represented by an Owl'.<sup>120</sup>

It is significant that, in stressing the inferiority of their opponents, the author concentrated his attack on Byrd, for George Ashby's social credentials were as impeccable as the two knights.

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<sup>119</sup> Ibid., 3005, n/d [1715?], Declaration of Thomas Byrd of Claybrook.

<sup>120</sup> Ibid., 3006, n/d [1715?], Letter from a Freeholder in Leicestershire. 'Owl' is a reference to Byrd's emblem.

‘The Leicestershire Freeholders’ Song’, circulated after the first controversial poll, was a crude pitch for tory voters to come out in support of Palmer and Cave. The song represented the tory candidates as ‘to the *Church* and the *Crown*’ while castigating their opponents as ‘Schismatics’ who, if elected, ‘from our Churches and Lands will drive us’. For good measure, it went on to associate the whigs with those responsible for putting loyalists in gaol during the civil war and sequestering their lands. Why should these men, who believe ‘T’ was a sin for a parson to pray’ and require clergymen to lay aside the surplice ‘have command of our Churches and Lands on pretence of their having more grace?’<sup>121</sup>

(iii) The Leicestershire election: the poll

With feelings running so high, it was always likely that the poll would be contentious. The *Flying Post* carried a lively account of the poll that took place in Leicester in early February 1716.<sup>122</sup> Mr Baresby, the under-sheriff, who had been nominated by Meres to supervise the election, met the candidates on Tuesday morning (1 February) to agree the arrangements and the rules to cover the contest.<sup>123</sup> For the rest of that day and the next, voters came into the town in large bands from different parts of the county. On Wednesday, a contingent of 600-700 tory supporters arrived from the Hundred of Sparkenhoe with ‘Thirty-five Persons ranked four in the Front’ followed by one pair of Kettle Drums and two trumpets and other music. Then came ‘five or six tatermullions [ragamuffins] with a forked stick on their shoulders 12 feet long upon each brand

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<sup>121</sup> *Ibid.*, 3022, n/d; see also 3023, A second tory election song.

<sup>122</sup> *Ibid.*, 3012, 19-22 Feb. 1715, *Flying Post*, No. 3610.

<sup>123</sup> *Verney Letters*, I.327-8, 28 Feb. 1715, Cave to Ralph Verney: it was eventually agreed, after much bad feeling, that polling should take place in four places (in the town?), including the hall at Leicester Castle; see also R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2917, n/d [1715], List of officials.

of which hung an Owl'. Sir Jeffrey and Sir Thomas came next, followed by 'twenty-two squires and a Body du Mann with cockades (stamped with a mitre) in their hair in no particular order'. The MP for Tamworth, Samuel Bracebridge, brought up the rear of this part of the procession.

Despite a delay in opening the polls and some jostling of places all seemed to be going to plan until Wednesday evening when the under-sheriff, feeling fatigued, decided to adjourn the poll at dusk until the next day and called for the books from the other polling booths. The two knights and their supporters objected because they had supporters waiting to declare their vote. This led to a certain amount of disorder until a compromise was reached whereby Mr Baresby appointed a deputy, Mr Buswell, to carry on the poll at the castle. Before the end of the evening tory supporters, convinced that the two knights were building up an unassailable lead, prematurely chaired their two candidates.<sup>124</sup> On Thursday, instead of opening the poll, Baresby left for London taking the records with him.

(iv) The Leicestershire election: recriminations and preparations for an appeal

Given the sheriff's controversial decision, it was inevitable that the tories would take their grievances to the Commons. Both sides put a very different interpretation on what had happened. The tories immediately set out their version in a printed declaration signed by 74 supporters of Cave and Palmer.<sup>125</sup> They were convinced that Baresby's actions were a ruse to deny them victory. For

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<sup>124</sup> *Verney Letters*, 1.329, 2 Feb. 1715, Cave to [Ralph Verney?].

<sup>125</sup> The tory version is set out in *Verney Letters*, I.327-329 and R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 3017, 7 Mar. 1715, A True State of the Proceedings at the Leicestershire Election; 3010, 3 Feb. 1715, Declaration with 74 signatures; 3015, 26 Feb.-1 Mar., *The Flying Post* no. 3613 refers to articles in *The Examiner* on 3 Feb. 1715 and the *Weekly Packet* on 26 Feb. 1715; 2933, 19 Mar. 1715, Pryor to Cave, enclosing the petition signed by Sir George Beaumont Bart., James Winstanley, Wm. Inge and Samuel Bracebridge.

their part the whigs accused the tories of creating a riot.<sup>126</sup> Witnesses submitted affidavits to Thomas Byrd, in his capacity as a magistrate, claiming that supporters of the two knights had physically prevented whig freeholders from voting, abused and assaulted election officials, and forced the under-sheriff to appoint a relation of Sir George Beaumont as his deputy. Some of these statements were highly dramatized, such as Mr. Turville of Woodcote's accusation that Joseph Craddock had used candles to set fire to the sheriff's coat. The tories claimed that the coat was burnt when the sheriff 'fell a Kissing and a Pulling of [a woman], at which she gave him a Push and he fell against the fire'.<sup>127</sup>

There is a discernable difference in the social background of the men who signed the whig affidavits and those who signed the tory declaration. Many of the whig witnesses appear to be residents of Leicester, several declaring their occupation as craftsmen.<sup>128</sup> It is likely that some, like John Worrall, clerk to the under-sheriff, were officials. The tory list included some of the leading gentry in the county and at least eight clergymen.<sup>129</sup> However, the two lists were drawn up to serve different purposes. The witness statements were designed to support their allegations that leading gentlemen and clergy were involved in the affray and, as justices, failed to come to the sheriff's assistance even when asked. The intention was to lay the blame on the tory candidates and Sir George Beaumont, who was accused of provoking the trouble and of using physical violence. By

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<sup>126</sup> The whig version is set out in R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2962, n/d. [?19 Mar.] 1715, To prove the riotous proceedings of the Baronets and their Friends; 2944-2960, Feb.-Mar 1715, Witness affidavits; 2963-4, 1 Feb. 1715, Working papers setting out the main grievances; 2943, 12 Feb. 1715, Ashby to Harborough in London; 3011, 3012, 3015 and *Flying Post* no. 3604, 5-8 Feb., no. 3610, 19-22 Feb. and no. 3613, 26 Feb.-1 Mar. 1715.

<sup>127</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2954, [14] Mar. 1715, Deposition of Mr. Turville, baker; *Verney Letters*, 1.326-7, 13 Feb. 1715, Mary Lovett to Fermanagh.

<sup>128</sup> *Ibid.*, 2944-2960, Feb. to Mar 1715, 17 affidavits and a list of witnesses; 2962, n/d. [?19 Mar.] 1715 Byrd's 23 articles.

<sup>129</sup> *Ibid.*, 3010, 3 Feb. 1715, Declaration with 74 signatures.

contrast, the tory Declaration was not intended to stand up to scrutiny in a law court. It should be seen in line with the propaganda put out by the tories that they were the party that attracted men of quality as opposed to the ‘tatterdermaillion’ who supported the whigs.

Over the next three months, the action transferred to London. Within a few days, Palmer and Cave had installed their agents, Dickerson, Pryor and Peach, in London to find what they could about their opponents’ intentions. There were rumours that Baresby would take the matter to the council but nothing came of this.<sup>130</sup> Neither side could progress their case until the new parliament assembled on 17 March and set up a process to deal with disputed elections.

During the interval, both parties used the press to keep the issues in the public eye. Within a few days, Ridpath’s *Flying Post* carried an account of the election, presenting Ashby and Byrd, ‘firm Friends to the present happy Establishment [i.e. whig]’, as the victims and their opponents as ‘unchristian Rebels, notwithstanding their Pretences to Loyalty and Zeal for the Church’.<sup>131</sup> Later in the month, further accounts appeared in the form of open letters from ‘A Freeholder to Sir John Mears’.<sup>132</sup> The second was published after two newspapers published a tory response.<sup>133</sup> In contrast to the moderation of the first, this one was pure vitriol, describing the tories as ‘Sons of Belial! Known Advocates of Rome! And most abandoned Scribblers for a Popish Pretender’. The author challenged the tory interpretation of events and used personal attacks to portray

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<sup>130</sup> *Verney Letters*, 1.329, 21 Feb.1715, Cave to [Fermanagh]. Pryor also acted for Lord Fermanagh: according to Susan Whyman, he was ‘a party whip’, *Sociability and Power*, p.285, n.105.

<sup>131</sup> R.O.L.L.R., *Braye MSS*. 23D57 [Pt. II] 3011, 5-8 Feb. 1715, *Flying Post*, no. 3604.

<sup>132</sup> *Ibid.*, 3012, 19-22 Feb. 1715, *Flying Post* no. 3610.

<sup>133</sup> *Ibid.*, 3015, 26 Feb.-1 Mar 1715, *Flying Post* no. 3613.

the two knights' supporters in the worst light. It is no surprise that Thomas Pryor reported to Sir Thomas Cave, on 11 February, that London 'rings with the business of it'.<sup>134</sup>

Meanwhile, Thomas Peach found it difficult to get anything published on the tory side.<sup>135</sup> He protested that 'The Tory writers have dared not write matters of fact whereas the Whigs put in their papers the greatest of falsehoods imaginable'. He feared the public would be misled if they heard only one side. He wondered whether Baresby had bribed them but lamented that 'I can't get it inserted for Love nor Money'. At a time when the government was intent on neutralising all opposition, it is unlikely that Baresby needed to resort to bribery: fear was enough to make editors cautious. Sir Thomas implied as much in a letter to Lord Fermanagh, '...they all refuse us, tho' we have offered Security for the proof of our insertions; this makes good the saying that Truth is not at all times to be spoken'.<sup>136</sup> Eventually, two articles, one in Swift's *Examiner* and the other in *The Weekly Packet*, set out the tory version, provoking the furious counter-attack in the *Flying Post*.<sup>137</sup> For Lady Cave this was all of a piece with the 'most notorious Roguery ever practiced at an election. They continue their injustice by publishing such Scandalous and false accounts in the public prints, where Truth is not permitted to appear'.<sup>138</sup>

The parties also used the interval to prepare their legal case. Sir Thomas sought his uncle-in-law's opinion on the legality of the sheriff's action. Ralph

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<sup>134</sup> *Ibid.*, 2921, [?] Feb. 1715.

<sup>135</sup> *Ibid.*, 2927, 19 Feb. 1715, Peach to Cave.

<sup>136</sup> *Verney Letters*, I.329, 21 Feb. 1715, Cave to Fermanagh; L Colley *In Defiance of Oligarchy the Tory Party 1714-60* (Cambridge, 1982), p.183

<sup>137</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 3015, 26 Feb.-1 Mar 1715 *Flying Post*, No. 3613, which referred to the articles in *The Examiner* and in *The Weekly Packet*; 2931, 26 Feb. 1715, Pryor to Cave referring to a parcel of *The Examiner* left for Cave by Mr. Busby and Mr. Peach.

<sup>138</sup> *Verney Letters*, 1.330, 5 Mar.1715, Lady Cave to Fermanagh.

Palmer was shocked at what he heard had taken place.<sup>139</sup> On balance, he considered that the two knights had a strong case and that the threats and ill-language Baresby had used would count against him. Because so many freeholders had been denied the opportunity to vote, Palmer was convinced that the House would order a re-run of the election. But he was clearly troubled that the opposition would seek to blame the tories for the disturbances. He recognised that the two knights and their supporters had been provoked but thought their behaviour would prejudice the tory case. He considered it particularly unfortunate that the two knights had allowed themselves to be chaired.<sup>140</sup> The two knights also sought other expert legal opinion. Sir Thomas engaged John Farmer, an attorney in Leicester, and John Bolys, a London lawyer.<sup>141</sup> They also asked advice from Sir Nathan Wright, who had supported them in their election campaign, and from Sir John Chester and Sir Robert Raymond. Except for a rumour, picked up by Peach, that Baresby regretted the cost of his legal fees, there is no indication in the Braye manuscripts. that Baresby and the whigs had access to a similar level of expert legal advice.<sup>142</sup>

At this stage, the tories were forced to second-guess their opponents' tactics. They understood that the whigs intended to establish that the behaviour of Thomas Cave, Geoffrey Palmer and Sir George Beaumont had brought the House into disrepute. Ashby confirmed that this would be their approach when he hinted, in a lengthy letter to Lord Harborough, that the tories, fearing that their rivals were drawing ahead, had deliberately fomented the violence in order to

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<sup>139</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2918, 8 Feb. 1715.

<sup>140</sup> *Ibid.*, 2925, 18 Feb. 1715; *Verney Letters*, I.329, 2 Feb. 1715, Cave to [? Fermanagh].

<sup>141</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2969; 3 Apr. 1715, Farmer to Cave; 2982, 26 May 1715, Boleys to Cave.

<sup>142</sup> *Ibid.*, 2939, 24 Mar. 1715, Beaumont to Denbigh.

bring the poll to a conclusion.<sup>143</sup> The weakness of the whigs's position was that Baresby had deserted his post. It was reported that Baresby planned to counter this by submitting a special return, in which he would claim that the riot left him with no alternative but to stop the poll.<sup>144</sup> He intended to use the witness statements collected after the poll to support an affidavit in which Sir Thomas, Sir Geoffrey, Sir George Beaumont and 13 others would be identified as the people responsible for inciting this riot.<sup>145</sup>

(v) The Leicestershire election: the hearing and the second poll

The Leicestershire tories had reason to be apprehensive about the outcome, for the whigs now had an overwhelming majority in the Commons with 341 seats to the 217 held by the tories.<sup>146</sup> When parliament assembled on 17 March, Baresby submitted his formal return to the clerk to the crown and Ashby and Byrd presented their petition to the House.<sup>147</sup> Sir George had been very active preparing the ground in parliament. It was reported that 'the Lords were angry with Byrd and will not stand by him or the sheriffs'. Lord Nottingham said publicly that the sheriff ought and would be punished and Harley had offered his help.<sup>148</sup> On 24 March, Sir George informed Cave that 'I moved the House to consider of our Leicestershire Return and after Debate of about an Hour and a half the House has ordered Mr. Speaker to issue a warrant for a new writ for electing knights of the shire for Leicestershire'. He added that the House decided it would consider the special return for the county in a fortnight's time when the

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<sup>143</sup> Ibid., 2943, 14 Mar.1715, Ashby to Harborough.

<sup>144</sup> Ibid., 2928, 24 Feb.1715, Austrey to Cave.

<sup>145</sup> Ibid., 2930, 24 Feb.1715, Peach to Cave; 2929, 24 Feb.1715, Ralph Palmer to Cave; 2962 n/d. [?19 Mar.] 1715, List of points to be proved by Mr. Baresby.

<sup>146</sup> Speck, 'Election of 1715', 507-22; Hill, *Growth of Parliamentary Parties*, p.155; The compiler of *The Worsley List*, assumed that the whigs would win the appeal, *H.o.P. 1715-54*, I.170, App. XI

<sup>147</sup> R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2933, 19 Mar. 1715, Pryor to Cave, enclosing a copy of the petition prepared by Ashby and Byrd.

<sup>148</sup> Ibid., 2926 and 2931, 19[?] and 26 Feb.1715, both letters, Pryor to Cave.

under-sheriff, Mr. Baresby, would be summoned to attend.<sup>149</sup> Pryor, urged on by Sir George, impressed on Cave the utmost importance of he and Palmer be present when the petition came before the House.<sup>150</sup>

Between 17 March 1715, when the whigs and tories submitted their petitions, and 11 April, when the Commons considered the matter, both sides were busy preparing their respective cases.<sup>151</sup> As the tories had anticipated, the whigs sought to substantiate their version of the events of 2 February through the use of eyewitnesses, using the same arguments they had already presented in the prints. They accused their opponents of assaulting their supporters and the under-sheriff, claiming that Sir George Beaumont and his servants had encouraged the affray. They accused the tory justices present of failing in their duty to come to the sheriff's aid.<sup>152</sup>

Sir George Beaumont urged the two knights to ensure that Mr. Farmer, the Leicester attorney, marshalled sufficient witnesses to counter the whig statements.<sup>153</sup> A week later, he urged Cave to increase his efforts, 'Baresby being so well provided of false witnesses as you say, you need have the greater number of true ones to confront him'.<sup>154</sup> On 9 April, Sir Geoffrey Palmer, en route for London, wrote to Cave to confirm that Mr. Farmer had that day set off with the witnesses to London.<sup>155</sup>

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<sup>149</sup> Ibid., 2938, 24 Mar. 1715, Beaumont to Cave; 2939, Beaumont to Denbigh; 2941-2, Copies of the Order of the House; *C.J.* 21-2 and 58, 24 Mar. and 11 Apr. 1715; Carew *Rights of Elections*, pp.320-1.

<sup>150</sup> R.O.L.L.R., *Braye MSS.*, 23D57 [Pt. II] 2933, 19 Mar. 1715, Pryor to Cave.

<sup>151</sup> Ibid., 2933-2973, 19 Mar.-11 Apr. 1715, 37 documents relating to the parliamentary hearing.

<sup>152</sup> Ibid., 2963, 1 Feb. 1715, Account of the Proceedings and Riot at the last Election for the County of Leicester.

<sup>153</sup> Ibid., 2938, 24 Mar. 1715.

<sup>154</sup> Ibid., 2967, 31 Mar. 1715, Beaumont to Cave; 2968, 2 Apr. 1715, Beaumont to Farmer; 2969, 3 Apr. 1715, Farmer to Cave.

<sup>155</sup> Ibid., 2971, 9 Apr. 1715.

Baresby trusted that the whig majority in the Commons would accept his version of events and conclude that Sir George Beaumont had acted improperly. He badly misjudged the Commons' response. The House was appalled by the under-sheriff's behaviour and committed him to the sergent-at-arms for what the speaker was later to describe as 'the highest offence against this House, any Man in your station could be guilty of. You deprived a rich and populous County of the right they had to be represented in Parliament'.<sup>156</sup> Baresby tried to argue that he needed to be in Leicestershire to supervise the second election. A month passed before the House eventually agreed to release him. In a massive rebuke, the Speaker rejected all the arguments Baresby had put forward to justify deserting his post and questioned whether he was motivated by malice or folly. However the House had taken into account Baresby's grovelling apology and was concerned that the county '... which has already suffered by your Crime: should anyways suffer by your punishment' and therefore ordered him to be discharged, much to Sir Thomas Cave's disgust.<sup>157</sup>

Even before the date was announced, Sir George and others were busy drumming up support for the second poll, which took place on the 14th to the 16th April 1715.<sup>158</sup> The same four candidates stood again. There was little time for either side to campaign but, according to Sir Thomas, his opponents used the time for further roguery. 'Ashby and Byrd obstinately stood a poll of 3 days continually buying off our votes at three and a half crowns, £1.15s.0d. & 5s. per vote, and assiduously endeavoured to procure all second votes for Sir Geoffrey

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<sup>156</sup> Ibid., 2975-8, n/d but after 11 Apr. 1715, Petition of Wm. Baresby; 2979, n/d, Baresby's discharge and the Speaker's comments.

<sup>157</sup> Ibid., 2979, n/d, The Speaker's comments; *C.J. 1714-18* p.125, 19 May 1715; *Verney Letters*, 1.334, 17 May. 1715, Cave to Fermanagh.

<sup>158</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2935, 22 Mar.1715, Pryor to Cave; 2937, 22 Mar. 1715, Beaumont to Cave; 2968 2 Apr. 1715, Beaumont to Farmer.

which they could not make for one of them'.<sup>159</sup> Sir Thomas was therefore pleasantly surprised to secure 2,209 votes, with Sir Geoffrey on 2,251, Byrd on 1,639 and Ashby on 1,630: a quiet conclusion to three months of turbulence.<sup>160</sup>

(vi) The Leicestershire election: claiming damages

Given the costs the two knights had occurred, it is hardly surprising that they should have tried to recover some of their outlay from Baresby.<sup>161</sup> Whether through mutual agreement or court ruling, it was eventually agreed that a settlement should be arrived at by arbitration. Sir George Beaumont and Edmund Morris of Loddington were appointed as arbitrators. They published their award on 21 August 1716.<sup>162</sup> Baresby agreed to pay Sir Thomas £250 within three months and, on his part, Sir Thomas accepted that any differences between them would be considered as settled on completion of the payments. In fact, it took Baresby much longer to settle his account.<sup>163</sup> Fighting a contested election was a costly business for candidates: fighting four elections in the space of five years, together with the costs of public duties, would have involved a significant outlay.<sup>164</sup> This may have been one contributory factor to Sir Thomas' indebtedness at his death in 1719.<sup>165</sup>

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<sup>159</sup> *Verney Letters*, I.332-3, 23 Apr. 1715, Cave to Fermanagh [Compare to the sum of 5s. per vote in R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2991, Estimates of election expenses].

<sup>160</sup> *Verney Letters*, I.332-3, 23 Apr. 1715, Cave to Fermanagh and R.O.L.L.R., *Braye MSS.* 23D57

[Pt. II] 2989-90, n/d but post 16 Apr. 1715, Voting in Leicestershire election.

<sup>161</sup> *Verney Letters*, I.333, 9 May 1715, Lady Cave to Fermanagh; 1.334-5, 4 June 1715, Cave to Fermanagh; I.336-7, 6 June 1715, Ralph Palmer to Ralph Verney.

<sup>162</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2984, 21 Aug. 1716, Arbitration Award by Sir George Beaumont and Edmund Morris. Receipts for three payments amounting to £124.18s appear on the dorse.

<sup>163</sup> *Ibid.*, 2985, 17 Nov. 1716, Baresby to Cave; 2986, 20 Nov. 1716, Austrey to Cave on behalf of Baresby; 2987, 10 June 1716, Farmer to Cave at Westminster.

<sup>164</sup> Various invoices relating to the 1715 election are in R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 2919, 9 Feb. 1715, Cooper to Cave and 2991-3002.

<sup>165</sup> *Verney Letters*, II.62, 29 Apr. 1719 et seq.

Part 4: Sir Thomas Cave and accusations of Jacobitism

I

Given the doubts some Tories continued to have about the decision to break the hereditary succession and fears that James Stuart was planning a coup with French backing, it was inevitable that the Whigs would attempt to brand their opponents as crypto-jacobites. The archdeacon of Leicester, concerned at the behaviour of certain clergy in the 1714 elections, told Bishop Wake that he was convinced many of Leicestershire's clergy were covert traitors.<sup>166</sup> But, apart from the eccentric behaviour of the Rev. William Paul, who left his living in Leicestershire to join the Jacobite army in 1715, there is little evidence to support the view that there were active Jacobites at large in Leicestershire.<sup>167</sup> Most accusations were based on hearsay or innuendo. The sessions records in the borough include instances in both William and Anne's reign of men brought to trial on suspicion of being Jacobites but Greaves argued that these usually amounted to little more than the 'bibulous drinking by drunkards of the pretender's health or the injudicious remarks of garrulous clergymen'.<sup>168</sup> Nevertheless, the government took this sufficiently seriously to quarter troops in the town to the annoyance of the borough.<sup>169</sup>

II

Fresh from their victory in the national election, it was predictable that the Whigs would seize on every opportunity to paint Sir Thomas in the worst light. Yet he made no attempt to trim his views in order to enjoy a quiet life. He was

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<sup>166</sup> Ch. Ch. Library, Oxford, *Wake MSS.*, CCXXXVI, 24 Nov. 1714 and CCXXXVIII, 4 Dec. 1714, Rogers to Bishop Wake, quoted by Pruett, *Parish Clergy*, p.163.

<sup>167</sup> Pruett, *Parish Clergy*, pp.169-70.

<sup>168</sup> R. W. Greaves, *The Corporation of Leicester* (Oxford, 1939), pp.91-2.

<sup>169</sup> G. A. Chinnery (ed.), *Records of the Borough of Leicester, 1689-1835* (Leicester, 1965), V.79; *Post Boy*, 26-9 Jan. 1717.

aware that his correspondence was monitored, but that apparently did not deter him from writing freely, to the point where Ralph Palmer said that Sir Thomas' 'dangerous epistles...fright me out of my wits. He is enough to bring anyone to Newgate'.<sup>170</sup> Sir Thomas had little respect for his political opponents, especially when he believed they lacked substance, and was quite prepared to challenge them even with the whigs in the ascendancy.

On the eve of the James Stuart's invasion, a report appeared in the *St James' Evening Post* in August 1715 that Sir Thomas had refused to subscribe to a loyal Address, 'full of Duty and Affection to his Majesty and a just Abhorrence of the late Riots', instigated by 'Friends of a Frenchified, Popish, outlawed Pretender'.<sup>171</sup> The report said Sir John Meres had drawn up this address, which had already received the support of the lord lieutenant, the *custos rotulorum*, the clergy and the gentry of the county. Sir Thomas told his father-in-law that he had been shown an early draft and had objected to 'some incoherence' in it. When the document was presented at the assize dinner unaltered, Sir Thomas had refused to sign it. He said that 'A Turbulent Spirited Whig urged me to give my reasons, pretending to enforce me...yet I withstood all his threats...' The high sheriff was incensed by Cave's refusal and protested that the duke of Rutland had had no such reservations, which Sir Thomas later told Fermanagh, 'I judged a warrant insufficient to pass off their insipid language'.<sup>172</sup>

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<sup>170</sup> B.L., *Claydon House Letters*, M/636/56, 27 Dec. 1715, Ralph Palmer to Ralph Verney.

<sup>171</sup> R.O.L.L.R., *Braye MSS.* 23D57 [Pt. II] 3021, 27-30 Aug 1715, *St James' Evening Post* no 39. As if by contrast, the newspaper also carried an item in the same edition about the action Justice Byrd had taken in referring to the assizes two Lutterworth men, who had drunk the health of the Pretender.

<sup>172</sup> *Verney Letters*, I.340-41, 13 Sept. 1715.

About the same time, another report appeared complaining about Sir Thomas' leniency towards two men in Lutterworth bound over by Justice Byrd for calling for a toast to the pretender. In defending his action, Sir Thomas concluded that he did not carry enough influence to persuade the judge to mitigate the punishment of someone guilty of such an offence, adding 'This is a true state of this great bustle, which was occasioned by not being willing to undergo all their Impositions'. Six months later, he again offended the authorities at the assizes, when Sir Littleton Powys dismissed Cave as foreman of the jury for refusing to proceed with some indictments for lack of sufficient witnesses. He told his father-in-law that the judge informed 'the Court [that] he was glad he had dismissed me for he thought me and all my followers to be disaffected to the Government for ascertaining the Right of Private Men; he affirmed that if we did not find the indictment, he would have another Jury to tell it, t'was maliciously brought in against me for drinking the Pretender's health'.<sup>173</sup>

Such provocative behaviour irritated Sir Thomas' opponents and left him open to attack. But these examples hardly amount to proof that he was engaged in a conspiracy against the government, as Whyman has suggested. She alleged that Cave's correspondence is full of coded allusions to his jacobite sympathies, quoting as an example a reference to a dog called Beau, 'born in Cumberland, now in armes'.<sup>174</sup> Given Sir Thomas's apparent fearlessness in speaking up for what he regarded to be right, it is difficult to imagine him resorting to code. Nor is there any reason to suppose that he was not speaking about a real animal, for, in his correspondence, there are other references to this dog, which Cave had given to his father-in-law. Furthermore there is nothing unusual in his description

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<sup>173</sup> *Verney Letters*, II.30, 31 Mar.1716; Whyman, *Sociability and Power*, pp.175-6.

<sup>174</sup> *Ibid.*, I.342-344, 26 Oct. and 12 Nov. 1715, both letters, Cave to Fermanagh

of Beau: it was typical of the language Cave used when referring to dogs and horses.<sup>175</sup>

### III

While Sir Thomas did little to conceal the contempt he felt towards his political opponents, his correspondence suggests that he took his public responsibilities seriously during the course of the Jacobite rebellion in 1715. As a leading landowner with estates in both Northamptonshire and Leicestershire, Sir Thomas was required to provide horses for the militia in both counties.<sup>176</sup> An order of 28 September, signed by three deputy lieutenants, Thomas Pochin, William Tate and George Ashby, recorded that Cave was required to send two horses for the muster in Leicester. Set against this order is a note, presumably added by Sir Thomas, claiming that ‘I had never found but one until this time’. Not surprisingly, Cave was aggrieved at this imposition and complained to his father-in-law that, ‘I had great partiality shown to me [in Leicestershire] for to ease our modern noblemen and others. I was compelled to furnish a horse extraordinary, and they one or two less, God forgive their Malice and prevent any ill consequence of it to me’.<sup>177</sup>

In early January 1716, he was asked by the deputy lieutenants to explain why he had failed to provide two horses for a muster.<sup>178</sup> No doubt, Cave’s rivals, now in control of the militia, may have hoped to exploit this opportunity to demonstrate Cave’s lack of loyalty to the new regime at a time when the

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<sup>175</sup> Ibid., I.253-4, 1 Oct. 1716, Cave to Fermanagh.

<sup>176</sup> R.O.L.L.R., *Braye MSS.* DE 2399 Box 10, 12 Oct. 1715 and 30 May 1716, Summonses to Northamptonshire Militia; *ibid.*, DE 2399 Box 10, 28 Sept. and 14 Dec 1715, Orders signed by Deputy Lieutenants in Leicestershire.

<sup>177</sup> *Verney Letters*, II.26, n/d Dec. 1715, Cave to Fermanagh.

<sup>178</sup> R.O.L.L.R., *Braye MSS.* DE 2399, 14 Dec. 1715, Request for explanation for non-appearance.

Hanoverian succession was under threat. However, their request irritated Sir Thomas, because he had fully complied with the deputy lieutenants' instructions. He was also upset that the letter, although sent on 14 December, did not reach him until 7 January 1716, two days after one of the constables had alerted him to the complaint. No doubt Cave felt vindicated when a few weeks later he received a 'Discharge' from the deputy lieutenants who investigated the incident, confirming that he had indeed supplied the horses. It was explained that there had been some confusion at the muster and Sir Thomas was given the assurance that the mistake was not the result of any neglect or default on his part.<sup>179</sup>

Far from evading his responsibilities, Sir Thomas appeared to give every sign of relishing the impending call to arms. Sir Thomas threw himself into this enterprise with the same enthusiasm that he engaged in field sports. On 26 October, he informed his father-in-law, 'Everybody here being under daily apprehension of being summoned to mount the Militia Horse...and the Rogues will, to their smart, feel the edges of my broad swords if they'll approach these Confines'. He boasted to Fermanagh how he presented 'a topping figure' among the militia, 'for my horses and accoutrements were noted to be the best in the troop.' Lamenting the timidity shown in other parts of the country, Sir Thomas claimed that, if needed, he could recruit two or three men for every horse, willing to give their service to 'His Majesty'.<sup>180</sup>

Throughout the course of October and November, the militia were kept busy.<sup>181</sup> The newly appointed deputy lieutenants held two meetings, one in Loughborough and another in the Angel Inn in Leicester, where they planned for

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<sup>179</sup> Ibid., [...] Jan. 1716, Sir Thomas Cave's discharge.

<sup>180</sup> Ibid., I.342-3, 26 Oct. 1715; II.26, n/d Dec. 1715, Cave to Fermanagh.

<sup>181</sup> Ibid., I.343, 12 Nov. 1715, Cave to Fermanagh.

a general muster in Leicester from the 21 to 24 November.<sup>182</sup> Orders, which Rutland had received as lord lieutenant from the privy council, were passed on to the deputy lieutenants, ‘to seize the persons and arms of Papists, reputed Papists and others suspected to be disaffected to his Majesty’s person and government’ and to bring them before the justices in Leicester.<sup>183</sup> The council also instructed Rutland, in his role as *custos rotulorum*, to ensure that the justices played their part in taking action against suspected persons.<sup>184</sup>

Since the fighting was confined to Scotland and the north of England, the local militia was not required to go into action. The only way that Leicestershire was directly affected by the rebellion was as a result of the passage of Dutch troops through the county both on their way north and then on their return. These soldiers proved both a burden and a hazard to the communities they visited. In his role as a magistrate, Sir Thomas issued warrants for the passage of these soldiers and dealt with complaints about their behaviour, providing further proof of his commitment to the government. However he was concerned at the expense of providing wagons and other provisions for the troops going to Scotland that had ‘occasioned an inexpressible murmuring in these midland counties’. He could not understand why they had not been sent by sea.<sup>185</sup> By February 1716, the rebellion had collapsed and James Stuart had returned to the continent. Yet Leicestershire, along with other counties, continued to bear the expense of

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<sup>182</sup> R.O.L.L.R., *Militia Order Book, 1715*, LM2/4, 20 Oct and 31 Oct. 1715, Meetings of deputy lieutenants in Loughborough (20<sup>th</sup>) and Leicester (31st); *ibid*; 22-24 Nov. 1715, A complete list of officers and men in six companies of foot and two companies of horse; Chinnery, *R.B.L.* V.77, 22 Nov. 1715, Corporation’s official welcome for Rutland. See above pp.366-7 n.90, for information about the new appointments in the militia.

<sup>183</sup> R.O.L.L.R., *Militia Order Book, 1715*, LM2/4, 14 Nov. 1715, two orders directed to (i) Thomas Hartopp and (ii) to George Ashby junior.

<sup>184</sup> *H.M.C. Rutland*, I.192, 8 Nov. 1715.

<sup>185</sup> *Verney Letters*, II.26-27, 21 Dec. 1715 and 2 Jan 1716, Lady Cave to Fermanagh and Cave to the same.

billeting the soldiers and entertaining their officers as the royal troops returned southwards.<sup>186</sup>

#### IV

These comments on Sir Thomas Cave and Jacobitism bring this study to a conclusion but it is appropriate to add a brief postscript. During the next two years, the whig administration used their parliamentary majority to initiate impeachment proceedings against former tory ministers. They also brought in legislation to extend the interval between elections from three to seven years. Sir Thomas was present at many of these debates and reported on them to Fermanagh. In 1719, at the age of 39, Sir Thomas died unexpectedly, causing a by-election in the county. In this election, Lord William Manners, the second son of the second duke of Rutland, stood as the whig candidate. He was opposed by Francis Munday, a tory in a similar mould to Sir Thomas Cave.<sup>187</sup> It would be extending this study too far to discuss the campaign in detail but two aspects are worth noting. Firstly, the contest was hard fought: only seven votes separating the candidates, indicating the extent to which the county continued to be divided politically.<sup>188</sup> Secondly, the expense of the campaign left Munday, who was the losing candidate, in serious financial trouble. One year later Munday was dead.<sup>189</sup>

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<sup>186</sup> *Ibid.*, II.33, 16 Apr.1716, Lady Cave to Fermanagh.

<sup>187</sup> *H.o.P. 1715-54*, I.274-5, 'Leicestershire', II.241-2 'Lord William Manners' and II.280, reference to Francis Munday under the entry for 'Wrightson Munday'.

<sup>188</sup> R.O.L.L.R., *Leicestershire Poll, as the same was taken at the County-Court, December 1719* (Leicester, 1720).

<sup>189</sup> Nicols, *Hist,Leics.*, IV.523.

V

This account of Sir Thomas Cave's elections indicates the intense and partisan nature of election campaigning between 1710 and 1715. But was this exceptional? The evidence from 1679 and from the elections in 1700 to 1702 suggests that campaigning was similarly robust. On the tory side, Denbigh appears to have given a lead, in the absence of any weightier support, but it was Sir George Beaumont who was forcing the pace and making the connections between the local and the national campaign. On the whig side, Sherard appears to have given his support to the whig candidates but the second duke of Rutland was invisible. The potential split in tory ranks in 1713 may have reflected divisions in the party at a national level but there is no conclusive evidence that the great matters of the moment at Westminster, the peace negotiations, the succession and the tory attempts to restrain Dissent were anything other than background to the personal battles that characterised the campaigns. Even whig attempts to brand their opponents as Jacobites look like political opportunism. The distinct impression is that these elections were essentially about securing party representation at Westminster. In this struggle, Cave and Palmer's success in April 1715 was an irrelevance, because the whigs were already dominant in these areas. They had lost no time to consolidate their control of the administration by carrying out a widespread purge of both central and local offices.

## **Chapter 9: Conclusions**

At the end of each of the preceding six chapters, the opportunity was taken to reflect on the evidence that had emerged from that part of the study.<sup>1</sup> Those comments should therefore be read in conjunction with this final chapter where there are two aims. The first is to recall the principal features of politics in Leicestershire that have emerged from this study: the second, to reflect on what the study has demonstrated about the political relationship between the locality and the centre.

### **I**

The failure of the county's leading aristocratic families to provide consistent and reliable political leadership was one important feature of Leicestershire politics during this period. Although the earls of Rutland, Huntingdon and Stamford competed from time to time for pre-eminence in the county and the borough, their rivalry seems to have been personal rather than political.<sup>2</sup> Huntingdon revived his family's influence in the borough between 1677 and 1684 at a time when Stamford, who also had interests in the town, was out of favour at court.<sup>3</sup> After his reconciliation with Charles II, Huntingdon was able to use the connections that he established at court to strengthen his position in the county with the assistance of a few loyal local agents.<sup>4</sup> However, all he had achieved disintegrated when in December 1688 James II went into a self-imposed exile.<sup>5</sup> During the second half of the 1690s, when a whig administration was in control, Stamford appears to have employed similar tactics, building his reputation at court while consolidating his hold on the county and borough. Like

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<sup>1</sup> See above, pp.160-1, 207-8; 248; 280-1, 309-11, 342-4, 391.

<sup>2</sup> See above, pp.129-34 and pp.251-56.

<sup>3</sup> See above, pp.121, 134-9, 175-96.

<sup>4</sup> See above, p.215.

<sup>5</sup> Chs. 4 and 5 *passim*.

Huntingdon, Stamford's demise came with a change of monarch.<sup>6</sup> In contrast to his two rivals, Rutland appears to have believed that his local status, wealth and local reputation would be sufficient to ensure continuing respect in the county and the borough.<sup>7</sup>

What emerges from the political record of these three peers is how important it was for an aspiring local politician to secure his standing at court as well as his reputation in the locality. Huntingdon and Stamford understood this, but in the end their ambitions were thwarted by political forces outside their control. Huntingdon was moderately successful in the 1680s but forfeited goodwill in the county because he became too closely identified with James II's deeply unpopular policies. For personal reasons, Rutland turned his back on the court and Westminster and thereby squandered the authority which, given his status and his wealth, should have been his for the taking.<sup>8</sup> Stronger personalities might have been able to achieve more, but Rutland, Huntingdon and Stamford all suffered from character defects that limited their political effectiveness.<sup>9</sup>

This failure of the leading aristocrats to provide firm local leadership was apparent in the three elections that took place between 1700 and 1702.<sup>10</sup> Plumb saw this failure as an example of the increasing readiness of the gentry in the late seventeenth century to challenge aristocratic leadership.<sup>11</sup> As this study has shown, the situation in Leicestershire was more complex. It is a reasonable presumption that Lord Roos would have carried the day in the Leicestershire election of January 1701 had he had chosen his partner judiciously and refused Devonshire's invitation to become involved in Derbyshire.<sup>12</sup> As it was, he

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<sup>6</sup> Chs. 6 and 7 passim.

<sup>7</sup> See above, pp.100-102, 169-70, 292-3, 303-7.

<sup>8</sup> See above, pp.130-2 and 316-19.

<sup>9</sup> See above, pp.249-51 and 317-19.

<sup>10</sup> See above, ch. 7 passim.

<sup>11</sup> J. H. Plumb, 'Political History 1530-1885', in V.C.H. *Leicestershire* (1958), pp.121-2

<sup>12</sup> See above, pp.292-3 and 354-5.

succeeded in the second election later in the year but his behaviour had so infuriated the other candidates that they took their revenge at the next opportunity.<sup>13</sup> The defeat of the two lords in 1702 owed as much to the clumsy tactics used by the Rutland interest as it did to the strength of the gentry. On the other hand, Verney and Wilkins probably benefited from the national swing in sentiment in favour of the tories that accompanied Anne's succession. Roos and Sherrard's subsequent withdrawal from county elections left the gentry to take on the responsibility of finding the county's representatives.<sup>14</sup> It was not until a whig administration was firmly in control of government after 1720 that the dukes of Rutland were in a position to re-assert their political influence in the county.

Huntingdon, Stamford and Rutland also competed, with variable intensity, for influence in the borough. The decision of the Commons in 1661 to extend the franchise to all householders paying scot and lot had had a significant effect on election campaigns in the borough.<sup>15</sup> Except for a brief period when James II remodelled the corporation in 1688, the corporation was dominated by an oligarchy of leading traders, who remained in control throughout the four decades covered by this study.<sup>16</sup> Prior to 1661 the corporation had the right to choose the borough's parliamentary representatives. The corporation's subsequent failure to reverse the Commons' decision meant that henceforth the political battle lines in the borough were drawn between the oligarchy that controlled the corporation and a broader electorate, some of whom felt excluded from political influence in local governance. As a consequence borough elections

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<sup>13</sup> See above, pp.302-6.

<sup>14</sup> See above, pp.322-5.

<sup>15</sup> See above, pp.126, 134-9, 190-4, 267, 278-80 and 306-7.

<sup>16</sup> See above, pp.123-4, 171-4, 181-6, 225-30 and 267-8; also below, Tables 3 and 4, pp.425 and 426-33.

were frequently contentious affairs.<sup>17</sup> Stamford took advantage of this dissident element to promote whig candidates in the borough and maintained sufficient interest there during the late 1690s to secure Lawrence Carter's return.<sup>18</sup> However, James Winstanley's success in November 1701 showed that the political tide was turning in favour of candidates with whom the oligarchy felt more affinity.<sup>19</sup> Seven months later, Winstanley and Beaumont had the advantage of a national swing towards the tories and, possibly of greater tactical importance, a massive injection of new voters through the appointment of additional freemen.<sup>20</sup> Carter stood again in 1705 and should have carried one of the seats but was thwarted by a tory majority in the Commons when the issue went to appeal.<sup>21</sup> Despite some residual competition from the whigs in 1708 and from a tory in 1710, Winstanley and Beaumont monopolised the borough representation until their respective deaths in 1719 and 1737.

The Commons' decision in 1661 therefore strongly influenced the character of elections in the borough but it is important to recognise that these arrangements were put in place in a community which was already divided politically. Indeed, such polarisation was also a distinctive feature of politics in the county. The main evidence for this comes from the parliamentary elections that occurred with such regularity during these four decades but it is also apparent in the changes that took place in the militia and the commission of the peace.<sup>22</sup> The record in *The History of Parliament* shows that the proportion of elections contested in the county was higher than the national average. As this study has shown, these contests were often very partisan affairs.<sup>23</sup> Votes cast in six county elections for which figures survive show a remarkable consistency in

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<sup>17</sup> See above, pp.125-7, 134-9, 191-3, 230-3, 306-7 and 336-9.

<sup>18</sup> See above, pp.170-1, 266-7 and 276-8.

<sup>19</sup> See above, pp.292-3.

<sup>20</sup> See above, pp.326-7 and below, Appendix 2 p.407.

<sup>21</sup> See above, pp.337-8.

<sup>22</sup> See below, p.402-5 for further reference to changes in the militia and the commission of the peace

<sup>23</sup> See above, p.112.

the numbers registering their votes and in the distribution between candidates.<sup>24</sup> Lack of sequential poll-book data makes it impossible to determine whether the candidates were rallying natural supporters or chasing floating voters.<sup>25</sup> However, a copy of the poll book for the 1707 by-election shows that these divisions extended right across the county, showing up within hundreds and even within villages.<sup>26</sup> Such fiercely contested elections required that candidates put considerable efforts into their campaigns to bring their supporters to the polls.<sup>27</sup>

The elections held between 1677 and 1681 demonstrate that a fault line existed in both constituencies between two broad based groups, variously described by contemporaries as ‘Churchmen’, ‘the Loyal Party’, ‘the Honest Party’ (a useful portmanteau word that both parties tried to appropriate), ‘the Dissenters’, ‘Presbyterians’, ‘Phanatiques’ or some other variant on these themes.<sup>28</sup> Although submerged in the controversy over the role of the aristocratic candidates in 1701-2, this divide was an important element in the elections held at this time as the tory gentry fought to oust the whig aristocrats. It was still a dominant feature in the elections from 1706 to 1719, as tories fought to secure the return of their representatives to Westminster at the expense their whig rivals.

There is ample evidence therefore that elections in both the county and the borough were frequently very partisan affairs. Since, for the most part, elections were triggered by developments in national politics, it is, appropriate to ask whether this was the mechanism through which the factionalism of national politics was transmitted to the localities or whether their course was an accurate reflection of local politics.<sup>29</sup> Given the evidence of a network of contacts

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<sup>24</sup> See above, p.143 (1679), p.201 (1685); p.325 (1702), pp.339-40 (1707), pp.352-3 (1708) and p.383 (1715).

<sup>25</sup> See above, pp. 71-4.

<sup>26</sup> See above, pp.340-2.

<sup>27</sup> See above, pp.142-45, 302-306 and 368-83.

<sup>28</sup> See above, pp.64-6.

<sup>29</sup> See above, pp.71-3

between the centre and Leicestershire, it would be rash to say that national politics had no influence on the electorate.<sup>30</sup> But the inescapable conclusion to be drawn from this study is that the course of these contentious elections primarily reflected conflicting views locally about the best way, in a time of political uncertainty, to order government in church and society.

Such differences were by no means unique to Leicestershire but why did they take such a virulent form, especially since the county did not have a reputation for extremism? To judge from the language used by the contestants during the elections of 1679-81, these divisions were, at least, a legacy of the politics of the civil war and the interregnum.<sup>31</sup> The evidence from the borough suggests an even earlier origin in the ‘godly revolution’ of the sixteenth century.<sup>32</sup> Within the time-frame of this study, it has not been possible to examine the origin of these divisions but it would make a useful focus for further investigation.

However, what is clear from this study is that attitudes towards religious conformity were a significant factor both in the county and the borough. Religious epithets, used to describe the competing factions, persisted long after ‘whig’ and ‘tory’ had become common currency. As Hayton has pointed out, it is important not to read too much into these labels which were often employed as a crude way to distinguish friends from political foes.<sup>33</sup> Yet, like all caricatures, these epithets carry an element of truth. At one extreme there were those who felt passionately that the established Church was under threat from those who refused to conform, at the other those Catholics and Dissenters who rejected the authority of the Church and wished to conduct their religious observances according to their own rites and conventions. Since the numbers of nonconformists

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<sup>30</sup> See below, pp.401-2 and ns.49-50.

<sup>31</sup> See above, pp.144-5, 153-7.

<sup>32</sup> See above, pp.121-2.

<sup>33</sup> *H.o.P. 1690-1714*, I.465-6; see above, pp.64-5.

represented only ten or at the most twelve percent of the total population, denominational distinctions alone cannot account for political divisions in the county, even when allowance is made for covert Dissenters.<sup>34</sup> Furthermore, moderate men, such as Sir Edward Abney, who associated with Dissenters, were careful to distance themselves from persons 'stained with any disloyal or fanatical principles' for fear of being branded as 'schismatics' and 'republican.'<sup>35</sup>

Such attitudes reflected a broader concern about individual and group identity in an age of continuing insecurity. Loyalists, affected by the experience of the civil war and interregnum, saw religious nonconformity as a threat to the security of the church and crown. It had been such fears that encouraged a loyalist dominated parliament to pass penal legislation in the 1660s, which restricted freedom of worship and blocked Catholics and Dissenters access to public office.<sup>36</sup> In the borough, this religious test was used to exclude Dissenters from the corporation and to strengthen the loyalist oligarchy which controlled it.<sup>37</sup> In the county, loyalist justices used the legislation to hunt down Dissenters.<sup>38</sup> Loyalists' fears were renewed when Protestant Dissenters were given a measure of toleration in 1689. In Anne's reign 'churchmen' campaigned against these concessions, claiming that it put the church in danger. These concerns surfaced in election campaigns in both constituencies right up to the end of the period.<sup>39</sup>

It is much harder to establish what motivated the whigs, because much of the evidence that has survived about Leicestershire politics in this period has come from tory sources, where the whigs were vilified as 'schismatics' and

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<sup>34</sup> See above, pp.115-7 and pp.328-35.

<sup>35</sup> See above, pp.198-9.

<sup>36</sup> See above, pp.19-20 and n.21.

<sup>37</sup> See above, pp.122-3 and 171-2.

<sup>38</sup> See above, pp.164-7.

<sup>39</sup> See above, pp. pp.328-35.

‘republicans’,<sup>40</sup> Stamford’s *Charge to the General Sessions* in 1689 is a rare example of whig opinion from within the county.<sup>41</sup> Two years later, in a published version of his speech, he vigorously rejected tory allegations that his charge was ‘a Comble of Republican Principles’. All he had been doing, he claimed, was to criticise those who refused to accept William and Mary as ‘the lawful and Rightful King and Queen of these Realms’, despite the fact that this had been agreed with ‘the great consent of the whole Nation, by their Representatives in Parliament.’

Another accusation loyalists liked to hurl at their rivals was to describe them as men of mean background. In an age when there was a strong presumption that government should be in the hands of those with the most substantial interests in society, the charge that the whigs were socially inferior was potentially damaging. Such a negative portrayal was a parody of their rivals’ real political and social position. Significantly, when Cave and Palmer took this line in attacking Thomas Byrd, they made no attempt to use similar tactics against their other opponent, George Ashby, whose pedigree at least matched their own.<sup>42</sup> Although the tories might claim they had the support of men of quality, a number of them also came from families that had only recently achieved access into the ranks of the gentry.

The language contemporaries used to identify these factions in both the county and the borough gives the impression that these groupings had some coherence and even some consistency but there is no evidence of any organisation existing outside election time nor is there any record that either faction published a coherent programme with a clear set of political objectives.

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<sup>40</sup> See above, pp.7-8 and chs. 4, 7 and 8 passim, for examples of tory bias in the sources.

<sup>41</sup> See above, pp.253-5.

<sup>42</sup> See above, pp.373-4.

Yet there is some ground for arguing that those people who were interested in politics were able to distinguish between like-minded men who shared the same concerns and aspirations and their opponents. Coke and Cave's correspondence demonstrate that candidates and their agents were able to call on solid networks of family, retainers, friends, neighbours and like-minded supporters to assist them in these campaigns.<sup>43</sup> There is no comparable record to show how their opponents conducted their campaigns but passing references in the correspondence suggests that they employed much the same tactics. The size of the electorate in both constituencies meant that the cost of outright bribery was beyond the means of most candidates. Treating was common but generally was kept within acceptable bounds.<sup>44</sup> The main complaints cited in support of appeals were directed against the eligibility of voters.<sup>45</sup> Surprisingly, no attempt was made to challenge the principle of appointing additional freemen in advance of the borough elections, presumably because both sides benefited from using the same tactic.<sup>46</sup> Over time, campaigners may have learnt to refine their techniques but the papers relating to John Coke's appeal in 1679 suggests that, a generation earlier, candidates were able to draw on an effective network of supporters.<sup>47</sup>

## II

The profile of the county given in chapter 3 suggests that Leicestershire possessed few of those characteristics of 'a county commonwealth' that Everitt deduced from his study of Kent in the seventeenth century.<sup>48</sup> About a third of Leicestershire's aristocratic and gentry families had lived in the county since the fifteenth and early sixteenth century but the majority had taken up residence in the previous hundred years, in many instances having purchased property out of

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<sup>43</sup> See above, pp.142-3, 197-201, 288-91, 298-306, 322-5 and 368-75 for accounts of election campaigning.

<sup>44</sup> See above, pp.138-9 and 371-2.

<sup>45</sup> See above, pp.144-5, 337-8 and 375-80.

<sup>46</sup> See above, pp.280, 326-7 and 336-7.

<sup>47</sup> See above, pp.144-5.

<sup>48</sup> See above, pp.85-6

the proceeds of trade and the law.<sup>49</sup> Leicester, the county's largest town and only borough, was strategically sited but it was an impoverished place with few amenities. It had little attraction for the county gentry, even though it was a convenient venue for the quarter sessions, the assizes and elections.<sup>50</sup> The social networks of the gentry appear to have been local than county-wide, built on relationships with neighbours, including those residing beyond the county border. The outlying areas of the county often had more affinity economically and socially with neighbouring counties than with other areas within the county. Evidence in the correspondence suggests that a political bias in these networks but that may simply reflect the sources from which this evidence is drawn.

Despite the 120 miles that separates the county from the capital, there is frequent reference in the personal correspondence to regular two-way traffic between the county and London<sup>51</sup> Prints, pamphlets and broadsheets published in and disseminated from London, meant that local people had access to information about what was happening in Westminster and London.<sup>52</sup> Political news reached the county through private correspondence and newsletters and MPs were an important channel of communication between the centre and the locality.<sup>53</sup> As a result of regular annual sessions of parliament after 1689, local MPs were increasingly drawn into a wider national network. It is rarely possible to gather from the sources what effect this had on the recipient but it does confirm that those living in the county had access to political intelligence through a variety of sources. It is reasonable to assume political discourse percolated into the county in much the same way that metropolitan styles in architecture and consumer fashions began to appear in the homes of the county gentry.<sup>54</sup> In

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<sup>49</sup> See above, pp.98-100, 105-6 and 110

<sup>50</sup> See above, pp.117 and 120

<sup>51</sup> For example see above, chs. 3 passim

<sup>52</sup> See above, pp.297-8 and 377-8.

<sup>53</sup> See above, pp.139-40 and 188-9.

<sup>54</sup> J. M. Rosenheim, *The Emergence of a Ruling Order: English Landed Society, 1650-1750* (1998), pp. 215-52.

addition to these informal communications local officials were regularly being asked to respond to instructions from the council or ministers or give advice, a reminder that England was a central polity where authority was derived from the person of the monarch. Twice a year this authority was paraded in the assize courts in the person of the circuit judges, who increasingly were taking on the role of the eyes and ears of the administration and the government's mouthpiece.<sup>55</sup>

The clearest illustration of the inter-action between the locality and the centre was the process of choosing officers in the militia and justices of the peace.<sup>56</sup> The evidence cited in this study backs up Glassey and Landau's contention that there was a close correlation between changes in the commissions and the fluctuations in party fortunes at the centre.<sup>57</sup> Because of limited evidence, it has been difficult, to establish conclusively whether the initiative for these changes came from the government or was the result of local pressure. However, it is clear that successive changes in the office of lord chancellor were followed by changes in Leicestershire's commission of the peace. Often, such alterations followed national reviews, following complaints of political manipulation. On the other hand, there is some evidence of local consultation through the lord lieutenant and the *custos rotulorum* or through more informal channels.<sup>58</sup> Since the appointments to these two local posts were also subject to the same political influences, it is reasonable to assume that, for the most part, there was an identity of interest between these officials and the lord chancellor.<sup>59</sup> The prolonged stand-off between the earl of Nottingham, as secretary of state, and Rutland related to the appointment of deputy lieutenants in 1702-3 is one example where such co-

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<sup>55</sup> See above, pp.24-6 and 87-90.

<sup>56</sup> See above, pp.151-2, 162-4, 221-4, 256-8, 258-9, 263-5, 312-3, 319-22, 348-52 and 365-7.

<sup>57</sup> See above, pp.32-3; L. K. J. Glassey, *Politics and the Appointment of the Justices of the Peace, 1675-1720* (Oxford, 1979); N. Landau, *Justices of the Peace, 1679-1760* (Berkeley, 1984).

<sup>58</sup> For example, see above, pp.164 and 366.

<sup>59</sup> For changes in the commission, see above, pp.162-4, 221-2, 256-8, 263-5, 312-3, 319-21 and 347-51. Also see below, Tables 1 and 5, pp.411-7 and 434-40.

operation broke down.<sup>60</sup> Otherwise, the changes largely appear to have been unchallenged. Individuals may well have been disappointed that they had lost their posts but it made them all the more determined to fight for reinstatement when the political conditions changed.<sup>61</sup>

Glassey pointed out that dismissal from the commission had to be handled with sensitivity to avoid upsetting local opinion. Appointment, as a deputy lieutenant or a justice of the peace, was a mark of honour for the recipient and an acknowledgement of the individual's standing in the community and, for those who took their public responsibilities seriously, boosted their influence in the county. The evidence in this study suggests that these exercises were carried out with some precision based on accurate local intelligence. While there is a recurring pattern in the names of those left out and later returned to the commission, a core of justices with links into both factions serve throughout.<sup>62</sup> Many of these were among the most assiduous in attending the quarter sessions.<sup>63</sup>

Generally these changes were handled expeditiously but James II's radical remodelling in 1688 totally ignored local sentiment. In both the county and the borough, the king's policy alienated the majority of those men whom the government had previously relied on for local governance and it failed to recruit adequate replacements.<sup>64</sup> Had it not been for the efforts made by Huntingdon's local agents, John Gery and Gervase Jacquis, there was a real danger that the work of the county magistracy would have come to a halt.<sup>65</sup> In the borough the changes in the corporation came too late to assess what effect the remodelling

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<sup>60</sup> See above, pp.316-19.

<sup>61</sup> See above, 366-7 and 385-6.

<sup>62</sup> See below, Tables 1 and 5, pp.409-15 and 432-8.

<sup>63</sup> R.O.L.L.R., QS5/1/1, Court Minute Books, 1696-1726 and above p.258.

<sup>64</sup> See above, pp.214-234.

<sup>65</sup> See above, pp.223-4.

had on the its effectiveness but the concerns expressed locally about the re-modelling suggests that the new body carried little confidence across a broad political spectrum.<sup>66</sup> Based on his study of Yorkshire boroughs, M. J. Short concluded that James II and Sunderland might well have succeeded in their political ambitions but it is difficult to draw the same conclusion from Leicestershire.<sup>67</sup>

Given the smouldering opposition in Leicestershire to James II's radical reforms in 1687-8, it is surprising that there was such a lukewarm response from Leicestershire to the uprising at Nottingham. Like their forebears in the civil war, the county gentry appear to have preferred to lie low until the crisis had passed.<sup>68</sup> Despite the heats generated in the elections, a similar passivity characterised the men who represented the county and the borough in the Commons. To judge from parliamentary records, few of Leicestershire's MPs in this period played little active part in national politics. The county's representatives in the Commons played a dutiful part in using their votes to support party lines but, with the notable exception of Sir George Beaumont in Anne's reign, few went on to occupy a senior role in parliament or in government. Nor did the county attract the attention of ambitious outsiders, since it had no strategic importance: with only one borough, it was poorly provided with rich political pickings. It would therefore appear from the evidence available that Leicestershire was relatively isolated from the mainstream of national politics.

### III

It is one of the main contentions of this study that factional conflict, which was such a prominent feature of political activity in both the county and

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<sup>66</sup> See above, pp.225-30.

<sup>67</sup> M. Short, 'Political relationship between central government and local administration in Yorkshire 1679-88' (Ph.D. thesis, University of Leeds, 1999).

<sup>68</sup> See above, pp.241-5.

the borough throughout these four decades, was local rather than national in origin. In part, this political skirmishing resulted from rivalry between the leading families in the county and the struggle in the borough between the controlling oligarchy and those excluded from power. But, as this study has demonstrated, these conflicts had deeper ideological roots in strongly held, competing views about the most appropriate way to order affairs in religion and the state. These differences were paraded at the frequent elections that took place during this period as competing factions struggled to secure the return of men who would represent their interests at Westminster. There they hoped to join forces with other like-minded men to influence government policy. But equally important, their stay in London during parliamentary sessions provided the opportunity to lobby courtiers, ministers and other officials on both personal and public matters. This was an important objective in a polity where the monarch and his/her ministers still carried considerable executive and judicial powers and patronage. No where was this made more apparent than in the appointment of local officials, a political barometer, which demonstrated the comparative strength of the competing factions at both a local and a national level. If the interests of those most politically active in the county and the borough were predominantly local, they were aware that they had to engage with the politics of Westminster and the court, if they were to protect their local interests and deny their rivals access to power. A country gentleman, like Sir Thomas Cave, may have been reluctant to forgo the pleasures of Leicestershire but even he recognised he had a duty to his family and friends to take his political responsibilities seriously in a time of considerable uncertainty.

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## **Appendix 1 Lord Lieutenants and *Custodes Rotulorum* of Leicestershire**

Source: PRO C231/7, 8 and 9, Crown Office Docquet Books, 1660-1721

### **Lords Lieutenant**

4 June 1677	9 <sup>th</sup> earl of Rutland [after the retirement of 8 <sup>th</sup> earl through ill-health]	PRO C231/7
25 March 1685	9 <sup>th</sup> earl of Rutland [following James II's accession]	PRO C231/8 f.124
25(?) July 1687	7 <sup>th</sup> earl of Huntingdon [in place of earl of Rutland]	PRO C231/8 f.178
8 April 1689	9 <sup>th</sup> earl of Rutland [in place of earl of Huntingdon]	PRO C231/8 f.212
26 September 1702	9 <sup>th</sup> earl of Rutland [following Anne's accession]	PRO C231/8 f.72
23/4 March 1703	4 <sup>th</sup> earl of Denbigh [in place of earl of Rutland]	PRO C231/8 f.92
1 July 1706	1 <sup>st</sup> duke of Rutland [in place of earl of Denbigh]	PRO C231/9 f.144
8 September 1711	4 <sup>th</sup> earl of Denbigh [after death of 1 <sup>st</sup> duke of Rutland]	PRO C231/9 f.240
11 September 1714	2 <sup>nd</sup> duke of Rutland [following George I's accession]	PRO C231/9 f.332
24 April 1721	3 <sup>rd</sup> duke of Rutland [after the death of 2 <sup>nd</sup> duke]	PRO C231/9 f.516

### **Custodes Rotulorum**

1679	3 <sup>rd</sup> earl of Denbigh	PRO C231/8 f.22
6 November 1681	7 <sup>th</sup> earl of Huntingdon [in place of earl of Denbigh]	PRO C231/8 f.56
February 1685	7 <sup>th</sup> earl of Huntingdon [following James II's accession]	PRO C231/8 f.119
20 March 1689	2 <sup>nd</sup> earl of Stamford [in place of earl of Huntingdon]	PRO C231/8 f.211
20 August 1702	9 <sup>th</sup> earl of Rutland [following Anne's accession]	PRO C231/9 f.70
23/4 March 1703	4 <sup>th</sup> earl of Denbigh [in place of earl of Rutland]	PRO C231/9 f.92
30 June 1706	1 <sup>st</sup> duke of Rutland [in place of earl of Denbigh]	PRO C231/9 f.143
6 July 1711	4 <sup>th</sup> earl of Denbigh [after death of 1 <sup>st</sup> duke of Rutland]	PRO C231/9 f.238
1 December 1714	2 <sup>nd</sup> duke of Rutland [following George I's accession]	PRO C231/9 f.330
3 April 1721	3 <sup>rd</sup> duke of Rutland [after the death of 2 <sup>nd</sup> duke]	PRO C231/9 f.516

**Appendix 2 Leicester: Admission of Freemen, 1696-1713**

Source: H. Hartopp, *Leicester: Register of Freemen* vol. 1, 1196-1770 (Leicester, 1927)  
Hartopp's sources are described in his introduction to the Register, pp. xxxi-xliv

<b>Mayoral Year</b>	<b>Mayor</b>	<b>No. of Freemen</b>
1696-7	John Roberts	22
1697-8	Henry Pate	76 [71 by 27 July 1698]
27 July 1698	Election of Sir William Villiers and Lawrence Carter jun.	
1698-9	John Craycroft	15
1699- 1700	Samuel Wood land	9
1700-01	John Abney	24 [14 by 31 Dec. 1700]
31 Dec. 1701	Election of Sir William Villiers and Lawrence Carter jun.	
1701-2	Richard Townshend	219 [11 by 24 Nov. 1701]
24 Nov. 1701	Election of Lawrence Carter jun. and James Winstanley [206 by 20 July 1702, mostly in Apr to July]	
20 July 1702	Election of Sir George Beaumont and James Winstanley	
1702-3	Edmund Craddock	12
1703-4	Richard Weston	12
1704-5	Thomas Ayre	169 [143 from 4 Apr. to 5 May 1705]
5 May 1705	Election of Sir George Beaumont and James Winstanley	
1705-6	Thomas Hartshorne	21
1706-7	George Bent	13
1707-8	John Ludlum	58 [49 by 5 May 1708]
4 May 1708	Election of Sir George Beaumont and James Winstanley	
1708-9	James Annis	23
1709-10	Edward Hood	48
5 Oct. 1710	Election of Sir George Beaumont and James Winstanley	
1710-11	Thomas Bradley	29
1711-12	Edmund Johnson	25
1712-13	John Cooper	146 [120 in Aug. 1713]
28 Aug 1710	Election of Sir George Beaumont and James Winstanley	
1713-14	Arthur Noone	14

### **Appendix 3 Leicestershire returns to the Three Questions**

**January-February 1688:** Sources: Sir G. Duckett, *Penal Laws and Test Acts* 2 vols. (1982-3) 1.294-6 and 2.102-7; H.L. Main Papers 321 (c65), List of Recusants in Leicestershire 1680; P.R.O. PC 71, Additions and deletions 1687, pp. 363-79

The following assented to the three questions (\* *Catholic*: † *added in 1687*)

Sir Thomas Burton, Bart. D.L  
Sir Henry Beaumont, Bart. D.L  
Sir William Halford, Knt. D.L  
Richard Roberts, Esq. D.L  
Henry Nevill, Esq. \*†  
William Foster, Dr. of Laws

Dr. Gery. *Answers that the first question relates not to him, being a Clergyman. To the second he thinks sufficient security to preserve the Church of England may be made in Parliament and the Penal Acts and Test repealed*

Thomas Pochin. *That he hath all the Duty imaginable for his Majesty and inclinations to his service, but these questions are of such importance, that he cannot at present return a positive answer*

Roger Smith. *Answers doubtful*

**Those absent and non-resident in the county** (\* *Catholics* † *added in 1687*)

Sir John Gifford, Bart. \* †          Thomas Markham \*  
Thomas Eyres \* †                  John Fanning \*  
Sir Edward Abney, Knt. and Henry Kendall, resident in Derbyshire  
Sir Richard Verney, Knt., resident in Warwickshire, absent  
Sir Andrew Noel, Knt., resident in Rutlandshire, absent  
John Beaumont, Esq., an officer in the army, absent  
Sir Henry Hudson, Bart., and William Belgrave Esq. returned no answer [*subsequently he wrote to Huntingdon with his views H.L.C. Hastings Papers HA 6939 14 Jan. 1687/8*]  
Christopher Pack, is sick  
John Coke Esq., resident in Hertfordshire, no justice of the peace, formerly a D.L  
Richard Lister Esq., a D.L, absconded for debt

The following answered the first and second questions in the negative and to the last positively

My Lord Beaumont  
My Lord Cullen, called Charles Cockayne in the Commission  
My Lord Sherrard  
Sir Thomas Hesilrige, Bart.                          Sir Beaumont Dixie, Bart.  
Edward Hudson  
John de la Fontaine  
John Verney  
William Boothby  
George Bright, D.D.  
Thomas Caldecotte  
Jeremiah Dove  
Roland Browne  
Thomas Babington  
Roger Roe  
Samuel Cotton  
Thomas Boothby, to the three questions he answers in the negative.

The Earl of Rutland and my Lord Ferrers are both in the commission of the Peace but I [i.e. the Lord Lieutenant] sent not to them because I suppose his Majesty is already informed of their opinion in this matter.

**Huntingdon's recommendations** (\* Catholics, † added in 1687)

Deputy Lieutenants	# Sir Thomas Burton, Bart. # Sir Henry Beaumont, Bart. D.L # Sir William Halford, Knt. D.L # Richard Roberts, Esq. D.L # Henry Nevill, Esq. *† # Sir William Villiers # Sir John Gifford *†
Justices of the Peace	16 February 1687/8 # Charles Fortescue * # William Turvill * # Charles Beverley *† # Sir John Hartopp, Bart. # Sir William Halford, Knt # Wolstan Dixie, Esq. # Samuel Danvers jun, Esq # William Hartopp, Esq. # William Palmer # Nathan Wright # George Hewitt # Dr. William Foster, DD # Sir John Gifford, Esq *† # Thomas Markham, Esq * # John Fanning, Esq * # Roland Eyres Esq.* # John Oneby, Esq. # Dr. John Geary,
Members of Parliament	Sir John Hartopp for the county Sir William Villiers for the borough Sir Henry Beaumont for the borough

[There are no members of the Corporation, either for quality, fortune or interest, fit to stand as a parliamentary representative.]

**Notes**

1. No one who answered negatively to the three questions was appointed to the commission on 28 February 1687/8.
2. \* indicates that he was a Catholic. † indicates added in 1687, prior to the Three Questions. The Earl of Cardigan (Lord Brudenell) and Francis Lord Carrington, both Catholics, were added to the list of honorary justices at the same time.
3. # included in the Commission for 28 February 1668 (R.O.L.L.R. QS 1/1).
4. Oneby's recommended ten names. Five of these were appointed but the other five, the Earl of Stamford, Sir Thomas Halford, Sir Edward Abney, George Ashby and Thomas Charnells, were not included, H.L.C. Hastings, m/f15 HA 9778, 23 Jan. 1688.

**Appendix 4 Analysis of votes recorded in the county by-election, 4 December 1707**

**Source:** Cambridge University Library MS Mm.vi.61, ff 200-3, Copy of poll book compiled by Thomas Davis, Vicar of Syston, Leicestershire.

Hundred	Total (a)	For Ashby (b)	For Palmer (b)
Framland (north-east)	472 [11%]	361 [76%]	111 [24%]
Gartree (south-east)	815 [20%]	244 [30%]	571 [70%]
Guthlaxton (south centre)	690 [17%]	380 [55%]	310 [45%]
Sparkenhoe (south-west)	747 [18%]	268 [36%]	479 [64%]
West Goscote (north-west)	828 [20%]	385 [47%]	443 [53%]
Leicester	279 [7%]	157	122
Remainder	549 [13%]	228	321
East Goscote (north-centre)	594 [14%]	430 [72%]	164 [28%]
Miscellaneous	89 [2%]	52	37
Totals	4235	2120 [50.1%]	2078 [49.9%]

Notes

1. (a) % of votes recorded in each hundred as a proportion of total county  
(b) % of votes recorded for each candidate compared to total for hundred.
2. Miscellaneous: votes recorded in those places not identify with certainty.
3. *H.o.P. 1690-1715* vol. 1 pp. 347 and 350 records votes cast as 2230 Ashby and 2092 Palmer: source Bean's Notebooks.

**Table 1: Justices of the Peace in Leicestershire, 1680-1700**

**Notes**

The names in each commission were set out in order of precedence. This table does not include the honorary justices, who were named first in each commission, even if resident in the county. All other justices of the rank of baronet and below are included. To facilitate comparisons between years the justices have been presented in the table in alphabetical order.

**1680** Source: H.L.R.O. *Main Papers* 274 9/22 Nov. 1680.

The HL list includes 4 working justices left out on 7 May, Sir William Halford, William Hartopp, Thomas Pochin (sr.) and William Skeffington; these have been omitted from the Table. They were replaced by Sir Andrew Noel, Thomas Boothby, Geoffrey Palmer and Roger Rooe. Other annotations record that Sir William Hartopp is 'much in debt, absconds and goes by another name' [Nichols, *Hist. Leics.* II. 863-4] and George Faunt is as a prisoner at the King's Bench on account of his debts; John Stafford was left off on 18 Nov. 1680; Sir Clement Clarke, Edward Arnold and John Hackett were judged to have too small a stake in the county, although the last two retained their place until their deaths in the mid-1680s.

**1684** Source: H.L.C., *Hastings Papers* HA 1078 16 Aug. 1684, Wm. Browne's transcript of Commission dated 12 Jan. 1684.

This transcription was made at Huntingdon's request.

**1685** Source: P.R.O., *Liber Pacis* C193 12/5 n/d [c.10 Oct. 1685].

Seven changes have taken place since the Commission of Jan. 1684: Alexander Hassall, Casibilion Burton and Henry Bigland had died. Sir Thomas Hesilrige, John Verney and John Gery DL had been added.

**1687** Source: P.R.O., PC/2/71 f368 [not included in Table].

Following the Privy Council review in Oct. 1686, a new commission may have been issued for the county in Feb./Mar. 1687 [Glassey, *Justices of the Peace*, pp.70-7]. The PC proposed the removal of four justices: Thomas Viscount Swords, Sir Thomas Dolmen, Richard Lister and William Cole, and the addition of seven Catholics: Earl of Cardington, Francis Lord Carrington, Sir John Gifford, Henry Nevill, Thomas Ayres, Charles Byerly and John Beaumont.

**1688** Source: R.O.L.L.R., QS I/I, Commission of the Peace, 28 Feb. 1688.

This is the first Commission to be issued after the 'Three Questions.' Those who responded negatively to one or more of the three questions lost their place on the Commission.

Catholics: Charles Beverly, Roland Eyres, John Fanning, Charles Fortescue, Sir John Gifford, Thomas Markham, Henry Nevill, William Turvill (HL *Main Papers* 321 c65, R.C.s in Leicestershire, and Duckett, *Penal Laws*, II.103).

Dissenters: Samuel Danvers, Sir John Hartopp, George Hewitt, John Oneby, William Palmer.

Associates of the Earl of Huntingdon's: Sir Henry Beaumont, Nathan Wright, Wolstan Dixie, Sir William Halford and Dr Gery.

**1689** Source 1: R.O.L.L.R., QS I/3, Commission of the Peace, 31 Aug. 1689.

The second Commission issued after the accession of William III (the first was withdrawn because 15 names were omitted). It was larger and more inclusive than those issued in the 1680s.

**1689** Source 2: R.O.L.L.R., QS 1/5, Commission of the Peace, 27 Sept 1690 [QS/1/4 and 5, not included in the Table].

Sir Edward Abney, Thomas Charnells, Edward Conyers, Sir Ambrose Phillips, William Rawlins and Robert Robey were added between Aug. 89 and Sept. 90

**1692** Source: R.O.L.L.R., QS/1/6, Commission of the Peace, 26 Nov. 1692 [QS/1/6 not included in the Table].

Sir Thomas Beaumont, Sir Beaumont Dixie, Sir Henry Firebrace, Sir Thomas Halford, Sir Henry Hudson, William Palmer had died since Sept. 1690 and Geoffrey Palmer left off. Sir George Beaumont (brother, of Thomas) and Archdale Palmer (son of William) were added.

Further evidence of changes between 1689 and 1694 is contained in PC 2/75 23 Feb 1693 'House of Lords Enquiry Report' and PRO C231/8 'Liber Pacis'.

**1694** Source: R.O.L.L.R., QS 1/7, Commission of the Peace, 24 Jul. 1694.

10 justices were left off, Thomas Boothby, Rowland Brown, Richard Lister sr., Streete, Sir John Noel, John Bainbrigge, Sir Wolstan Dixie, Charles Morris, John Verney\* and William Whalley and Samuel Danvers, had died.

8 were added, Thomas Babington jr., Sir John Hartopp, Thomas Hartopp, Samuel Shalcrosse, Matthew Simmonds, John Winstanley and two whig MPs from Lincolnshire, Sir William Ellis and Sir William Yorke.

Of the 14 added between 1690 and 1694, 9 were left off in 1700. Sir Edward Abney, Thomas Charnells, Edward Conyers, Sir John Hartopp, Thomas Hartopp, Simmonds, William Rawlins sr., Robert Robey and Samuel Shalcross were dismissed in tory purges in 1700, 1704 and 1712. The last three may have lost their places as 'men of low estate'.

**1697** Source: R.O.L.L.R., QS 1/8, Commission of the Peace, 1 June. 1697.

Only three changes: Sir William Hartopp had died and his brother, Richard was appointed. Roger Rooe was left off because of his criticism of the tax assessors.

**1700** Source: R.O.L.L.R., QS 1/9, Commission of the Peace, 2 Aug. 1700.

The first Commission issued for Leicestershire after Nathan Wright became Lord Chancellor.

**Table 1: Justices of the Peace in Leicestershire, 1680-1700**

Family name	First name	Rank	Residence	Location	DoB	DoD	1680	1684	1685	1688	1689	1690	1694	1695	1700
Abney	Sir Edward	Knt.	Willesley	West Goscote	1631	1728	✓	✓	✓			✓	✓	✓	✓
Arnold	Edward				0	0	✓	✓							
Ashby	George	Esq.	Quenby	East Goscote	1656	1728					✓	✓	✓	✓	✓
Babington	Thomas sr		Rothley Temple	West Goscote	1635	1708	✓	✓	✓		✓	✓	✓	✓	✓
Babington	Thomas jr		Rothley Temple	West Goscote	1682	1729							✓	✓	✓
Bainbrigge	John		Lockington N Hall	West Goscote	1657	1717					✓	✓			✓
Bainbrigge	William		Lockington N Hall	West Goscote	1685	1736									✓
Beaumont	Sir Henry	2 <sup>nd</sup> Bart.	Stoughton Grange	Gartree	1638	1689	✓	✓	✓	✓					
Beaumont	Sir Thomas	3 <sup>rd</sup> Bart.	Stoughton Grange	Gartree	1664	1690					✓	✓			
Beaumont	Sir George	4 <sup>th</sup> Bart.	Stoughton Grange	Gartree	1665	1737							✓	✓	✓
Bellgrave	William sr.		North Kilworth	Guthlaxton	1638	1703	✓	✓	✓						✓
Bennett	St John		Welby	East Goscote							✓	✓	✓	✓	✓
Beverley	Charles		Belgrave	Sparkenhoe						✓					
Bigland	Henry		Long Whatton	West Goscote		1712									✓
Bigland	Henry	Esq.	Kegworth	East Goscote	0	1684	✓	✓							
Boothby	William sr.		Potters Marston	Sparkenhoe	1631	1708	✓	✓	✓		✓	✓	✓	✓	✓
Boothby	Thomas		Tooley Park	Sparkenhoe	1640	1695	✓	✓	✓		✓	✓			
Boothby	William jr.		Potters Marston	Sparkenhoe	1666	1724									✓
Bracebridge	Samuel		Lindley Hall	Sparkenhoe	1673	1735									✓
Bright	Dr. George	D.D.	Loughborough	West Goscote	1633	1696	✓	✓	✓						
Browne	Rowland						✓	✓	✓		✓	✓			✓
Burton	Sir Thomas	3 <sup>rd</sup> Bart.	Stockerston	Gartree	1657	1705				✓					
Burton	Casibilon				0	1684	✓	✓							

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1680	1684	1685	1688	1689	1690	1694	1695	1700
Byrd	William		Claybrooke	Guthlaxton		1705					✓	✓	✓	✓	✓
Caldecotte	Thomas		Calthorpe	Guthlaxton	1627	1702	✓	✓	✓		✓	✓	✓	✓	✓
Carter	Lawrence sr.		Newarke	Leicester	1641	1710					✓	✓	✓	✓	✓
Cave	Sir Roger	2 <sup>nd</sup> Bart.	Stanford on Avon	Guthlaxton	1653	1703									✓
Charnells	Thomas		Snarestone	West Goscote	1651	1727						✓	✓	✓	✓
Chester	Sir John	4 <sup>th</sup> Bart.	Chicheley	Bucks	1666	1726									✓
Clarke	Sir Clement	1 <sup>st</sup> Bart.	Launde	East Goscote	?	1693	✓								
Cockayne	Charles		Elmesthorpe	Guthlaxton	0	0	✓	✓	✓						
Coke	no name		not yet identified								✓	✓	✓	✓	
Cole	William		Laughton	Gartree	1613	1698	✓	✓	✓		✓	✓	✓	✓	
Conyers	Edward		Wakerley/Blaston?	Gartree		1701						✓	✓	✓	✓
Cotton	Samuel		Laughton	Gartree	1632		✓	✓	✓						
Danvers	Samuel jr.		Swithland	West Goscote		1693				✓	✓	✓			
Dixie	Sir Beaumont	2 <sup>nd</sup> Bart.	Bosworth Park	Sparkenhoe	1630	1692	✓	✓	✓		✓	✓			
Dixie	Sir Wolstan	3 <sup>rd</sup> Bart	Bosworth Park	Sparkenhoe	1657	1713				✓	✓	✓			✓
Dolman	Sir Thomas	Knt.			0	0	✓	✓	✓						
Dove	Jeremiah		Upton	Northants			✓	✓	✓						
Ellis	Sir William	2 <sup>nd</sup> Bart.	Wyham	Lincs	1654	1727							✓	✓	✓
Eyres	Roland		Eastwell	Framland						✓					
Fanning	John		Lubbenham	Gartree						✓					
Faunt	George				0	0	✓								
Firebrace	Sir Henry	Knt.	Stoke Golding		1619	1691						✓			
Fontaine	John de la		Kirby Bellars	Framland		1708	✓	✓	✓		✓	✓	✓	✓	✓
Fortescue	Charles		Husband's Bosworth	Gartree		1732				✓					
Foster	Dr. William	D. Laws					✓	✓	✓	✓					

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1680	1684	1685	1688	1689	1690	1694	1695	1700
Franke	William		Newarke	Leicester							✓	✓	✓	✓	✓
Gery	Dr. John	D. Laws	Sweepstone	West Goscote	1637	1722			✓	✓					
Gifford	Sir John	2 <sup>nd</sup> Bart.	Birstall	West Goscote		1736				✓					
Hackett	John				0	0	✓	✓	✓						
Halford	Sir William	Knt ./1 <sup>st</sup> Bart.	Welham	Gartree	1638	1682				✓					
Halford	Sir Thomas	3 <sup>rd</sup> Bart.	Wistow	Gartree	1663	1690					✓	✓			
Halford	Sir William	4 <sup>th</sup> Bart.	Wistow	Gartree	1670	1695							✓		
Halford	Sir Richard	5 <sup>th</sup> Bart.	Wistow	Gartree		1727								✓	✓
Halsall	Alexander				0	1684	✓	✓							
Hartopp	Sir William		Rotherby	East Goscote	0	0	✓								
Hartopp	Sir John	3 <sup>rd</sup> Bart.	Freathby/Stoke N	Framland/London	1637	1722				✓			✓	✓	✓
Hartopp	Thomas		Quorndon	West Goscote	1655	1727							✓	✓	✓
Hartopp	William	Esq.	Little Dalby	East Goscote	1654	1724				✓	✓	✓	✓	✓	✓
Heselrige	Sir Thomas	4 <sup>th</sup> Bart.	Noseley	Gartree	1664	1700			✓		✓	✓	✓	✓	
Heselrige	Sir Robert	5 <sup>th</sup> Bart.	Noseley	Gartree	1638	1713									✓
Hewett	George sr.		D' Bassett/Stretton	Guthlaxton	1643	1690	✓			✓	✓	✓			
Hewett	George jr.	Esq.	D' Bassett/Stretton	Guthlaxton	1664	1714									✓
Holt	John														✓
Hudson	Sir Henry	2 <sup>nd</sup> Bart.	Melton Mowbray	Framland	1609	1690	✓	✓	✓		✓	✓			
Hudson	Sir Edward	3 <sup>rd</sup> Bart.	Melton Mowbray	Framland	1637	1702		✓	✓		✓	✓	✓	✓	✓
Jennens	Charles		Gopsall Hall	Sparkenhoe	1662	1747									✓
Jesson	William														✓
Johnson	Matthew	Clerk to Parl.	Withcote	Framland	1635	1723					✓	✓	✓	✓	✓
Kendall	Henry		?Simsby	Derbys			✓	✓	✓						
Lewis	Thomas										✓	✓	✓	✓	

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1680	1684	1685	1688	1689	1690	1694	1695	1700
Lister	Richard sr.		Thorpe Arnold	Framland	1628	1704	✓	✓	✓		✓	✓			
Lister	Richard jr.		Thorpe Arnold	Framland	1657						✓	✓	✓	✓	✓
Mackworth	Sir Thomas	4 <sup>th</sup> Bart.	Normanton	Rutland	1661	1745									✓
Markham	Thomas		Allextion	Notts						✓					
Moreton	George										✓	✓	✓	✓	
Morris	Charles		Loddington	East Goscote		1710					✓	✓			✓
Mundy	Francis		Markeaton/Osbaston	Derbys		1720									✓
Nevill	Henry		Holt	Northants		1728				✓					
Noel	John		not yet identified												✓
Noel	Sir Andrew		Whitwell	Rutland			✓	✓	✓						
Noel	Sir John	Knt./4 <sup>th</sup> Bart.	Kirby Mallory	Sparkenhoe	1668	1697					✓	✓			
Oneby	John		Hinckley, Barwell	Sparkenhoe	1629	1721				✓	✓	✓	✓	✓	
Oneby	Robert		Hinckley, Barwell	Sparkenhoe	1665	1720									✓
Pack	Christopher		Prestwold	East Goscote	1643	1699		✓	✓		✓	✓	✓	✓	
Pack	Clifton		Prestwold	East Goscote	1674	1707									✓
Pack	Sir Christopher	Knt.	Prestwold	East Goscote	1593	1682	✓								
Palmer	William		Wanlip	West Goscote	1636	1692				✓	✓	✓	✓	✓	
Palmer	Archdale		Wanlip	West Goscote	1661	1732							✓	✓	✓
Palmer	Sir Geoffrey	3 <sup>rd</sup> Bart.	Carlton Curlieu	Gartree	1655	1732	✓	✓	✓		✓	✓			✓
Phillips	Sir Ambrose	Knt /Sgt at Law	Garendon	West Goscote	1638	1706						✓	✓	✓	✓
Pickering	Sir Gilbert	3 <sup>rd</sup> Bart.	Titchmarsh/Langton	N'thants/Gartree	1669	1736									✓
Pochin	George		Sibleby	East Goscote	1644	1707					✓	✓	✓	✓	✓
Pochin	Thomas sr.		Barkby	East Goscote	1651	1732					✓	✓	✓	✓	✓
Rawlins	William sr.		Woodhouse		1618	1696						✓	✓	✓	
Reynolds	Edward					1732									✓

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1680	1684	1685	1688	1689	1690	1694	1695	1700
Roberts	Richard		Thorpe Langton	Gartree	1650		✓	✓	✓	✓					
Robey	Robert		Castle Donnington	West Goscote								✓	✓	✓	
Roe	Roger		Normanton Turville	Sparkenhoe	1630	1707	✓	✓	✓		✓	✓	✓		✓
Ruding	William		Westcotes	West Goscote		1712									✓
Shalcross	Samuel	Esq.	Burton/Prestwold	West Goscote	1639	1729							✓	✓	
Simonds	Matthew		Leicester	Leicester		1714							✓	✓	✓
Skeffington	William		Skeffington	East Goscote		1692					✓	✓	✓	✓	
Skeffington	Thomas		Skeffington	East Goscote	1663	1709									✓
Smith	Sir Edward	1 <sup>st</sup> Bart.	Edmundthorpe	Framland	1630	1707					✓	✓	✓	✓	✓
Smith	Sir Edward	2 <sup>nd</sup> Bart.	Edmundthorpe	Framland	1655	1720									✓
Smyth	Roger		? Frolesworth	Guthlaxton			✓	✓	✓		✓	✓	✓	✓	
Stafford	John				0	0	✓								
Streete	William		Hallaton	Gartree	1656	1697	✓	✓	✓		✓	✓			
Tate	Henry		Burleigh Park L'boro	West Goscote	1653	1722									✓
Turner	Henry	Sgt -at -Law	Sapcote	Guthlaxton		1724									✓
Turvill	William		Aston Flamville	Sparkenhoe	1667	1702				✓					
Verney	Sir Richard	Knt.	Allextion & C. Verney	Gartree	1622	1711	✓	✓	✓						
Verney	John	Hon.	Allextion	Gartree	1657	1708			✓		✓	✓			✓
Villiers	Sir William	3 <sup>rd</sup> Bart.	Brooksby & Hoby	East Goscote	1645	1712				✓					✓
Whalley	William sr.		Norton j'ta Galby	Gartree	1620	1719					✓	✓			✓
Wigley	Sir Edward	Knt.	Scraptoft	Gartree	1661	1710									✓
Wilkins	John		Ravenstone	West Goscote							✓	✓	✓	✓	✓
Wilson	John		Keythorpe	Gartree							✓	✓	✓	✓	✓
Winstanley	James		Braunstone Hall	West Goscote		1721							✓	✓	✓
Wollaston	Issac		Loseby	East Goscote	1673	1736									✓

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1680	1684	1685	1688	1689	1690	1694	1695	1700
Wright	Sir Nathan	Knt.	Barwell/Brooksby	Spark/E. Gosc.		1721				✓	✓	✓	✓	✓	
Wright	George		Brooksby	East Goscote											✓
Yorke	Sir William	Knt.	Burton Pedwardine	Lincs	1646	1702							✓	✓	✓
<b>Totals</b>							<b>38</b>	<b>34</b>	<b>33</b>	<b>23</b>	<b>47</b>	<b>54</b>	<b>47</b>	<b>46</b>	<b>68</b>

**Table 2: Deputy Lieutenants for and Sheriffs of Leicestershire, 1680-1720**

**Notes on deputy lieutenants** [pp.418-422]

**1680** Source: HL, *Main Papers* 287s 24 Nov.1680

Deputy lieutenants and other commissioned officers in Leicestershire.

The *Militia Order Book, 1667-1695* (R.O.L.L.R., LM2/1) includes orders signed by the following deputies, who were not in post in 1680, Henry Halford, Charles Cokayne, Samuel Cotton and Richard Roberts.

**1688** Source 1: Sir George Duckett, *Penal Laws and Test Acts* 2 vols. (1882-3) II.102-7.

Source 2: P.R.O. SP 44/165 f.19, 16 Feb 1688; printed in *C.S.P.D. June 1687-Feb. 1689* p.146.

The approved list of 16 Feb 1688 follows on from Huntingdon's report on the 'Three Questions', the responses to which are in Duckett.

**1690** Source: SP 44/166 f.163, 7 Oct.1690'; printed in *C.S.P.D. May 1690--Oct 1691* p.139

Approval for the appointment deputy lieutenants based on earl of Rutland's recommendations.

**1701** Source: SP 44/168 ff.29-337, 10 Mar. 1701; printed in *C.S.P.D. Apr. 1700 - Mar. 1702* p.249 and 252.

Rutland's recommendations for deputy lieutenants.

**1702** Source: SP 44/104 ff.179-80, 14 Dec. 1702; printed in *C.S.P.D. Mar. 1702 – 1703* p.339.

Correspondence between Secretary of State Nottingham, Gower and Rutland.

**1703** Source: SP 44/170 f.173, 11 June 1703; printed in *C.S.P.D. Mar. 1702-1703* p.279

Final approval for appointment of deputy lieutenants from Secretary of State.

**1712** Source: SP 44/173 f.283 p.290 and 310, 19 June 1712.

Approval for appointment of deputy lieutenants from Secretary of State Dartmouth.

**1716** Source: R.O.L.L.R., LM2/4 *Militia Order Book 1715*, n/d but prior to 24 Oct. 1715

List of deputy lieutenants.

**Notes on sheriffs** [pp.422-4]

**1680-1720:** Nichols, *Hist. Leics.* I.462 [corrected with information from PC registers]

Names and date of office

**Table 2.1: Deputy Lieutenants for Leicestershire, 1680-1715**

Family name	First name	Rank	Residence	Location	DoB	DoD	1680	3 Qest	1688	1690	1701	1702	1703	1712	1716
Ashby	George	Esq.	Quenby	East Goscote	1656	1728					✓				✓
Babington	Thomas sr.	Esq.	Rothley Temple	West Goscote	1635	1708	✓	no		✓	✓		✓		
Babington	Thomas jr.	Esq.	Rothley Temple	West Goscote	1682	1729								✓	✓
Beaumont	Lord Thomas	Viscount	Coleorton				✓	no							
Beaumont	Sir Henry	2nd Bart.	Stoughton Grange	Gartree	1638	1689	✓	yes	✓						
Beaumont	Sir George	4th Bart.	Stoughton Grange	Gartree	1665	1737						✓	✓	✓	
Bellgrave	William sr.		North Kilworth	Guthlaxton	1638	1703						✓	✓		
Bennett	St John		Welby	East Goscote						✓	✓				
Bennett	Thomas		Welby	East Goscote	1674	1738									✓
Boothby	Thomas		Tooley Park	Sparkenhoe	1640	1695	✓	no		✓					
Boothby	William jr.		Potters Marston	Sparkenhoe	1666	1724							✓	✓	
Boothby	Thomas		Tooley Park	Sparkenhoe	1682	1752						✓	✓	✓	
Browne	Rowland										✓				
Burton	Sir Thomas	3rd Bart.	Stockerston	Gartree	1657	1705		yes	✓						
Byrd	Thomas	Esq.	Claybrooke	Guthlaxton		1753									✓
Cave	Sir Thomas	3rd Bart.	Stanford on Avon	Guthlaxton	1682	1719								✓	
Cave	Sir Roger	2nd Bart.	Stanford on Avon	Guthlaxton	1653	1703						✓	✓		
Chester	Sir John	4th Bart.	Chicheley	Bucks	1666	1726						✓	✓	✓	
Coke	John	Esq.	Melbourne	Derbyshire	1653	1692	✓	Abs							
Cotton	Samuel		Laughton	Gartree	1632			no		✓					
Crewe	John						✓								
Dixie	Sir Wolstan	1st Bart.	Bosworth Park	Sparkenhoe	1602	1682	✓								
Dixie	Sir Beaumont	2nd Bart.	Bosworth Park	Sparkenhoe	1630	1692	✓	no		✓					

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1680	3 Qest	1688	1690	1701	1702	1703	1712	1716
Dixie	Sir Wolstan	3rd Bart.	Bosworth Park	Sparkenhoe	1657	1713						✓			
Fontaine	John de la		Kirby Bellars	Framland		1708		no		✓	✓		✓		
Gifford	Sir John	2nd Bart.	Birstall	West Goscote		1736			✓						
Gray	Anchitell						✓								
Halford	Sir William	4th Bart.	Wistow	Gartree	1670	1695	✓	yes	✓						
Halford	Sir Richard	5th Bart.	Wistow	Gartree		1727						✓	✓	✓	
Hartopp	Sir William		Rotherby	East Goscote			✓								
Hartopp	Thomas	Esq.	Quorndon	West Goscote	1655	1727									✓
Hartopp	William	Esq.	Little Dalby	East Goscote	1654	1724									✓
Harvey	Edward													✓	
Heselrige	Sir Thomas	4th Bart.	Noseley	Gartree	1664	1700				✓					
Heselrige	Sir Robert	6th Bart.	Noseley	Gartree	1666	1721									✓
Holford	Sir William	Knt./1st Bart.	Welham	Gartree	1663	1709				✓					
Howe	Sir Scrope	Knt.			1648	1713				✓					
Hudson	Sir Henry	2nd Bart.	Melton Mowbray	Framland	1609	1690	✓								
Hudson	Sir Edward	3rd Bart.	Melton Mowbray	Framland	1637	1702		no		✓	✓				
Inge	William		Thorpe Constantine	Staffs	1669	1731								✓	
Jesson	William										✓				
Johnson	Geoffrey		Withcote	Framland	1678	1742								✓	
Lewis	Francis													✓	
Lister	Richard sr.		Thorpe Arnold	Framland	1628	1704	✓	Abs		✓	✓				
Lister	Richard jr.		Thorpe Arnold	Framland	1657					✓	✓				
Merry	Thomas						✓								
Moore	Sir John														✓
Morris	Edmund		Loddington	East Goscote		1759								✓	

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1680	3 Qest	1688	1690	1701	1702	1703	1712	1716
Mundy	Francis		Markeaton/Osbaston	Derbys		1720								✓	
Nevill	Henry		Holt	Northants		1728			✓						
Noble	Thomas	Esq.													✓
Noel	John	Hon.	not yet identified												✓
Noel	Sir John	4th Bart.	Kirby Mallory	Sparkenhoe	1668	1697					✓				
Palmer	Sir Geoffrey	3rd Bart.	Carlton Curlieu	Gartree	1655	1732						✓	✓	✓	
Parkyns	Sir Thomas	2nd Bart.	Bunny	Notts	1662	1741									✓
Phillips	Sir Ambrose	Knt./ Sgt-at-Law	Garendon	West Goscote	1638	1706				✓	✓				
Phillips	William	Esq.	Garendon	West Goscote	1672	1729								✓	✓
Pickering	Sir Gilbert	3rd Bart.	Langton/Titchmarsh	Gartree/N'thants	1669	1736									✓
Pochin	Thomas sr.	Esq.	Barkby	East Goscote	1651	1732									✓
Roberts	Richard		Thorpe Langton	Gartree	1650			yes	✓						
Sherard	Philip						✓								
Sherard	Bennet	2nd Lord.	Stapleford	East Goscote	1621	1700	✓	no							
Shirley	Robert	Viscount	Staunton Harold	East Goscote	1693	1714								✓	
Shuttleworth	Richard													✓	
Skeffington	Thomas		Skeffington	East Goscote	1663	1709							✓		
Smith	Sir Edward	1st Bart	Edmundthorpe	Framland	1630	1707				✓					
Smith	Sir Edward	2nd Bart.	Edmundthorpe	Framland	1655	1720									✓
Tate	Henry		Burleigh Park L'boro	West Goscote	1653	1722							✓	✓	✓
Verney	John	Hon.	Allextion	Gartree	1657	1708		no		✓	✓		✓		
Villiers	Sir William	3rd Bart.	Brooksby & Hoby	East Goscote	1645	1712			✓	✓	✓		✓		
Villiers	Sir George	2nd Bart.			1619	1682	✓								
Wigley	Sir Edward	Knt.	Scraptoft	Gartree	1661	1710				✓			✓		
Wilkins	John	Esq.	Ravenstone	West Goscote								✓	✓	✓	✓

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1680	3 Qest	1688	1690	1701	1702	1703	1712	1716
Wilson	John		Keythorpe	Gartree						✓	✓		✓	✓	
Winstanley	James		Braunstone Hall	West Goscote		1721						✓	✓	✓	
Wollaston	William		Shenton		1659	1724	✓								
Wollaston	Issac	Esq.	Loseby	East Goscote	1673	1736									✓
<b>Totals</b>							<b>18</b>		<b>7</b>	<b>18</b>	<b>14</b>	<b>10</b>	<b>18</b>	<b>21</b>	<b>18</b>

**Table 2.2: Sheriffs of Leicestershire, 1680-1720**

Family name	First name	Rank	Residence	Location	DoB	DoD	Sheriff	Year	DL	JP
Armeston	James		Burbage	Sparkenhoe	1644	1704	✓	1702-03		✓
Ashby	George	Esq.	Quenby	East Goscote	1656	1728	✓	1688-89	✓	✓
Babington I	Thomas sr.		Rothley Temple	West Goscote	1635	1708	✓	1677-78	✓	✓
Bainbrigge	John		Lockington N Hall	West Goscote	1657	1717	✓	1698-99		✓
Bakewell	John sr.		Normanton				✓	1718-19		
Bennett	St John		Welby	East Goscote			✓	79-80/92-93	✓	✓
Boothby II	Thomas		Tooley Park	Sparkenhoe	1682	1752	✓	1707-08	✓	✓
Browne	Richard		Burrow	Guthlaxton			✓	1678-79		
Burton	George	Esq.	of Stockerston				✓	1709-10		
Charnells	Thomas		Snarestone	West Goscote	1651	1727	✓	1701-02		✓
Cheslin	Richard		Langley, Ashby	West Goscote	1634	1717	✓	1695-96		✓
Cotton	Samuel		Laughton	Gartree	1632		✓	1683-4	✓	✓
Danvers	Joseph	Esq.	Swithland	West Goscote			✓	1720-21		✓
Dove	Jeremiah		Upton	Northants			✓	1680-1		✓
Gould	Nathaniel	Esq.					✓	1697-98		
Gresley	Thomas		? Netherseale	West Goscote			✓	1712-13		✓
Hartopp	William	Esq.	Little Dalby	East Goscote	1654	1724	✓	1708-09	✓	✓
Heselrige	Sir Robert	6 <sup>th</sup> Bart.	Noseley	Gartree	1666	1721	✓	1715-16	✓	✓
Heselrige	Sir Thomas	4 <sup>th</sup> Bart.	Noseley	Gartree	1664	1700	✓	1686-87	✓	✓
Hewett II	George jr.	Esq.	D' Bassett/Stretton	Guthlaxton	1664	1714	✓	1700-01		✓
Hewett III	William	Esq.	D' Bassett/Stretton	Gartree		1766	✓	1719-20		✓
Meres	Sir John	Knt.	Kirby Bellars	Framland		1735	✓	1714-15		✓
Moreton	George						✓	1690-91		✓

*Politics in Leicestershire c1677 to c1716*

Morris	Charles		Loddington	East Goscote		1710	✓	1705-06		✓
Mundy	Francis		Markeaton/Osbaston	Derbys		1720	✓	1713-14	✓	✓
Noel	Sir Clobery	5 <sup>th</sup> Bart.	Kirby Mallory	Sparkenhoe	1695	1733	✓	1716-17		
Pack III	Clifton		Prestwold	East Goscote	1674	1707	✓	1706-07		✓
Palmer	William ?94,97		Wanlip	West Goscote	1636	1692	✓	1687-88		✓
Pickering	Sir Gilbert	3 <sup>rd</sup> Bart.	Titchmersh/Langton	N'thants/Gartree	1669	1736	✓	1704-05	✓	✓
Pochin	George		Sileby	East Goscote	1644	1707	✓	1694-95		✓
Pochin II	Thomas jr.		Barkby	East Goscote	1685	1751	✓			✓
Simonds	Matthew		Leicester	Leicester		1714	✓	1691-92		✓
Skeffington II	Thomas		Skeffington	East Goscote	1663	1709	✓	1699-00	✓	✓
Smith	Thomas	Esq.	Gaddesby	East Goscote			✓	1717-18		
Tate	Henry		Burleigh Park L'boro	West Goscote	1653	1722	✓	1711-12	✓	✓
Whalley I	William sr.		Norton j'ta Galby	Gartree	1620	1719	✓	1689-90		✓
Wigley	Sir Edward	Knt.	Scraptoft	Gartree	1661	1710	✓	1703-04	✓	✓
Wilkins	John		Ravenstone	West Goscote			✓	1693-94	✓	✓
Wilson	John		Keythorpe	Gartree			✓	82-83/85-86	✓	✓
Wilson	Thomas						✓	1684-85		
Wollaston	Issac		Loseby	East Goscote	1673	1736	✓	1696-97	✓	✓

**Table 3: Leicester Corporation: Occupations of the members of the corporation in 1680, who earlier or later served as mayors**

Mayoralty	Family name	First name	DoB	DoD	Ald	Occupation
1661 & 74	Noble	Francis	1612	1689	1653-1689	Woollen draper
1667 & 82	Southwell	William	1629	1712	1664-1711	Fellmonger
1669 & 83	Freeman	Andrew	1627	1706	1664-1699	Mercer
1670	Deane	William	1623	1693	1666-1689	Tailor
1673	Hartshorne	Robert	1621	1685	1662-1685	Malster/miller
1675 & 91	Beckett	George	1628	1692	1675-1689	Innholder
1676	Sutton	Edmund	1620		1664-1688	Maltster
1678	Abney	Philip	1623	1697	1664-1689	Maltster
1679 & 96	Roberts	John	1631	1705	1664-1699	Tanner
1680 & 90	Goodall	John	1637	1720	1671-1699	Ironmonger
1681 & 06	Bent	George	1634	1709	1668-1708	Baker
1684	Ludlum sen	Thomas	1637	1697	1680-1696	Mercer
1685	Hood	Walter	1640	1693	1676-1692	Chandler/Ironmonger
1686	Ward	Francis	1635	1691	pre 1680-1692	Bookseller/Stat.
1687	Craddocke	Joseph	1634	1700	*1680-1694	Innholder
1688	Bentley	William	1638	1696	1680-1694	Mercer
1689	Bent	John	1631	1700	1679-1700	Chandler
1692	Brooksby	John	1639	1723	1680-1723	Mercer
1692	Wilkins	John	1635	1721	1679-1714	Clockmaker
1693	Johnson	Edmund	1648	1699	* 1687-1699	Dyer
1694	Palmer	Thomas		1717	* 1687-1699	Chandler
1695	Pares	John	1635	1712	* 1685-1711	Innholder/vintner
1697	Pate	Henry	1638	1705	* 1685-1705	Innholder
1699	Woodland	Samuel	1646	1712	* 1692-1711	Chandler
1702	Craddock	Edmund	1640	1716	* 1684-1715	Woollen draper

### Notes and references

The information about occupations comes from H. Hartopp, *Roll of the Mayors and Lord Mayors of Leicester* (Leicester 1932). The occupational information was derived from a list dated 1722, which Hartopp believed was drawn up originally by Thomas Staveley: for further information on sources see Hartopp's introduction to *Roll of Mayors*. Also see above ch. 4 pp.10-12.

The criteria for including individuals in this table is that they served as aldermen or county councillors in 1680 and at some time between 1661 and 1702 held the mayoralty. [Common councillors indicated with a \*].

**Table 4: Leicester Corporation, 1689-1688**

**Notes**

**1680** Source: R.O.L.L.R. *Hall Book, 1587-1707* BR/II/3 f. 897-8, 29 Sept 1680.

**1684** Source: R.O.L.L.R. *Hall Book, 1587-1707* BR/II/3 f. 913-4, 29 Sept 1684.

This is based on the list of Aldermen and Councilmen in the 1684 Charter.

**1687** Source: R.O.L.L.R. *Hall Book, 1587-1707* BR/II/1/3 f. 931-2, 29 Sept 1687.

This is the last record of the membership of the two companies before the regulations of 1688.

**1688 Mar.** Source: P.R.O., PC/2/72 f. 616, 24 Feb. 1688 'Order for Removal'; R.O.L.L.R. *Hall Book* BR/II/1/3 f. 933, 13 Mar 1688, Minutes of meeting of 24; Nichols, *Hist. Leics.* I.452, Transcript of royal warrant 27 Feb. 1688.

This was the first attempt by the Regulators to alter the membership of the corporation. 24 changes were made in the corporation, including three aldermen and seven councillors removed in 1684. The order also removed William Major sen., Bailiff, John Hackles (Town Clerk) and William Brown, Town Solicitor and put in their place, John Oneby, John Creswell and Valentine House.

**July** Source: P.R.O., PC/2/72 f 653 and 654 22 & 27 Apr. 1688 'Order for Removal'; R.O.L.L.R. *Hall Papers* BR/II/18/36 f. 95, 11 July 1688.

These minutes show that another 13 changes had been made since the initial regulation in February. The changes included the removal of some brought in earlier in the year.

**July-Sept** Source: P.R.O. SP 44/338 p.80, 3 Sept. 1688 'Warrant' and *ibid.* C/66/3317 15 Sept 1688; *C.S.P.D.* June 1687-Feb.1689, pp. 263-6, 3 and 6 Sept. 1688; R.O.L.L.R. *Hall Book 1587-1707* BR/II/1/3 f. 934-5, 21 Sept. 1688 [Not in Table].

Between July and Sept. John Abney was made an alderman, David Cooke, George Eaxton, Thomas Lawrence and Joseph Wilkins were added to common council.

**Sept.** Source: P.R.O. SP 44/338 p.80, 3 Sept. 1688 'Warrant'.

This warrant related to the revised charter issued in Sept. It was never implemented and was overtaken by the decision to rescind all charters issued since 1679.

**Oct.** Source: R.O.L.L.R. *Hall Book, 1587-1707* BR/II/1/3 f. 939-40, 20 Oct 1688; Nichols, *Hist.Leics.* I.452.

List of 19 aldermen and 40 councillors who took the oaths on the 20 Oct, when the old charter was restored.

On 4 Dec. 1688, Edmund Sutton and William Elliott were discharged from the Company of 24 and Edmund Craddocke, John Dann, Gabriel Hill, Edmund Johnson, Thomas Palmer, John Pares and Henry Pate were elected to fill the vacancies in the senior company.

**1689** Source: R.O.L.L.R. *Hall Book, 1587-1707* BR/II/1/3 f. 943, 29 Sept. 1689.

For changes in the two companies after 1689, see, Chinnery, *R.B.L.* pp.539 et seq, 'List 10'.

**Table 4: Leicester Corporation: Aldermen, 1680-1689**

Family name	First name	DoB	DoD	Mayoralty	1680	1684	1687	3/1688	7/1688	9/1688	10/1688	1689
Abney	Philip	1623	1697	1678	✓	✓	✓	✓	✓	✓	✓	✓
Beckett	George	1628	1692	1675 & 91	✓	✓	✓	✓			✓	✓
Bent	John	1631	1700	1689	✓			✓	✓		✓	✓
Bent	George	1634	1709	1681 & 06	✓	✓	✓	✓			✓	✓
Bentley	William	1638	1696	1688	✓			✓	✓	✓	✓	✓
Brooksby	John	1639	1723	1692	✓			✓	✓		✓	✓
Browne	Samuel									✓		
Carr	John									✓		
Coleman	Johnathan							✓	✓	✓		
Cooke	David									✓		
Cracroft	John	1652	1706	1698			✓					
Craddocke	Joseph	1634	1700	1687		✓	✓	✓	✓	✓	✓	✓
Craddocke jun	Edmund					✓	✓	✓	✓			✓
Dann	John						✓	✓				✓
Deane	William	1623	1693	1670	✓	✓	✓	✓	✓	✓	✓	✓
Dudley	Joseph									✓		
Elliott	William				✓						✓	
Freeman	Andrew	1627	1706	1669 & 83	✓	✓	✓	✓			✓	✓
Goodall	John	1637	1720	1680 & 90	✓	✓	✓				✓	✓
Hartshorne	Robert	1621	1685	1673	✓	✓						
Hill	Gabriel					✓	✓					✓
Hood	Walter	1640	1693	1685	✓	✓					✓	✓
Hughes	John								✓	✓		

*Politics in Leicestershire c1677 to c1716*

Family name	First name	DoB	DoD	Mayoralty	1680	1684	1687	3/1688	7/1688	9/1688	10/1688	1689
Johnson	Edmund	1648	1699	1693				✓	✓	✓		✓
Lawrence	Thomas								✓	✓		
Lee/Low	James				✓					✓		
Lord	Robert							✓	✓			
Ludlum jun	Thomas										✓	✓
Ludlum sen	Thomas	1637	1697	1684	✓	✓	✓					
Malson	Edward				✓	✓						
Marshall	Tobias								✓	✓		
Mason	Richard							✓	✓			
Noble	Francis	1612	1689	1661 & 74	✓	✓	✓	✓	✓	✓	✓	✓
Orton	William								✓	✓		
Palmer	Thomas		1717	1694		✓	✓	✓	✓			✓
Pares	John	1635	1712	1695			✓	✓				✓
Pate	Henry	1638	1705	1697			✓					✓
Penford	John									✓		
Roberts	John	1631	1705	1679 & 96	✓	✓	✓				✓	✓
Robinson	Samuell					✓	✓					
Sheeres	William							✓	✓	✓		
Simpson	Daniel									✓		
Somerfield	Robert									✓		
Southwell	William	1629	1712	1667 & 82	✓	✓	✓	✓	✓		✓	✓
Springthorpe	William						✓					
Stubbings	William				✓	✓						
Sutton	Edmund	1620		1676	✓	✓				✓	✓	
Symonds	Matthew							✓	✓	✓		

*Politics in Leicestershire c1677 to c1716*

Family name	First name	DoB	DoD	Mayoralty	1680	1684	1687	3/1688	7/1688	9/1688	10/1688	1689
Treene	Henry							✓	✓	✓		
Walker	William									✓		
Warbuton	William							✓				
Ward	William	1595	1674	1643					✓			
Ward	Francis	1635	1691	1686	✓	✓	✓				✓	✓
Wilkins	John	1635	1721	1692	✓	✓	✓	✓			✓	✓
Wilson	Samuel									✓		
Wood	Edward				✓	✓						
Woodland	Samuel					✓	✓					
<b>Totals</b>					<b>23</b>	<b>24</b>	<b>23</b>	<b>24</b>	<b>22</b>	<b>25</b>	<b>19</b>	<b>24</b>

**Table 4: Leicester Corporation: Common Council, 1680-1689**

Family name	First name	DoB	DoD	Mayoralty	To Ald	1680	1684	1687	3/1688	7/1688	9/1688	10/1688	1689
Abney	John				9/1688		✓	✓	✓	✓		✓	✓
Allsop	Charles					✓							
Alsopp	Nicholas						✓	✓				✓	✓
Andrews	Henry										✓		
Annis	James							✓	✓				✓
Astell	Edmund					✓	✓						
Atkins	William					✓	✓						

*Politics in Leicestershire c1677 to c1716*

Family name	First name	DoB	DoD	Mayoralty	To Ald	1680	1684	1687	3/1688	7/1688	9/1688	10/1688	1689
Ayres	Thomas					✓	✓	✓				✓	✓
Barrowdale	Godfrey						✓	✓				✓	✓
Bent	William							✓	✓				✓
Bent jun	George												✓
Birkhead	Thomas					✓							
Bradbury	Anthony??					✓							
Brookes	John										✓		
Bunneys	William										✓		
Burdett	John					✓	✓	✓				✓	✓
Buxston sen	John					✓			✓	✓		✓	✓
Chapman	Thomas									✓	✓		
Churchman	Francis					✓			✓	✓	✓	✓	✓
Clay	David					✓	✓	✓				✓	
Cooke	John								✓	✓	✓		
Cracroft	John	1652	1706	1698	1686		✓					✓	✓
Craddocke	Joseph	1634	1700	1687	1682	✓							
Craddocke jun	Edmund				1684	✓						✓	
Crofts	George					✓	✓	✓				✓	✓
Dakin sen	David										✓		
Dakins jun	David										✓		
Dann	Henry					✓	✓	✓				✓	✓
Dann	John				9/1687	✓	✓					✓	
Davie	John								✓	✓	✓		
Deaken sen	David									✓			
Deakin	Thomas							✓	✓				✓

*Politics in Leicestershire c1677 to c1716*

Family name	First name	DoB	DoD	Mayoralty	To Ald	1680	1684	1687	3/1688	7/1688	9/1688	10/1688	1689
Drake	Thomas					✓	✓	✓					
Dudley	Joseph				9/1688	✓			✓	✓		✓	✓
Foster	Robert										✓		
Foxton	Richard							✓	✓	✓			✓
Goodrich	Josiah							✓	✓	✓			✓
Hammond	Samuel										✓		
Hardy	John					✓	✓	✓				✓	✓
Harris	William								✓	✓		✓	✓
Harrison	Josiah									✓	✓		
Hartshorne	Thomas												✓
Hefford	Samuel										✓		
Hewett	John								✓	✓	✓		
Hill	Gabriel				1684	✓						✓	
Hill	Richard					✓	✓						
Hobson	Robert					✓	✓	✓	✓	✓	✓	✓	✓
Hughes	John				7/1688				✓				✓
Jesson	John					✓	✓						
Johnson	Edmund	1648	1699	1693	3/1688	✓						✓	
Kerby	John								✓	✓	✓		
Kirkland	Thomas					✓							
Langton	Robert								✓	✓			
Lord	Robert				3/1688	✓						✓	✓
Lowe	Henry					✓							
Ludlum	James							✓	✓	✓			✓
Ludlum jun	Thomas					✓	✓						

*Politics in Leicestershire c1677 to c1716*

Family name	First name	DoB	DoD	Mayoralty	To Ald	1680	1684	1687	3/1688	7/1688	9/1688	10/1688	1689
Marshall	Samuell										✓		
Marshall	Tobias								✓				
Martin	Thomas					✓							
Martin	Samuel					✓	✓	✓				✓	✓
Mason	Richard				3/1688		✓	✓				✓	
Mason sen	John					✓	✓						
Mauser	Richard					✓							
Newton	Joseph							✓	✓	✓	✓		✓
Noone	Arthur					✓	✓	✓	✓	✓	✓	✓	✓
Orton	Richard										✓		
Overing	John							✓	✓				✓
Page	John				9/1688		✓	✓	✓				✓
Page jun	William								✓	✓	✓		
Page sen.	Robert								✓				
Palmer	Thomas		1717	1694	1684	✓						✓	
Pares	John	1635	1712	1695	1687	✓	✓					✓	
Pate	Henry	1638	1705	1697	1687	✓	✓					✓	
Penford	Thomas				7/1688					✓	✓		
Pierce	William										✓		
Pitstow	Thomas										✓		
Pollard	John					✓	✓	✓				✓	✓
Pougher	Thomas					✓							
Pougher	Abstinence									✓			
Pougher	Daniel										✓		
Robertes jun	John						✓	✓				✓	✓

*Politics in Leicestershire c1677 to c1716*

Family name	First name	DoB	DoD	Mayoralty	To Ald	1680	1684	1687	3/1688	7/1688	9/1688	10/1688	1689
Robertes sen	Joseph						✓	✓	✓	✓			✓
Robinson	Samuell				1684	✓						✓	
Saxton	George									✓			
Shipley	Samuel										✓		
Simpson	Thomas					✓	✓	✓	✓	✓	✓	✓	✓
Smith	Nicholas					✓						✓	
Springthorpe	William				1686	✓	✓					✓	✓
Steeres	George					✓	✓	✓				✓	✓
Stretton	William					✓	✓	✓	✓	✓		✓	✓
Stretton	John										✓		
Thompson	Thomas						✓	✓				✓	
Topp	Thomas									✓	✓		✓
Townsend	Richard							✓	✓	✓			✓
Wagstaffe	Edmund						✓	✓				✓	✓
Wallen	Thomas								✓	✓	✓	✓	✓
Warburton	John								✓		✓		
Ward	Thomas						✓			✓	✓		✓
Ward (malster)	Thomas						✓	✓	✓	✓		✓	
Ward (Skinner)	Thomas							✓	✓	✓		✓	✓
Weston	Richard												✓
Wild	John										✓		
Wilkins	Joseph									✓			✓
Willowes	Thomas										✓		
Wilson	John									✓	✓		
Winfield	Robert							✓	✓				✓

*Politics in Leicestershire c1677 to c1716*

Family name	First name	DoB	DoD	Mayoralty	To Ald	1680	1684	1687	3/1688	7/1688	9/1688	10/1688	1689
Wood (flax dresser)	John										✓		
Woodland	Samuel				1684	✓						✓	✓
Worrall	Richard					✓							
<b>Totals</b>						<b>45</b>	<b>36</b>	<b>35</b>	<b>34</b>	<b>34</b>	<b>36</b>	<b>40</b>	<b>46</b>

**Table 5: Justices of the Peace in Leicestershire, 1700-1719**

**Notes** [For guidance on the composition of this table see first note to Table 1]

**1700** Source: R.O.L.L.R. QS 1/9, Commission of the Peace, 2 Aug. 1700.

First Commission issued for Leicestershire by Nathan Wright as lord chancellor.

**1704** Source: R.O.L.L.R. QS 1/10, Commission of the Peace, 7 July 1704.

Last Commission issued by Nathan Wright as lord chancellor. There may have been a further remodelling between July 1704 and Feb. 1705: see also HLRO Main Papers 2017 16 Feb. 1705, Lists of the Justices put in and left out of the commission since the last session of parliament.

**1707** Source: PRO C234/19, Fiat, 1 July 1707.

Fiats were instructions issued to the clerks' office for additions and omissions to the existing commission. They do not record the complete commission but can be used to trace changes.

This fiat was issued after Cowper became lord chancellor. It shows a shift from tory to whig in the commission with the addition of 2 honorary and 10 working justices: a trend that continued in 1709.

**1709** Source: PRO C234/19, Fiat, 30 July 1709.

**1711** Source: PRO C234/19, Fiat, 17 Mar. and 7 July 1711.

These two fiats were issued after Simon Harcourt became lord chancellor. They show a swing in the other direction with the re-instatement/addition of 29 'tory' justices and the removal of 17 'whig' justices.

**1712** Source 1: R.O.L.L.R. QS 1/12, Commission of the Peace, 12 Mar. 1712

This commission shows the effect of Harcourt's alterations.

Source 2: R.O.L.L.R. QS 1/13 Commission of the Peace, 22 July 1712.

A second commission issued in 1712 shows 5 additions and 2 subtractions [see PRO C234/19, Fiat, 12 July 1712].

**1715** Source: R.O.L.L.R. QS 1/14, Commission of the Peace, 4 Jan. 1715.

This is the first commission for Leicestershire issued by Lord Cooper on his return as lord chancellor after George I's accession. Cowper's Papers [*Panshanger Mss.* D/EP ff 153] include the duke of Rutland's recommendations as lord lieutenant for re-instating 7 turned out by Denbigh, 11 new appointments and 20 dismissals. Rutland added brief comments on his reasons for the dismissals, e.g. 10 not sworn, 5 small estates, 2 living in paternal house and 1 (Bracebridge) for a critical response to George I's accession [Glassey, *Justices of the Peace*, p.233 note 2, 251-2].

**1719** Source: PRO C/234/19, Commission of the Peace, 7 Mar. 1719.

This and a subsequent commission in R.O.L.L.R. [QS 1/15 Commission of the Peace 22 May 1721] demonstrates the continuing trend of adding whigs to the commission, many of the new members serving for the first time.

**Table 5: Justices of the Peace in Leicestershire, 1700-1719**

Family name	First name	Rank	Residence	Location	DoB	DoD	1700	1704	1707	1709	1711	1712	1712	1715	1719
Abney	Sir Edward	Knt.	Willesley	West Goscote	1631	1728	✓								
Abney	Thomas	Gent.	Willesley	West Goscote											✓
Allen	Thomas												✓	✓	
Armeston	James		Burbage	Sparkenhoe	1644	1704		✓							
Ashby	George	Esq.	Quenby	East Goscote	1656	1728	✓	✓				✓	✓	✓	✓
Ashby	George jr.		Quenby	East Goscote	1685	1721									✓
Ashby	Eusebius		Blaby ?	Guthlaxton											✓
Ashby	? William								in			✓	✓	✓	
Atkins	John										in	✓	✓		
Atkins	Sir Henry	3 <sup>rd</sup> Bart.	Mkt Bos/Clapham	Sparkenhoe	1684	1712					in	✓	✓		
Babington	Thomas sr.		Rothley Temple	West Goscote	1635	1708	✓	✓							
Babington	Thomas jr.		Rothley Temple	West Goscote	1682	1729	✓	✓		in	in	✓	✓	✓	✓
Bainbrigge	William		Lockington N. Hall	West Goscote	1685	1736	✓	✓				✓	✓		
Bainbrigge	John		Lockington N. Hall	West Goscote	1657	1717	✓	✓				✓	✓		
Beaumont	Sir George	4 <sup>th</sup> Bart.	Stoughton Grange	Gartree	1665	1737	✓	✓				✓	✓	✓	✓
Bellgrave	William sr.		North Kilworth	Guthlaxton	1638	1703	✓								
Bennett	St John		Welby	East Goscote			✓	✓				✓	✓		
Bennett	Thomas		Welby	East Goscote	1674	1738								✓	✓
Bigland	Henry		Long Whatton	West Goscote		1712	✓	✓				✓	✓		
Bletsoe	John	Gent.	Bowden								in	✓	✓	✓	✓
Boothby	William sr.		Potters Marston	Sparkenhoe	1631	1708	✓	✓							
Boothby	Thomas		Tooley Park	Sparkenhoe	1682	1752		✓	out		in	✓	✓	✓	✓
Boothby	William jr.		Potters Marston	Sparkenhoe	1666	1724	✓	✓	out		in	✓	✓		

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1700	1704	1707	1709	1711	1712	1712	1715	1719
Boughton	Sir William	4 <sup>th</sup> Bart.	Lawford	Warcs	1663	1716		✓				✓	✓		
Bracebridge	Samuel		Lindley Hall	Sparkenhoe	1673	1735	✓	✓		out	in	✓	✓		
Bradgatte	Thomas		Ullesthorpe	Guthlaxton	1656	1712		✓				✓	✓		
Brown	John												✓	✓	✓
Browne	Rowland						✓	✓				✓	✓		
Buckby	Richard				1659	1734									✓
Byrd	Thomas	Esq.	Claybrooke	Guthlaxton		1753			in		out			✓	✓
Byrd	William		Claybrooke	Guthlaxton		1705	✓								
Caldecotte	Thomas		Calthorpe	Guthlaxton	1627	1702	✓								
Caldecotte	Thomas		Calthorpe	Guthlaxton	1652	1720			in			✓	✓	✓	✓
Carter	Lawrence sr.		Newarke	Leicester	1641	1710	✓	✓							
Carter	Lawrence jr.		Newarke	Leicester	1668	1745			in			✓	✓	✓	✓
Cave	Sir Roger	2 <sup>nd</sup> Bart.	Stanford on Avon	Guthlaxton	1653	1703	✓								
Cave	Sir Thomas	3 <sup>rd</sup> Bart.	Stanford on Avon	Guthlaxton	1682	1719		✓	out		in	✓	✓	✓	
Charnells	Thomas		Snarstone	West Goscote	1651	1727	✓		in		out			✓	✓
Charnells	Nicholas														✓
Cheslin	Richard		Langley, Ashby	West Goscote	1634	1717					in	✓	✓		
Chester	Sir John	4 <sup>th</sup> Bart.	Chicheley	Bucks	1666	1726	✓	✓	out		in	✓	✓	✓	✓
Conyers	Edward		Wakerley/Blaston?	Gartree		1701	✓								
Danvers	Joseph	Esq.	Swithland	West Goscote											✓
Dawson	Edward		Long Whatton	West Goscote	1694	1765									✓
Dixie	Sir Wolstan	3 <sup>rd</sup> Bart.	Bosworth Park	Sparkenhoe	1657	1713	✓	✓	out		in	✓	✓		
Edwards	Francis		Kibworth	Gartree	1668	1728									✓
Ellis	Sir William	2 <sup>nd</sup> Bart.	Wyham	Lincs	1654	1727	✓	✓				✓	✓	✓	✓
Farnham	Charles		Quorndon Up. Hall	West Goscote		1722					in	✓	✓		

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1700	1704	1707	1709	1711	1712	1712	1715	1719
Firebrace	Henry		Stoke Golding/Cambridge	Cambridge	1650	1708		✓	out						
Fontaine	John de la		Kirby Bellars	Framland		1708	✓	✓							
Franke	William		Newarke	Leicester			✓	✓				✓	✓	✓	✓
Gery	Dr. John	D. Laws	Sweepstone	West Goscote	1637	1722		✓				✓	✓	✓	✓
Gresley	Thomas		? Netherseale	West Goscote				✓				✓	✓		
Griffin	Lewis	D.D.	Bottesford	Framland	1665	1735									✓
Halford	Sir Richard	5 <sup>th</sup> Bart.	Wistow	Gartree		1727	✓	✓				✓	✓	✓	
Halsall	James										in	✓			
Hartopp	William	Esq.	Little Dalby	East Goscote	1654	1724	✓	✓			out			✓	
Hartopp	John				0	0								✓	✓
Hartopp	Sir John	3 <sup>rd</sup> Bart.	Freathby//Stoke N	Framland/London	1637	1722	✓								
Hartopp	Thomas		Quorndon	West Goscote	1655	1727	✓		in		out			✓	✓
Harvey	Edward												✓	✓	✓
Hatton	Conyers										in	✓	✓		
Heselrige	Sir Robert	6 <sup>th</sup> Bart.	Noseley	Gartree	1666	1721				in		✓	✓	✓	✓
Heselrige	Sir Robert	5 <sup>th</sup> Bart.	Noseley	Gartree	1638	1713	✓	✓				✓	✓		
Hewett	George jr.	Esq.	D' Bassett/Stretton	Guthlaxton	1664	1714	✓	✓				✓			
Hewett	William	Esq.	D' Bassett/Stretton	Gartree		1766							✓	✓	✓
Hill	Francis										in	✓	✓		
Hodges	Danvers													✓	✓
Holt	John						✓	✓							
Hudson	Sir Edward	3 <sup>rd</sup> Bart.	Melton Mowbray	Framland	1637	1702	✓								
Hudson	Sir Benjamin	4 <sup>th</sup> Bart.	Melton Mowbray	Framland	1667	1730		✓				✓	✓		
Hutchinson	Dr Michael	D.D.	Packington	West Goscote	1665	1730								✓	✓
Inge	William		Thorpe Constantine	Staffs	1669	1731		✓				✓	✓	✓	✓

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1700	1704	1707	1709	1711	1712	1712	1715	1719
Isham	Sir Justinian	4 <sup>th</sup> Bart.	Lamport Hall	Northants	1658	1730					in	✓	✓	✓	✓
Jennens	Charles		Gopsall Hall	Sparkenhoe	1662	1747	✓	✓	out		in	✓	✓	✓	✓
Jesson	William						✓								
Johnson	Geoffrey		Withcote	Framland	1678	1742					in	✓	✓		
Johnson	Dr James	D. Laws.													✓
Johnson	Matthew	Clerk to Parl.	Withcote	Framland	1635	1723	✓	✓				✓	✓	✓	✓
Lewis	Francis										in	✓	✓	✓	✓
Lister	Richard jr.		Thorpe Arnold	Framland	1657		✓	✓	out					✓	✓
Lowe	William													✓	
Lowe	Samuel		Goady	Framland	1694	1731									✓
Mackworth	Sir Thomas	4 <sup>th</sup> Bart.	Normanton	Rutland	1661	1745	✓	✓				✓	✓	✓	✓
Meres	Sir John	Knt.	Kirby Bellars	Framland		1735								✓	✓
Morris	Charles		Loddington	East Goscote		1710	✓	✓							
Morris	Edmund		Loddington	East Goscote		1759					in	✓	✓	✓	✓
Mundy	Francis		Markeaton/Osbaston	Derbys		1720	✓	✓	out		in	✓	✓	✓	✓
Muxloe	Thomas										in	✓	✓		
Newell	George	B-at-Law							in			✓		✓	✓
Noble	Thomas														✓
Noel	John		not yet identified				✓	✓							
Offley	Crewe	Esq.													✓
Okeover	Thomas							✓							
Oneby	Robert jr.		Hinckley, Barwell	Sparkenhoe	1665	1720	✓	✓				✓	✓		
Pack	Clifton		Prestwold	East Goscote	1674	1707	✓	✓							
Pack	Charles		Prestwold	East Goscote	1701	1735									✓
Palmer	Archdale		Wanlip	West Goscote	1661	1732	✓	✓				✓	✓	✓	✓

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1700	1704	1707	1709	1711	1712	1712	1715	1719
Palmer	Sir Geoffrey	3 <sup>rd</sup> Bart.	Carlton Curlieu	Gartree	1655	1732	✓	✓				✓	✓	✓	✓
Parkyns	Sir Thomas	2 <sup>nd</sup> Bart.	Bunny	Notts	1662	1741								✓	✓
Phillips	Sir Ambrose	Knt ./Sgt-at-Law	Garendon	West Goscote	1638	1706	✓	✓							
Phillips	William	Esq.	Garendon	West Goscote	1672	1729				in		✓	✓	✓	
Pickering	Sir Gilbert	3 <sup>rd</sup> Bart.	Langton/ Titchmarsh	Gartree/ N'thants	1669	1736	✓	✓				✓	✓	✓	✓
Pochin	George		Sileby	East Goscote	1644	1707	✓	✓							
Pochin	Thomas sr.		Barkby	East Goscote	1651	1732	✓	✓				✓	✓	✓	✓
Pochin	Thomas jr.		Barkby	East Goscote	1685	1751									✓
Reynolds	Edward					1732	✓	✓				✓	✓		
Roberts	Sir Thomas	5 <sup>th</sup> Bart.	Glassr.bury	Kent	1689	1727									✓
Roberts	Charles		Thorpe Langton	Gartree	1682	1720					in	✓	✓		
Robinson	Sir James	3 <sup>rd</sup> Bart.	Fanning Woods	Northants	1669	1731								✓	✓
Rogers	John	A'deacon	Leicester	Leicester		1715			in			✓	✓	✓	
Roe	Roger		Normanton Turville	Sparkenhoe	1630	1707	✓	✓	out						
Roe	Christopher		Normanton Turville	Sparkenhoe	1677	1754					in	✓	✓		
Ruding	William		Westcotes	West Goscote		1712	✓	✓				✓	✓		
Ruding	Walter		Westcotes	West Goscote	1665	1748			in			✓	✓	✓	✓
Sherard	Robert													✓	✓
Shuttleworth	Richard											✓	✓	✓	✓
Simonds	Matthew		Leicester	Leicester		1714	✓	✓			out				
Skeffington	Thomas		Skeffington	East Goscote	1663	1709	✓	✓							
Smith	Sir Edward	1 <sup>st</sup> Bart.	Edmundthorpe	Framland	1630	1707	✓	✓							
Smith	Sir Edward	2 <sup>nd</sup> Bart.	Edmundthorpe	Framland	1655	1720	✓	✓				✓	✓	✓	✓
Smyth	Roger		? Frolesworth	Guthlaxton				✓				✓	✓	✓	✓
Steele	Samuel										in	✓	✓		

*Politics in Leicestershire c1677 to c1716*

Family name	First name	Rank	Residence	Location	DoB	DoD	1700	1704	1707	1709	1711	1712	1712	1715	1719
Streete	Bartlett		Hallaton	Gartree	1669	1727		✓				✓	✓		
Tate	Henry		Burleigh Park L'boro	West Goscote	1653	1722	✓	✓		out	in	✓	✓	✓	✓
Trimmell	Dr David	D.D.													✓
Turner	Henry	Sgt-at-Law	Sapcote	Guthlaxton		1724	✓	✓				✓	✓	✓	✓
Verney	John	Hon.	Allextton	Gartree	1657	1708	✓	✓							
Villiers	Sir William	3 <sup>rd</sup> Bart.	Brooksby & Hoby	East Goscote	1645	1712	✓	✓							
Wells	William sr.		Thrussington	East Goscote							in	✓	✓	✓	✓
Whalley	William sr.		Norton j'ta Galby	Gartree	1620	1719	✓	✓				✓	✓		
Whalley	Bernard jr.		Norton j'ta Galby	Gartree	0	0							✓		
Wigley	Sir Edward	Knt.	Scraptoft	Gartree	1661	1710	✓	✓							
Wilkins	John		Ravenstone	West Goscote			✓	✓				✓	✓	✓	✓
Wilson	John		Keythorpe	Gartree			✓	✓				✓	✓	✓	
Winstanley	James		Braunstone Hall	West Goscote		1721	✓	✓				✓	✓	✓	
Wollaston	Charleton				0	1720									✓
Wollaston	Issac		Loseby	East Goscote	1673	1736	✓	✓			out			✓	✓
Wollaston	William		Shenton		1659	1724									✓
Wright I	Sir Nathan	Knt.	Barwell/Brooksby	Spark/E. Gosc.		1721					in	✓	✓	✓	✓
Wright II	George		Brooksby	East Goscote			✓	✓			in	✓	✓	✓	✓
Yorke	Sir William	Knt.	Burton Pedwardine	Lincs	1646	1702	✓								
<b>Total</b>							<b>68</b>	<b>69</b>				<b>73</b>	<b>75</b>	<b>61</b>	<b>70</b>

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