

'TO DWELL TOGETHER IN UNITY': THE SEARCH FOR AGREEMENT IN PRESTON POLITICS

1660-1690

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IN the later years of the unreformed parliament Preston became notorious as the home of unregulated democracy. Its wide-open franchise was granted after the stormy election of 1768 but the legal origins of that franchise lay in the period 1660-90. If the extent of the franchise was controversial in those years, it was because the politics of Preston were factious. Three factors ensured this: the violent religious base of seventeenth-century Lancashire politics, which Preston fully shared; the divisive legacy of the civil wars; and the town's status as a constituency and an administrative centre.

In Preston the unpopular presbyterian system which parliament had established confronted a widespread catholicism, which caused political concern. 'Let one thing be observed', wrote the chancellor Carr, '... what number of papists vote; . . .'¹ Religious difference and the existence of a considerable catholic minority heated the political atmosphere in post-Restoration Preston. So did the memories left by the plundering of the civil wars. During the wars the corporation was divided. The rival groups were violently partisan. The population at large, however, was overwhelmingly royalist.²

If wartime bitterness survived the Restoration, social dislocation was also a potential source of instability. In the 1650s the problem of immigrant unemployment became acute. In 1656 'the town is full every day of country poor, . . . idle persons . . . having no subsistence and living places'. The patronage of the lawyers and the gentry came to provide some relief, but this carried a political price, as was clearly shown in the election of 1690. To what extent the great popularity of the Stanleys had to do with their patronage cannot be exactly known, but economically the town depended heavily on administration and the service trades: 'law was then the staple commodity'. Primarily Preston handled

the administration of the duchy of Lancaster. At the same time, its central location ensured that a good deal of county business, by-passing Lancaster, would make its way to Preston: meetings of the lieutenancy, election of knights of the shire and so on. Yet the duchy interest remained paramount and explains the heavy involvement of post-Restoration M.P.s with the duchy.³

County administrators and magnates tended to make their urban bases in Preston. By the beginning of the eighteenth century the town was developing the air of a stylish Georgian provincial capital, with its residences of gentry and peers. Celia Fiennes was delicately approving in 1698. Preston was 'a very good market town ...' with 'several good houses ... the generality of the buildings were very handsome, better than in most country towns, and the streets spacious and well pitched'. Defoe showed more social perception: 'the town is full of attorneys, proctors and notaries ... the people are gay here, though not perhaps the richer for that'. Members of the ruling clique of the Restoration period, like Hodgkinson and Winckley, town gentry, were involved in duchy perquisites and there seemed little possibility of attaining urban political independence. Yet there is evidence of a struggle for such independence and its existence completes the background of Preston politics in the later seventeenth century.⁴

The Restoration period opened on a high note. In the real or imagined insurrection crisis of 1662 Sir Roger Bradshaigh and his loyalist vigilantes took for granted Preston's role as a royalist military and political centre, a view that the disaffected themselves shared. But not quite all Prestonians were cavaliers. The presbyterian minister William Cole, the postmaster Marsh and one Henry Chorley were all political suspects in the early Restoration period. The town at large, however, was for church and king. In that euphoric early summer of 1660 the Preston church bells rang for three days and the select vestrymen attended to the 'setting up of his majesty's the king's arms in the usual place in the church ...'. But this jubilation concealed a failure on the corporation's part to respond to the mood of harmony and oblivion of the Restoration. The picture that emerges of the Preston corporation in 1660 and 1661 is not really one of alienation from the government but of serious factionalism, evidenced in the harsh policy of cavaliers like Derby and Bradshaigh and in the royalist campaign against mayor James Hodgkinson. There were, of course, members of the Preston corporation who were deeply compromised by their support of the parliament and the republic. In autumn 1661 the government commended the Preston corporation for its action in removing 'usurping' magistrates. Here a very obvious case for removal was Edmund

Werden, the mayor of 1642-3 who had refused to surrender the borough to Prince Rupert.⁵

The avowed intention of the removals and reinstallations of the Restoration was the purely legal one of restoring the illicitly removed to their rightful places. But, as throughout England, the effect of these alterations was to revive animosities and to alienate the large, responsible and conservative presbyterian party, which felt it had done so much to bring the king into his own again. These adjustments, which achieved their clearest expression in the Corporations Act, caused great bitterness at Preston—the ‘chronic troubles’ which made likely the cancellation of the charter. The feeling that faction must be stilled was uppermost in the corporation’s mind in the early 1660s, but the vindictiveness of Derby and the cavaliers, along with the natural defensiveness of the presbyterian party, sustained a factious atmosphere, which was kept alive by the two Restoration general elections. In 1660 Preston first returned to parliament Richard Standish, the son of the borough’s member in the Long Parliament and a parliamentarian colonel, and Alexander Rigby, junior, of Middleton, who had served under his father as an officer in the parliamentarian army. Rigby had been assiduous in prosecuting the martyr earl of Derby after his arrest, and the Stanleys were never to forget this. Undoubtedly the Rigby family made heavy material sacrifices for the parliamentarian cause but to compensate they pursued office avidly under the Restoration system. But whatever the conformity of the family, given the way in which they had offended the Stanleys, it was politically inept to send one of the Rigbys to parliament in 1660. There is indeed a strong suggestion that the Rigbys were agents of the corporation against the restoration of Derby political hegemony but in electoral terms that hegemony at the Restoration had to be recognised. The House of Commons certainly showed no sympathy with the corporation’s assertion of independence and called for a new election on the grounds that the mayor had refused to poll all the inhabitants, the first hint we have after the Restoration that the Preston franchise was contentious. It may well have been the case that parliament recognised the majority royalist feelings of Preston’s population, but the corporation’s preference preponderated and when Alexander Rigby’s election was voided his place was filled in August by his brother Edward, alongside the loyalist Edward Fleetwood. Undoubtedly the Rigbys, always closely linked with Preston, were popular with the borough’s dissenting element, if only because of old Alexander’s firm presbyterianism. Edward Rigby inherited the family’s penury and the corporation helped him out financially. He looks on the surface to have made the

best of bad political antecedents and to have adjusted comfortably to the post-Restoration world. A Lancashire magistrate, a deputy lieutenant, serjeant-at-law by 1675, 'Mr Rigby of Paternoster Row' was to all intents and purposes a successful lawyer, a trusted official and a leading property owner. Moreover the government had no doubts about the sincerity of his conversion to royalism. But the Stanleys never forgot. Edward Rigby had a Cromwellian background and a whig future. But, more to the point, if the Prestonians had gone out of their way to antagonise Lord Derby they could have found no better means than the election of this personal enemy of the clan. From 1662 to 1685 the Stanleys carried on an active campaign against Rigby. When Preston returned Rigby it may well have been a gesture of municipal independence to elect no friend of Lord Derby.⁶

In 1661 came the election for the first conventional parliament of the reign. Preston made the initial return of Edward Rigby and William Fyfe, with Dr Fyfe the corporation candidate for a narrow franchise. On the basis of recommendations from the committee of elections investigating the petition of Fyfe against Rishton, the house set aside the return in December 1661 and declared the sitting members for Preston to be Edward Rigby and Dr Geoffrey Rishton, a member of a well-known local family. Two electoral indentures had been made out. One was between the sheriff and the mayor, bailiffs and burgesses and it returned Rigby and Rishton; the other was between the sheriff and the mayor, and a number of signatories acting with the assent of the court leet, and it returned Fyfe and Rigby. The house decided in favour of the former and declared that 'all the inhabitants' should vote in Preston elections. Mr Sacret has suggested that the cavalier commons was here making an *ad hoc* judgement dictated by the fact that the Preston population was overwhelmingly royalist and the corporation much less so. This explanation is a very useful one, but the house may also have been interested in curbing the pretensions of the corporation and putting it more under the control of the county through the grant of the vote to the populace, which was amenable to the economic and electoral control of the squires and nobles. It was understood that this was the nature of the election, a test-case to re-establish a suffrage after a period of uncertainty. The returns differ in legal phrasing, not in party complexion; both involved the former Cromwellian Rigby, but one brought in the mayor, bailiffs and burgesses and the other the court leet. Each return attempts to show its listed candidates as having wide support, but the one that parliament accepted endorsed the burgess franchise. In giving its decision the House of Commons was concerned with

the wider implications of the politics of town versus country. The majority of the corporation's senior members who signed the indenture of April 1661 returning Rigby and Fyfe were closely identified with the interregnum corporation and some were, or had been, committed presbyterians. On the other hand, James Ashton, a future member of the tory circle which developed in the reign of Charles II, signed the indenture. Fyfe and Rigby, it seems clear, were not 'presbyterian' candidates opposed to a royalist ticket, but candidates for the corporation and the narrow franchise. The wide franchise did not destroy the corporation as an electoral factor. As individuals and as a body the mayor, aldermen and common council retained considerable influence. But in the lifetime of the cavalier parliament the wide suffrage meant that the corporation would have to use its influence in competition with members of the county ruling class who possessed economic power which could easily be translated into political pressure. So, as in the election for the Convention, when parliament also attempted to remove an enemy of the dominant county interest—that of Derby—who had been returned to parliament, in 1661 the issue, though partisan factors could not be excluded, was between the corporation, which wished to retain the right to return M.P.s to speak for the borough, and the county, which had the political, social and economic means to sway the larger electorate which parliament had set up.⁷

The resolution of 1661 did allow the corporation to salvage a good deal of electoral power from the gentry and the Stanleys, who had such a hold on the popular imagination. If all inhabitants had the vote, then it had to be *only* inhabitants who had it, excluding the honorary freemen in particular. This was attended to in the guild orders of 1662 and 1682 and in the latter case the guild resolved against the vote for any foreign burgess 'although he lives within the corporation'. Even in a later period of closer ideological agreement between the corporation and the gentry, the corporation was still determined to maintain its electoral autonomy and prevent the gentlemen from using their town houses as avenues to political control.⁸

In numerical terms the corporations' decision was significant. At the 1662 guild around 1,100 burgesses were enrolled, discounting those who were foreign. In fact the actual number of votes recorded in Preston was considerably lower than that. The average in the elections for which we have voter statistics in the period 1689–1712 was around 550, low enough for the corporation to hope to manage, especially as the ability to create burgesses through occasional orders of council allowed some scope to make voters.⁹

In 1661 parliament decided that the Preston corporation did not possess the sole franchise; in 1662 the corporation defined who did—a definition which freed Preston from being a nomination borough either of its own corporation or of a county caucus. Between them, the resolutions of the House of Commons and the guild merchant would make for high volatility in Preston elections.

By the end of 1662 the Preston corporation had successfully settled the quarrels occasioned by the restoration of the monarchy and had made the best of an unfavourable parliamentary decision. There remained the tasks of implementing the Corporations Act and of suing out a new charter. Internal regulation had prepared the corporation for Lord Derby and the other commissioners under the act. It is true that many of the leaders of the corporation survived the difficult period from the king's restoration to his new charter in 1663. Derby's policy of mass removals was not taken up: the swearing of oaths cancelled a man's political past and this applied to prominent corporators of of the 1640s and '50s, like James Abbot, Seth Blackhurst and reputed former republicans like James and Richard Hodgkinson. On the other hand, prominent Interregnum mayors like Edmund Werden, Richard Sumpner and Edward French had been dropped as early as 1661. It must be admitted that through co-option experienced members gradually found their way back into the corporation and, indeed, into the mayoralty: Thomas Sumpner, an alderman of twenty-eight years' service and experience, had parliamentary sympathies, was mayor in 1646-7, 1653-4, and again in 1666-7; William Sudell, an alderman for forty years, was a member of the classis and mayor in 1634, 1651 and 1659. On his fourth election to the mayoralty, in 1671, the corporation minutes record that he took the oaths 'according to the charter of this borough', implying the sort of evasion of the detailed requirements of the Corporations Act that made continuity possible in the membership of the corporation between the republic and the restored monarchy.¹⁰

Had the Corporations Act Commissioners visited Preston in 1672 they might have had less cause for satisfaction than in 1662, when the corporation had been made ready for their visit and swore the oaths they tendered. Endorsed in its composition by the commissioners, the corporation was ready to be confirmed by royal charter, in line with the petition of leading corporators for a regrant in 1661. By December 1661 the corporation had surrendered its old charter and the warrant had been made out for a confirmation. The corporation gained considerably from this confirmation, not least in that co-option was upheld and the

burgesses excluded from the election of mayors.¹¹ Was the crown attempting to uphold a 'presbyterian' corporation against a cavalier parliament? Hardly. Apart from a tendency in these post-Restoration charters to prefer oligarchic to democratic patterns, there is little sign in them of a centralising policy and little attempt to take into account the political complexion of particular towns. If the problem of municipal liberties was tackled at all, the solution was to submit the towns to their counties rather than to Whitehall. True, in this Preston reincorporation there was some sign of a centralist policy as future recorders and town clerks were on appointment to seek the confirmation of the Crown. But the Crown's policy was to confirm the council membership. In the two lists below,¹² list A is the senior membership of the corporation as it stood at the guild of September 1662 and list B that of the charter.

A	B
James Hodgkinson	James Hodgkinson
William Sudell, Senior	
Thomas Sumpner	
Seth Blackhurst	Seth Blackhurst
William Banister	William Banister
William Turner	William Turner
Luke Hodgkinson	Luke Hodgkinson
Thomas Werden	Thomas Werden
Thomas Rishton	Thomas Rishton
Silvester Ingham	Silvester Ingham
Richard Hodgkinson	Richard Hodgkinson
James Abbot	James Abbot
William Lemon (common council man September, 1662)	William Lemon (ald. March 1663)
William Hodgkinson ('now of the council' just after the guild)	William Hodgkinson (posthumous alderman in March)
	Thomas Martin
	Lawrence Wall

Two of the guild aldermen, then, Sudell and Sumpner, both commonwealth mayors, were dropped from the charter list but they were omitted before 30 September 1662 and as a preparation for the charter's reception. Similarly, of two absolute replacements for Sumpner and Sudell—Martin and Wall—one, Lawrence Wall, was already an alderman by 30 September 1662.

Between the two lists there are six variations. Excluding the bailiffs, ten men are listed in senior corporate positions at the guild merchant and eight of these survived into March 1663 as aldermen. To make up March 1663's twelve aldermen the names of Lawrence Wall, William Lemon, William Werden and William Hodgkinson were supplied and all of them were in some

rank in the corporation by the end of September. Thus in this charter there was no purging beyond what the corporation itself had undertaken, though its purging was obviously in response to the known nature of the new government, and of pre-1660 mayors like Matthew Addison, William Cottam, Edward French, William Patten, Richard Sumpner, Evan Wall, none were aldermen at September 1662. Death was something of a regulator but essentially the corporation, not the charter, had brought the corporation into line with the new order.

Continuity in the membership was kept up by the reintroduction into the corporation of aldermen Thomas Sumpner and William Sudell after the period of the commissioners and the charter and by the retention of family names. The Preston corporation was never without its complement of Walls, Hodgkinsons, Werdens and Sudells and as a club of families the Preston corporation was restored in the new charter.

If the charter confirmed and regulated the corporation, the governing body was also controlled by the 1661 Corporations Act and in the 1660s this statute modified the corporation's freedom to decide its own composition. In particular the act set out to exclude conscientious presbyterians from the arena of local government. In a corporation like Preston's, where membership of the body was a right and a duty descending from father to son, the new barriers put up by the statute threatened cohesion and continuity. Both John Cottam and Roger Sudell were the presbyterian sons of leading presbyterians in the corporation. In 1668 Cottam and Sudell were elected to the council, but refused to repudiate the Covenant and were arrested. However, measures were taken to reconcile them with the council. Cottam was very willing to join the corporation 'his subscription against the Covenant only excepted'. But the council found that he had paid the greater part of his fine to the mayor and recommended leniency. He was released from his election and given a guarantee against unsought election in the future.

In Sudell's case too, the corporation, taking note of his willingness to pay any fine set on him and recalling the sterling services of his father, mayor William Cottam, ordered a low fine of £10—a fair price for release at least from that particular election,¹³ if not for a lifetime.

Some interesting issues are raised by these cases and particularly by the slightly different treatment of the two men. The corporation was concerned to test its own ability to go on co-opting men of wealth and standing. There is little to suggest that the council levied fines on prosperous dissenters so as to make them pay for their statutory exclusion from corporate office. Allegations of

victimisation were indeed made: 'The Common Council here, knowing them to be peaceable, only begins with them, and if they were brought in, would fall on others whom they conceive would not willingly join with them, rather to raise money from fines, than from any desire they have of their company.'¹⁴

Yet there is evidence that the corporation did want the company of the two men and particularly of John Cottam. Cottam's statement that, the subscription against the Covenant apart, he would have been ready to serve the corporation suggests that the Corporations Act was an annoyance at this time in Preston. Thus when Councillor Evan Wall wrote to the secretary of state he showed considerable sympathy for the position of the two nonconformists. But a pardon for the two dissenters would not solve the corporation's recruitment problems, which were made acute by the Corporations Act insofar as it made conscientious scruples a political disqualification. The Preston corporation at this time sought to bring in prosperous nonconformists but was lenient over conscientious principles. Cottam, in whose case the Covenant had loomed large, had a free release from office for a lifetime and this suggests respect for the dissenting conscience.¹⁵

When we turn to look at the borough's electoral behaviour at this time there emerges a preference for court and duchy candidates. The by-election held on 27 May 1667 was occasioned by the death of Geoffrey Rishton. Derby's chances of winning in this contest were probably damaged by the letter he wrote to the corporation early in the year commanding the postponement of the election until he had decided on a candidate. The corporation had already demonstrated its self-confidence by making its own choice of a safe candidate, vice-chancellor Otway, who would, it was confidently predicted, undoubtedly be returned. This choice was shrewd, for Otway, Preston M.P. in three parliaments, solicitor to the duchy, knighted in 1673, was widely known as a firm supporter of the court and his candidature was in contrast with Lord Derby's alleged intention 'to pin some pitiful burgess on the corporation of Preston'. On the other hand, if the earl backed a prominent court politician, that candidate might be difficult to defeat. On 15 January it was reported that Derby's client was Lord Arlington's secretary, Joseph Williamson. The fact that Williamson was the protégé of the king's leading cavalier minister and of Lord Derby made him formidable. Williamson was attractive to one or two members of the corporation but the majority was committed to Otway as the candidate of the duchy. The situation still seemed fluid in January and February but by the end of April the majority of

the corporation was not deflected from supporting the vice-chancellor and Williamson had given up the game.¹⁶

It appears then, that as soon as possible after Rishton's death, Otway's managers had taken steps to ensure his return and that, whatever Williamson's merits in his own right, his name was put up too late after men had been pre-engaged. Influence was at issue in this contest and Williamson had begun as Derby's man, when Derby represented aristocratic and cavalier interference in the affairs of the Lancashire corporations. Thus, however the character of Williamson's candidacy changed, it was a mistake to put him up early as a Derby dependent.¹⁷

Between this by-election fought in part over the Derby interest, and the general elections fought over the party issues of the late 1670s, the character of the corporation was subtly changed. In the late 1660s and 1670s members of the future tory ring were being brought in. It was not that the oligarchic character of the corporation was at all modified, though the political complexion of certain families altered with the times. The fifty-five individuals who played important parts in corporate life between the guild of 1662 and that of 1682 belonged to thirty-seven families. Twenty-two families supplied only one member and a further ten provided two each, usually in father-and-son teams. Then there were the dominant families of Werden (four members), Lemon (three) and above all the Hodgkinson clan, which gave the corporation five members in the period. The impression of family oligarchy is confirmed if one looks at the list of mayors. But oligarchy was an abiding characteristic of the Preston corporation. In the fifty-year period 1641-91, thirty individuals served as mayor, with twelve individuals holding the office in the twenty mayoral years 1641-61, and another twelve individuals occupying the mayoralty in the twenty mayoral years 1671-91. The same families usually cornered the mayoralty, however much their politics changed to meet the new circumstances. In the fifty-year period twenty-two surnames are found in the Preston mayoralty and in the post-Restoration period the political transformation of the corporation took place within these family limits. The families in question were often large and politically adaptable enough to keep staffing the corporation.¹⁸

Thus if new men were entering the corporation and being promoted within it, that organic development was consequent on their membership of local dynasties and on the natural removal of survivors of the non-royalist past. Death in the 1660s removed five pre-Restoration members whom the Corporations Act commissioners and the charter had overlooked. If these men had conformed to the extent of taking the legal oaths, that conformity

was not enough in itself to make a man a tory. But in the later 1660s and the 1670s younger men were moving up the Preston corporation and were to compose its tory leadership in the '80s; James Ashton, George Addison, John Kellet, Thomas Winckley and Preston's tory political boss, Thomas Hodgkinson.¹⁹

This group did not make up the whole Preston corporation, but they formed an active and guiding tory party within it and by the mid-1670s they had transformed the image of the corporation and brought it closer into line with the old royalism of the town at large.

That transformation was expressed through the Church of England. It was thought particularly appropriate that a body corporate should be of one mind in religion; we shall note the same stress on agreement in the anglican political sermons of 1682. In 1673 the practice of the corporation's sitting together in the parish church was considered 'very laudable and to manifest very much concord within such an incorporated community'. Then too the corporation in 1680 attended to the repair of the parish church, with a view to instructing the populace in anglican principles. But while the corporation took its responsibilities in this direction more and more seriously, there were difficulties over the personnel of the parish church. The church's patrons were the firm protestant Hoghtons and their appointees were low church, like Seth Bushell, vicar from 1662 or 1663 to 1682, a man with strong local roots and a believer in toleration. With his clear parliamentary past, Dr Bushell hardly qualified as the spokesman of local toryism. His successor, Thomas Birch, was even more suspect. Birch had the marked whiggish views to be expected in a nephew of the parliamentary colonel John Birch but it seems clear that in its campaign against him the corporation was attempting to undermine the Hoghton patronage and even attempting to control the actual bestowal of the living. Shortly after his appointment tories in the corporation, especially Thomas Hodgkinson, were seeking Birch's removal. In the process they brought into question Hoghton's patronage, which was clearly not being exercised in the interests of high churchmanship, so much so that the government was brought in. But the ruthless campaign against Birch had no success and Birch stayed where he was, preaching faction and denouncing the liturgy from the pulpit of the parish church.²⁰

The whigs kept their foothold, at least for a while, in the Preston representation in parliament. The Preston elections of March, April and June 1679 gave little satisfaction to loyalists, at least insofar as Rigby was irremovable before 1681, though there were other ways of dealing with him—as when the tory

mayor Thomas Winckley strenuously obstructed the attempt of Rigby and Lord Brandon to commit Lancashire to petitioning against the prorogation of parliament in 1680: 'his head should sooner be had than his hand to such a petition'. In this case the forthright Winckley held off the whigs until the arrival of Lord Derby. The corporation's tory leaders and the earl were at one in showing an example of decisiveness. The tories were confident and active in Preston in the early 1680s and their activity included the organising of a tory list of objections to petitioning, with the government's support. Their confidence was undoubtedly increased by the fact that the election of February was better for the tories than any before. Sir Robert Carr was a moderate, but he was a moderate on the side of the court and was a duchy candidate. As early as January 1679 Derby had put his interest 'totally at the disposal' of Sir Robert. Derby seemed a bastion of loyalism around this time and the tory leadership was prepared to fasten on the chancellor, though they may have preferred Fleetwood, who, however, gave way in January to Carr. Hodgkinson as mayor settled the matter in a council meeting of 24 January when he 'told them the advantage of unity among ourselves, and the particular obligation this place lay unto Lord Derby and Sir Robert Carr'. Carr was to ride in harness with the duchy officer Sir Gervase Elwes, and both were to be put in at the instance of the corporation. Yet the Stanley interest could help achieve Carr's return and just before the election a number of corporation tories wrote to Derby's agent Roger Kenyon, virtually commanding his presence at a meeting to plan the election. But Kenyon's attendance was not really necessary, for 'things stand well here' and the mayor and corporation achieved Carr's victory, as Carr himself reported to Kenyon on 8 March 1681; 'I am infinitely obliged to the town of Preston, and particularly to the honest mayor and some others there, and yourself; ...'²²¹

This would seem to have been the first election for some time in which the nature of the franchise was discussed. The corporation authoritatively turned down, as an 'innovation and invasion upon the rights, privileges and usages of the incorporation' the request for the vote for non-resident burgesses (over whom corporate influence was obviously less certain). The corporation could produce tory returns if its influence were acknowledged. But the mayor's and corporation's arrangements were, in any positive sense, in vain for both Elwes and Carr took seats elsewhere. The question of the corporation's readiness to accept Carr's various suggestions for a replacement was never answered, for the Oxford parliament was too brief for untidy returns to be decided. Carr

thanked those who had won the election for him, Derby, mayor Hodgkinson and Thomas Winckley, and asked for £20 to be distributed to the local poor every Easter on his behalf while he was still chancellor; that is to say, virtually, while he was still open to election at Preston. This gift was more than simple largesse: given the large electorate at Preston, the political importance of philanthropy was increasingly realised.²²

If little positive came out of the 1681 election, a considerable negative achievement was the elimination of Rigby, a committed exclusionist at a time when the political wind was in the other direction. Derby and the tory magistrates had worked together and the scene was now set for that better understanding with the county interest which was celebrated in the elaborate and expensive ritual of the 1682 guild. The guilds were only one aspect of a corporation ceremonial which had always taken into account the need to impress the 'quality'; spending under this general heading rose noticeably during the 1680s. But the guilds provided the greatest and most expensive opportunities for hospitality, with the bill of fare supplied in part from presents from the gentry but mostly from the profits of the guild itself, collected chiefly from burgess fees. The income from these was much the same in 1682 as in 1662, but in the latter year entertainment expenses were up over £100 on the earlier year.²³

The 1682 guild, however, was more than a simple festival. It was an opportunity to reflect, in sermons, on the ideal of tory anglican harmony. The parish ministers were not reliable from this point of view and, with the vicarage between occupants in the autumn of 1682, an invitation was extended to the north-west's leading church orator, the 'silver tongued' Richard Wroe, to preach a sermon which would hammer home the tory message of unity. Wroe finished his career as a whig, but in this 1682 sermon, taking as his text the words, 'Behold how good and how pleasant it is for brethren to dwell together in unity', he drew a tory picture of a loyal and ordered England in which the corporations, without overmuch seeking to defend their privileges, could play an important role, not least in providing an example of harmony: 'When our divisions are so many, and our distractions so great; when the peace of the church is rent by schism, and that of the state endangered by faction and discontent; what remedy can be effectual to heal our distempers, and close up our wounds, but agreement and unity?' Unity was equated with anglican uniformity and faction was the consequence of religious dissent: 'and you may justly glory in this, that for sundry years last past no separate meeting or seditious conventicle has disturbed the peace of your corporation or

divided you into parties and factions, but you have lived as brethren in peace and unity, and worshipped God with order and uniformity'. Wroe, however, was not always so rigid and in a November sermon at Manchester he displayed a much greater breadth of approach, attacking the persecution of the dissenters. It seems clear that at the Preston Guild this adaptable speaker was echoing the thoughts of his hearers.²⁴

Two sermons were delivered at the 1682 guild, the second by Thomas Gipps, rector of Bury and chaplain to Lord Derby, a post that made his choice as guild preacher a suitable compliment to the earl. Gipps endeavoured to remind his audience that amid the wining and dining the 'nature of subjection' must be borne in mind, for without true subjection 'all the shows of friendship among yourselves, of loyalty to your prince, and of faithfulness to the established government, is but mere pretence, and the vilest hypocrisy, and will at last discover itself in treason to the prince, and faction to the state, and in treachery to one another'.

Gibbs' gloomy warnings did not however, really apply to Preston in 1682. Earlier in that year the whole corporation signed a loyal address which Thomas Hodgkinson was organising and which would 'be equally grateful with others to our most gracious sovereign'. A year earlier Hodgkinson seems to have been getting up this, or another, loyal address, but 'We are undetermined of the thing, and therefore have not noised our thoughts thereof until we have received measures from the advice of our friends. In English I think there will be no address come from here unless our worthy chancellor be of opinion to present it. Be pleased', Hodgkinson asked Roger Kenyon, '(with all privacy) to know (and signify) his honour's opinion in this point ...'²⁵

From the point of view of the aggressive toryism that Hodgkinson represented Carr was now regarded as unreliable. As chancellor, he had in 1681 claimed the Preston parliamentary representation, but Hodgkinson's slighting reference makes it plain that the Preston tories were not happy with his position in the middle ground and that they can have regarded the 1681 election as only a partial success. But the death of Sir Robert in November 1682 released the corporation to make more tory returns in any future parliamentary election.

With elections in mind Charles II's government in the 1680s set up machinery for the systematic recall and reissue of the borough charters. The policy had a subsidiary propaganda purpose: a reminder that all privileges came from the king and could be called in at any time. Primarily, however, the new charters

were intended to safeguard the future by confirming in office those oligarchies which had been installing themselves in power during the tory reaction. The degree of direct Whitehall pressure exerted on individual corporations to make the charter surrenders has sometimes been exaggerated, for surrenders were made voluntarily by tory groups, though it is true that local tory parties, like Preston's, worked closely with Crown agents like Jeffreys to arrange the surrenders.²⁶

The new charter issued to Preston in 1685 made very few additions to the oligarchic structure of local politics. That oligarchic pattern as in the method of choosing a mayor had been gradually built up by erosion of the rights of ordinary burgesses through a succession of guild orders. The charter merely confirmed these practices, especially the rotation of leading positions. Then too reincorporation confirmed an existing membership list, from which remaining whigs had been excluded. In the mid-1680s whigs everywhere were associated by tory propagandists with the extremism of the Rye House Plot. That event was a godsend to Preston tories, like Thomas Hodgkinson, for it provided the double opportunity for a loyal address and an arms search. Both were aimed primarily against Edward Rigby, but also against two other whig lawyers, Patten and Greenfield, and the whig vicar, Birch. But Rigby, who had so long held a place of trust, was particularly angry 'not only because his house was searched, but that he was not acquainted with our address which (by this time) is with our chancellor'.²⁷

This was in July 1684 and for at least the next year Rigby, as corporation legal agent but without trust, held a very awkward position. His name simply could not go forward on a list for a new tory corporation, least of all if the list had to go past Lord Derby. Rigby had for a long time held sums of corporation money and, with the expense of the new charter coming up, he was repeatedly and severely ordered to pay the sums. These reminders were a clear indication that Rigby was out of favour. Before the final demand, in March 1685, he had been edged out. His position of clerk of recognizances was replaced in the charter by the new post of recorder, to be filled by a new man whose name, after his unanimous election by the council, was to be inserted in the charter—John Warren. Interestingly, the corporation in this way chose its own replacement for Rigby, had his name accepted by the government and inserted late into the charter. Warren, who was loyal but not quixotically so, kept the recordership until 1706. A Cheshire man, he had been a Preston out-burgess in 1662, and was a justice of the peace for Cheshire and North Wales.²⁸

Despite financial difficulties, progress continued in the solicitation of the charter in autumn and early winter and in January 1685 the corporation's agent, alderman James Ashton, brought it north. He was met at Wigan by Thomas Hodgkinson and 'several other aldermen of Preston', and on 31 January and 2 February the oaths under the new charter were taken by the mayor, aldermen and capital burgesses before the loyalist serjeants, Messrs. Fleetwood and Rawsthorne.²⁹

This charter, accommodating the needs of the oligarchy and awarding clear financial advantages, was, after a period of uncertainty, accepted as Preston's definitive governing document. In its case in Preston town hall, the charter is, incidentally, something of a work of art—gilded, polychrome, glamorously medieval and custom-designed for Preston.³⁰

The charter was followed by the general election consequent on the accession of James II and Preston's returns fully echoed the national tory mood. The commitment to the duchy remained and in April Sir Thomas Chicheley, the chancellor, was elected. It was said by Roger Leigh, that Derby's support for the whig Lord Colchester was totally unacceptable, though this was a matter of party rather than of influence, for a Stanley could take Preston easily. As it turned out, the downright anglican-tory Edward Fleetwood was elected, Chicheley withdrew and this left the Prestoners to elect in June a court aristocrat, the Hon. Andrew Newport, commissioner of customs and son of Baron Newport.³¹

That summer of King James' accession was also the summer of Monmouth's final attempt at the crown. When Lord Derby sprang to the defence of legitimacy and order, denounced the 'horrid rebellion' and offered military assistance to the king, Preston led even the foremost gentry of the county in the size of its cavalry contingent and Prestonians who volunteered for the king's service were to be rewarded with the freedom. The 1680s presented other opportunities for loyal gestures, such as a visit of local women to Chester to be touched for the King's Evil. In August 1686 mayor Lawrence Wall took with him aldermen Addison, Kellet, Lemon, Winckley, and Sudell and Messrs Cockshull and Nicholas Walmsley to wait on the king at Chester, the expenses of all to be met by the corporation. But this ring of tories that congratulated the king in summer 1686 was the first to feel the impact of James' anti-anglican policies in 1688. Roger Kenyon voiced the complaints of tories in his notes on 'things which much dissatisfy His Majesty's Protestant subjects'. Of these the second was 'the extravagant methods practised by the new magistrates in the ancient loyal corporations, contrary to

the express concessions in their charters, to the ruin of the boroughs [and] destructive to the government thereof'. Charters, then, were the guarantees of tory rule and they were cast aside in favour of 'new magistrates'. But the processes of building local tory régimes had been slow and organic, with a minimum of central control. It was the dismantling of those town governments that required the real state intervention through would-be *intendants*—'regulators'—working under amenable aristocrats. Under James whig and catholic aristocrats were brought in against the tory corporations. Kenyon complained bitterly of Lord Brandon, the king's whig 'regulator of the Lancashire corporations [who] very unaccountably removed . . . the mayor of Preston, . . .' But Brandon seems to have been less active than Lord Derby's catholic replacement as lord lieutenant, Caryll Viscount Molineux. Lawrence Rawsthorne went with the mayor to wait on Molineux on 17 November 1687, when the viscount supervised the tender of the king's questions on the Test. This, or another, interrogation brought no satisfaction for the king and by the spring Molineux had the task of a final confrontation with the corporation over the toleration issue. In March Molineux reported to the overlord of the borough policy, Sunderland, that he had gone to Preston with a *mandamus* to the corporation, whose leading men, though they had notice of the viscount's visit, had all gone to Lancaster. Molineux intended to return within a week to Preston to deal with this understandably evasive behaviour of the local tories. That he was able to confront the corporation in late March seems the explanation for the fact that up to that month members of the tory leadership—Hodgkinson, Nicholas Walmsley, Lawrence Wall, George Addison—were signing corporation orders as aldermen but were actually elected in June 1688. This election can be explained only as a clear defiance of a regulation that Molineux had carried out in the spring. But Molineux lacked the detailed knowledge to do very much and he needed 'some power to remove all those that cabal and instill bad principles amongst those corporations [;then] in a little time such bad weeds might be rooted out, . . .'³²

The answer to the tenacity of the tories was a resident regulator. Before September 1688 the full regulation of the Preston corporation and the management of the impending elections was entrusted to two men, Tompson and Scansfield. The local establishment poured scorn on John Scansfield and his claims to have the king's backing. He was a 'Quaker . . . he pretends to be a doctor—a dangerous seditious fellow, and not without some suspicion of being a jesuit. All his relations are R.C. . . . He pretended to have an interest at court, and to have an interest in

electing burgesses for this corporation. He and Tompson the regulator were much together ...³³

On the parliamentary front, the corporation confidently conducted its own management. From at least 18 September to the end of the month Richard Standish, turned out of the commission of the peace in April 1688, was a confidant of the mayor over the choice of members of the expected parliament. When Thomas Bellingham met him on 15 September he was an announced candidate; two days later 'there was a council held here about choosing burgesses for this place, and it was carried to elect Mr. Fleetwood and Sir Richard Standish'.³⁴

Throughout 1688 this corporation, with its assured electoral authority, continued to show remarkable loyalty to James II, and to the Church of England. In January 1688 Lawrence Raws-thorne was 'at Preston church; heard the vicar (twice); 'twas the thanksgiving day for the Queen's conception etc.'. If we believe that the birth of James Edward was the last straw for the nation, mayor Walmsley and all the aldermen were not to know that when on 1 July they drank 'to remember the Queen's delivery and the Prince's birth'. Even the whig vicar, Birch, seems to have taken up this note of loyalism, though by December 1688 he felt freer to voice his own opinions. There was also an anti-catholic atmosphere in Preston in 1688 and in August Thomas Bellingham 'saw a farce called *The Devil and the Pope*'. Treasonable words were not unheard either. In January one John Walker of Preston had said, 'If I had been in the Parliament House I would have voted for the Bill of Exclusion and would so yet, by God.' Yet, however much many would have agreed with Walker's views in private, it was not until the crown was settled on William and Mary that the deposition of James was in any way accepted by the Preston corporation, and then with every sign of relief that order was restored. But some leading Preston Tories even then stayed loyal to James. Thomas Hodgkinson, who in April had carried out the details of reordering the commission of the peace, was a consistent non-juror and by September 1689 had voluntarily left the corporation in which he had remained under James II. By 1689 he had adopted a stance of weary non-involvement: 'I meddle none'. Other senior Tories, like William Lemon and George Addison, drew away from the corporation. Thomas Winckley's case best illustrates the position of local Tories in the Revolution period. As new mayor, on 5 October 1688 Winckley carefully 'took the oaths and subscribed against the Covenant', the very observances that the king wished disregarded. But when he was confronted with a declaration of loyalty to the new government in July 1690 he, Mr Lemon and some others found

this statement, of which the whig Patten so approved, beyond their 'dull apprehension' although his own position was somewhat opaque: 'I cannot persuade myself to meddle in a thing of this nature—to join in anything that might demonstrate our fidelity to King, Queen and present government and to oppose the French and all invaders. There is none of us but will readily do it, though we cannot upon the sudden join in this copy ...' Nonetheless, if Winckley thought that the whigs were exploiting patriotism to gain support for the Revolution, in 1696 he was adaptable enough to sign the Association Oath.³⁵

In Lancashire in 1688 and 1689 much turned on the position of the earl of Derby and his rivalry with Lord Brandon. Derby's popularity only grew in Preston: 'the hearts of the people are yet very much towards his lordship'. In an uncertain time it was very reassuring when Derby regained control of his lieutenantancy in October 1688 and on that occasion the Preston bells rang all day. Whether or not Derby was a synonym for James II, he was widely popular. His protégé William Tomlinson, governor of the house of correction, defended him very staunchly indeed against Lord Brandon in June 1689. Tomlinson 'would never forsake his old master to serve a young rogue ...'. Lest veiled Jacobitism be discerned in this, it was necessary to point out quickly that 'King William or the government was not spoken of with any reflection ...'. Tomlinson had been very exuberant and after drinking some beer, with healths to Lord Derby, he had managed to get his horse to salute the earl's honour. This loyalty to the Stanleys was also found, less stylishly perhaps, in the Preston electorate and on 15 January 1689 'James Stanley, Esq., the brother to the earl of Derby, was chosen without opposition' for the Convention. Other familiar names appeared in this contest—those of Patten and Rigby, for this was a good parliament to send whigs to. In the election of 1690 whig and tory politics loomed large and that fascinating contest awaits study. But the immediate effects of the Revolution were profoundly unsettling in Preston, not least in shattering the corporation and its electoral assurance, which had kept the Stanleys at a distance. But when the mayor himself was 'in great perplexity about the choosing men to go to [the] Convention ...', it can have been only with relief that the town heard that 'Lord Derby recommends his brother'.³⁶ In London and the provinces the aristocracy assumed much of the initiative during the crisis. 'Unanimously', 'without opposition', these are the words that commentators used about the role of the Stanleys in Preston politics in the Revolution period. That traditional name represented a reasonable attempt 'to dwell together in unity'.

NOTES

- 1 E. Baines, *History of the County Palatine and Duchy of Lancaster* (1836), IV, p. 318; C. Hardwick, *History of the Borough of Preston and its Environs, in the County of Lancaster* (1857), p. 203; T. C. Smith, *Records of the Parish Church of Preston in Amounderness* (1892), pp. 56-7, 13; *Redeeming the Times. A Sermon preached at Preston in Lancashire, January 4th 1657, at the Funerall of the Honourable Lady, the Lady Margaret Houghton... by Isaac Ambrose* (1658), preface, 'Lancashire Catholicism', *THSLC*, 54, (1904), pp. 213-18; LRO, DDKe/9/72. no. 1.
- 2 Hardwick, *History of Preston*, pp. 166-7, 172, 173; Baines, *History of Lancashire*, IV, pp. 313, 315.
- 3 A. Hewitson, *Preston Court Leet Records. Extracts and Notes* (1905), pp. 64-5; Baines, *History of Lancashire*, IV, pp. 254, 330; R. Somerville, *Office-Holders in the Duchy and County Palatine of Lancaster from 1603* (1972), pp. 3, 105, 110, 203.
- 4 *The Journeys of Celia Fiennes*, ed. C. Morris, (1947), p. 187.
- 5 'Sir Roger Bradshaigh's Letter-Book', *THSLC*, 63, (1911), pp. 131-2, 136-7; Smith, *Records of the Parish Church*, pp. 50, 59, 254; C[alendar of] S[tate] P[apers] D[omestic], 1661-2, pp. 102, 146-7, 173, 199-200; *CSPD* 1660-1, p. 454; J. H. Sacret, 'The Restoration Government and Municipal Corporations', *E.H.R.* 45 (1930), p. 252; *CSPD* 1663-4, p. 410; W. A. Abram, *Memorials of the Preston Guilds* (Preston, 1882), pp. 49, 85; *CSPD Addenda* 1660-70, p. 663; Hardwick, *History of Preston*, p. 167.
- 6 Sacret, *E.H.R.* 45, p. 240; W. Dobson and J. Harland, *A History of the Preston Guild...* (1862), p. 44; D. Pink and A. Beavan, *The Parliamentary Representation of Lancashire...* 1258-1885, ... (1889), pp. 153, 154; 'Colonel Alexander Rigby, M.P. for Wigan 1640-1650', *The Palatine Notebook*, 3 (1883), pp. 164-70, 280-1; 'Alexander Rigby, Jun.', *ibid.* pp. 217-18; C. E. Banks, 'Colonel Alexander Rigby and his Province of Lygonia', *ibid.* pp. 186-7; *CSPD* 1661-2, p. 200; LRO, DDX 123/58, DDKe/9/38. no. 33, DDKe/6. no. 21; Abram, *Memorials of the Guilds*, pp. 48, 59; 'White Book', pp. 175, 397; [Richard Kuerdon], *A Brief Description of the Burrough and Town of Preston, and its Government and Guild... with Occasional Notes by John Taylor* (1818), p. 16.
- 7 Pink and Beavan, *Parliamentary Representation*, pp. 154-5; LRO, DDX 123/17, 123/11, 123/9, DDP r 131/1; H. W. Clemesha, *A History of Preston in Amounderness* (1912), p. 169; Sacret, *E.H.R.* 45, pp. 244-5; Smith, *Records of the Parish Church*, p. 279.
- 8 LRO, DDX 123/9.
- 9 *The Rolls of Burgesses at the Guilds Merchant of the Borough of Preston*, ed. W. A. Abram, *Lancs. Ches. Rec. Soc.* II (1884), p. xxxiv; LRO, typescript *Diary of Lawrence Rawthorne of Hutton, May 1687-Dec. 1688*, p. 88; *Diary of Thomas Bellingham, An Officer under William III*, eds. A. Hewitson and A. R. Maddison (1908), p. 41; LRO, DDX 123. nos. 2, 3, DDP r 131/2.
- 10 *CSPD* 1661-2, p. 200; Dobson and Harland, *History of the Guild*, pp. 85-9; *CSPD* 1663-4, p. 410; *CSPD Addenda* 1660-70, p. 663; 'White Book', pp. 168, 283-4; LRO, DDP d 25/27; Abram, *Memorials of the Guilds*, p. 57.
- 11 Dobson and Harland, *History of the Guild*, pp. 85-6.
- 12 Drawn up from Abram, *Memorials of the Guilds*, pp. 49, 56.
- 13 Hewitson, *Court Leet Records*, p. 108; Abram, *Memorials of the Guilds*, p. 60; 'White Book', pp. 239, 241, 243, 251, 257-8, 263.
- 14 *CSPD* 1668-9, p. 373.
- 15 'White Book', pp. 257-8, 308, 452; *CSPD* 1668-9, p. 273.

- 16 Pink and Beavan, *Parliamentary Representation*, pp. 154-5; *CSPD* 1666-7, pp. 446, 454, 497, 502; *CSPD* 1667, pp. 63; 'Minor Notes', *The Palatine Notebook*, I (1881), p. 145.
- 17 *CSPD* 1668-9, p. 373; *CSPD* 1667, pp. 63, 120.
- 18 The list is drawn up from Abram, *Memorials of the Guilds*, pp. 49-59.
- 19 'White Book', pp. 199, 221, 224, 249, 267, 269, 286, 290, 296; Dobson and Harland, *History of the Guilds*, p. 89; Smith, *Records of the Parish Church*, p. 65; Hewitson, *Court Leet Records*, p. 128; LRO, DDKe/6. no. 21; H.M.C. Kenyon, p. 159; Abram, *Memorials of the Guilds*, p. 58.
- 20 'White Book', pp. 283, 299-300, 391, 395; Kuerdon, *A Brief Description*, p. 14; Smith, *Records of the Parish Church*, pp. 9, 61-4, 65-7, 248, 287-9; LRO, DDKe/9/57. nos. 12, 65; Hewitson and Maddison, *Diary of Captain Bellingham*, pp. 33, 38.
- 21 LRO, DDKe/6. no. 21, DDKe/2/14. no. 9, DDKe/6. no. 21, DDKe/9/52. nos. 4, 7; H.M.C. Kenyon, pp. 113, 125.
- 22 'White Book', p. 363; Pink and Beavan, *Parliamentary Representation*, p. 155; LRO, DDKe/9/52. nos. 7, 8.
- 23 Hewitson, *Court Leet Records*, p. 63, n. 2; Kuerdon, *A Brief Description*, p. 25; LRO, DDP d 25/27; *The Diary of Dr. Thomas Cartwright, Bishop of Chester*, ed. J. Hunter, Camd. Soc. 1st ser. 22 (1843), p. 72; Hewitson and Maddison, *Diary of Captain Bellingham*, p. 1; H.M.C. Kenyon, p. 145; Hardwick, *History of Preston*, p. 282.
- 24 *D.N.B.* XXI, pp. 1075-6; the extracts from the 1682 sermons are taken from Abram, *Memorials of the Guilds*, pp. 66-7; 'Silver-Tongued Wroe', *The Palatine Notebook*, 2 (1882), pp. 1-8.
- 25 H.M.C. Kenyon, p. 142; LRO, DDKe/9/52. no. 36.
- 26 LRO, DDX 123/32, DDP d 25/27; 'White Book', pp. 401, 403.
- 27 Kuerdon, *A Brief Description*, p. 27; Preston Town Hall, Preston Guild Rolls, 1662, 1682, p. 117; LRO, DDKe/9/57. no. 12.
- 28 'White Book', pp. 396, 397, 402, 406; LRO, DDKe/9/63. no. 15; Hewitson, *Court Leet Records*, p. 138.
- 29 'White Book', pp. 405, 412; Hardwick, *History of Preston*, pp. 283-4; H.M.C. Kenyon, p. 177; LRO, DDX 123/32.
- 30 Hardwick, *History of Preston*, p. 283; LRO, DDX 123/32.
- 31 H.M.C. Kenyon, p. 179; Pink and Beavan, *Parliamentary Representation*, p. 156.
- 32 LRO, DDKe/4. nos. 3, 4; 'White Book', pp. 413, 428, 441, 443-5; Baines, *History of Lancashire*, IV, p. 323; Hunter, *Diary of Bishop Cartwright*, p. 74; H.M.C. Kenyon, pp. 198, 213. In December 1690 Lord Brandon did not think it appropriate to come to Preston on behalf of the whig candidate, Mr. Patten (*ibid.* p. 249). This is very understandable; LRO, *Diary of Lawrence Rawsthorne*, p. 18. Rawsthorne's answer, as he recalled it, to the question, would he vote for the repeal of the penal laws and Test? was engagingly succinct: 'No' (*ibid.*); *CSPD* June 1687-Feb. 1689, p. 174, no. 938.
- 33 Hewitson and Maddison, *Diary of Captain Bellingham*, pp. 14-15.
- 34 LRO, DDKe/2/19. no. 11, *Diary of Lawrence Rawsthorne*, pp. 48-9; Hewitson and Maddison, *Diary of Captain Bellingham*, pp. 14-15.
- 35 LRO, *Diary of Lawrence Rawsthorne*, pp. 25, 39, 62, 67; Hewitson and Maddison, *Diary of Captain Bellingham*, pp. 5, 17, 19, 26, 33, 38, 52; LRO, DDKe/3. no. 119, DDKe/9/61. no. 8, DDKe/9/63. no. 15; 'White Book', pp. 454, 469, 471; H.M.C. Kenyon, p. 236; Wallace Gandy, *Lancashire Association Oath Rolls, A.D. 1696... (1921)*, p. 97.
- 36 H.M.C. Kenyon, p. 373; Hewitson and Maddison, *Diary of Captain Bellingham*, pp. 23, 41; LRO, *Diary of Lawrence Rawsthorne*, p. 58, DDKe/2/14. nos. 9, 10.