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**“Honour & Odd Tricks” – The Creation of a Pocket Borough  
in Clitheroe, Lancashire, 1693-1780’. \***

Most historians of the electorate in the period between 1688 and 1832 divide English borough franchises into four types. These were: ‘corporation’ boroughs, where the franchise was restricted to members of the corporation only; ‘burgage’ boroughs, where voting rights were vested in a number of enfranchised properties and their holders; ‘inhabitant’ boroughs, where voting rights were held by some or all of the ratepayers or householders; and ‘freeman’ boroughs, where the franchise was tied to rights of freedom.<sup>1</sup> In total, there were just over 200 enfranchised boroughs in the period, supplying over two-thirds of all the MPs in Parliament.<sup>2</sup>

Of these types, the first two have been depicted as the most venal, most open to corruption, as places where, as O’Gorman remarks, ‘some of the worst abuses of the unreformed electoral system are to be found’.<sup>3</sup> They exemplified J.H. Plumb’s eighteenth-century drift to oligarchy, so that in 1761 only fifteen proceeded to a poll, compared to the sixty that had done so in the stormy elections of the 1690s.<sup>4</sup> Phillips concurred, judging that they ‘failed to be sufficiently active politically to warrant attention’, despite his depiction of the limits of patronage among the unruly urban electorates of the period. Even so, Dickinson and O’Gorman both

stressed that while small electorates and burgage franchises undoubtedly favoured wealthy 'patrons', such elections still had to be managed. Dickinson emphasised that electoral success required patrons to spend 'considerable time, energy and money on the task of influencing voters'.<sup>5</sup> O'Gorman highlighted local knowledge and preparation, since 'successful electioneering in these boroughs demanded the closest attention to local, customary practices whose precedents collectively amounted to electoral law'.<sup>6</sup>

The smaller boroughs emphasise the paradox of much eighteenth-century historiography. On the one hand, they appear to illustrate the growth and political control of Plumb's 'Venetian' oligarchy, E.P. Thompson's 'Old Corruption', John Cannon's 'Aristocratic Century', J.C.D. Clark's 'Ancien Regime' or Linda Colley's 'élite'.<sup>7</sup> On the other, they emphasise the caution of Thompson, Phillips, Dickinson and O'Gorman about the amount of effort required to maintain such dominance. If it was difficult to control those sources of power that seem the most susceptible to the influence of the elite, how deep were the roots of this ancien regime, and how natural was deference towards it?

This article looks in detail at the electoral history of one such borough - Clitheroe in Lancashire. This was a 'burgage' borough, where the right to vote was tied to possession of one of the 102 enfranchised burgages in the town. Between 1693 and 1780 it experienced a number of contested elections and by-elections. The chronology of these contests and the history of burgage ownership

appear superficially to fit Plumb's model of political stability through encroaching oligarchy. Between 1693 and 1722 there were nine contested elections in the borough, but between 1722 and 1780 there was only one.<sup>8</sup> In 1693 fifty-six burgesses had owned these 102 burgages. By 1780, only ten people were burgage owners, with 88½ burgages being owned by two Gentry families.<sup>9</sup> Yet, when examined in detail, the history of electoral politics in Clitheroe appears to support Dickinson and O'Gorman's contentions that even the narrowest electorates and most regulated franchises required local management, knowledge and manipulation.

Clitheroe's eighteenth-century politics also raises deeper questions about the nature of political control or 'patronage', by providing an opportunity to analyse this growth of 'oligarchy', and the political effects of this transfer of power in the town. In some respects, the key question is not why the process followed Plumb's developmental path, but rather, why did it not occur earlier?

Clitheroe was a medium-sized burgage borough, in which a holding of forty or fifty properties (and votes) would have been decisive, but this did not occur until after the 1727 election. This begs questions about the style and purposes of political management through the period. Why did interested prospective candidates in the 1690s not attempt to secure electoral support through a plurality of burgage ownership? What forms of local electoral management rendered this method redundant or even

inconceivable? Was the creation of dominant burgage holdings a result of electoral competition, or the device employed to extinguish it?

(I)

Clitheroe's history exemplifies one strand of the 'urban' experience – the small, unincorporated town – and one strand of electoral history – the 'burgage' borough. Throughout the period covered by this paper, Clitheroe barely deserves to be called a town, by most accepted measures. In 1801 only 257 households inhabited the town, and 1,368 inhabitants in total.<sup>10</sup> A century earlier, the total population was probably less than 1,000.<sup>11</sup> Clitheroe's population was tiny even by the standards of this under-urbanised region.<sup>12</sup>

While Clitheroe struggled at the bottom of the 'urban hierarchy' in economic and social terms, it had more significant administrative functions. It had been a parliamentary borough since 1558. Although it was not a borough by royal charter, its rights were founded on a medieval baronial charter, but this left its corporate structure under-developed, and manorial. Nevertheless, it did possess a civil court and a sitting of the peripatetic Lancashire Quarter Sessions. The town also functioned as the administrative hub of the honour of Clitheroe, an important royal manorial jurisdiction extending approximately ten to fifteen miles around the town. So, despite having little to distinguish it from

neighbouring villages in economic and social terms, Clitheroe exercised a range of administrative responsibilities that were solely the prerogative of the town.

As Table 1 illustrates, there were twenty-seven other burgagge boroughs, out of the 203 English boroughs in the eighteenth century (or 14 percent).<sup>13</sup> Although Phillips notes that such boroughs had an average of 130 voters, large boroughs inflated this figure. Pontefract and Richmond in Yorkshire and Cockermouth in Cumberland contained over 250 burgages, whereas Clitheroe, with its 102 burgages, was in the 'second division'.<sup>14</sup> Most burgagge boroughs possessed between 50-100 burgages, while the notorious borough of Old Sarum in Wiltshire, had about eleven long-lost burgagge plots and no inhabitants.<sup>15</sup> The Table shows that only Appleby, Chippenham, Pontefract, Richmond, Ripon and Westbury possessed corporations, and most of these did not supplant manorial jurisdictions. Most had low total populations, with several such as Bere Alston, Bletchingley or Great Bedwyn, being described by contemporaries as bare 'miserable' rows of cottages ranged along a single street.<sup>16</sup> These two facts suggest that, like Clitheroe, most of these boroughs were essentially stunted medieval urban foundations.

In this sense, Clitheroe was representative of this minority 'urban' electorate and the trends apparent in these burgagge boroughs. Between the late seventeenth and the late eighteenth centuries, a majority of burgages in these boroughs fell into the

hands of the gentry. In the late seventeenth century, no one family owned a majority or a plurality of the burgages in fourteen of the twenty-eight boroughs' elections.<sup>17</sup> By the mid-eighteenth century, most of these boroughs were under the controlling interest of a couple of Gentry families (and generally less than four or five). In the second half of the eighteenth century, these joint interests were often bought out, amalgamated by marriage or inheritance, or sold off to new entrants in local politics. Except in Chippenham, where wealthy clothiers held the gentry at bay, burgage ownership was consolidated into fewer and fewer hands.<sup>18</sup>

In Clitheroe voters had either to own freehold burgages, or lease them for not less than a year. Burgages, and their possessors, had to be accepted by the jury of the Court of Inquiry, impannelled every January.<sup>19</sup> In 1693, there had been only about ninety recognised burgages, but by 1780 this number had increased to 102 through subdivision and the 'creative' interpretation of rights.<sup>20</sup> Voters were divided into three groups. Out-burgesses were non-resident owners of burgages, often drawn from gentry living in east Lancashire or the Yorkshire Pennines. In-burgesses were resident burgage owners. All burgage owners possessed only one vote, whatever the number of their holdings. The definition of the third category, of 'Free inhabitants', was disputed, but they were usually accepted to be lessees to burgage owners.<sup>21</sup> They could vote for their property, provided the owner did not do so first. Two bailiffs governed the town, who acted as the returning officers for

parliamentary elections. The burgesses and free inhabitants chose the 'Out-bailiff' from among neighbouring Gentry out-burgesses. The 'In-bailiff' was chosen from the in-burgesses, and was of lower status. As will be shown below, the bailiffs often had an important influence on returns in contested elections.

## (II)

Michael Mullett has traced political development in the Restoration era in Clitheroe, building on the exhaustive writings of the early 20<sup>th</sup>-century local historian, William Self Weeks.<sup>22</sup> Mullett emphasised the borough's relatively seamless political movement towards loyalism in the 1660s, and the consequent political marginalisation of a vigorous, but minority, 'Presbyterian' interest.<sup>23</sup> This was focused on the neighbouring gentleman, Sir Ralph Assheton of Whalley, who represented the borough in the Long Parliament, and during the Exclusion crisis, but who was otherwise thwarted after 1662.<sup>24</sup> By contrast, Crown influence was reasserted through the officers and power of the Duchy of Lancaster, and by the granting in 1662 of the Honour of Clitheroe to the Moncks, Dukes of Albermarle.<sup>25</sup>

At the same time, there was a growth in the local influence of Roger Kenyon of Peel, clerk of the Peace for Lancashire, and electoral agent in the borough for the main political power in the county, the Stanleys, earls of Derby. Kenyon cultivated close ties

with the leading burgesses in Clitheroe, buying favour by working on their behalf, particularly over the surrender of the borough's charter in 1684.<sup>26</sup> At this time, he also restrained moves by the inhabiting burgesses to assemble a collective political strength that outweighed their formal constitutional weakness and the dictates of these competing noblemen.<sup>27</sup> Their alliance with Kenyon ensured that they were kept largely within the Tory fold. As Mullett shows, although James II's reign disrupted the process, an unwritten accommodation had been reached, whereby the borough favoured one 'local' candidate (of suitable political loyalty to the Crown), plus one other selected through uneasy compromises between the Albermarles and the Stanleys, brokered by Roger Kenyon.<sup>28</sup>

This was a process of political management that depended primarily on influence within the borough, and the power structures of the Duchy of Lancaster and the Court. A preponderance of influence in either of these two areas could secure electoral success, but influence in both was more likely to keep all parties happy and co-operative. For example, although Sir Ralph Assheton won the Exclusion election of February 1679, by cultivating local contacts and exploiting the temporary suspicions about royal government, he lost in November 1680 when Kenyon mobilised the burgesses behind another local candidate who was also politically acceptable to the Crown.<sup>29</sup>

Mullett's analysis of these shifting power relations is detailed and convincing. However, he also suggests that the politics of this



post-Restoration period established 'the main lines of behaviour... down to 1832'.<sup>30</sup> I want to show that, in fact, the period after 1690 created a new political situation within the borough, and called for a new strategy to manage it.

### (III)

The Revolution of 1688-9 had only muted effects on Clitheroe politics. It coincided with the death of the 2<sup>nd</sup> Duke of Albermarle, and the political eclipse of a family closely associated with James II's 'personal rule'. The bailiffs of Clitheroe tried to exploit this political uncertainty, and the power vacuum in the Duchy of Lancaster.<sup>31</sup> They evaded the earl of Derby's attempts to foist his brother James Stanley on them, and reminded him that:

...your Lordship's Recomendacon must be seconded by the personall appearance of some interested person in that place & no body more for that worke then Cousan Kenyon....<sup>32</sup>

Clearly, the in-burgesses believed they could retain more influence by dealing through Roger Kenyon than directly with the earl's family. Clitheroe was too far outside the Stanley's core estates in central and west Lancashire to feel the immediate pressure of 'landlord-ism', even if it was too circumspect to reject the earl outright.

For the Convention Parliament in Jan. 1689, the borough chose local lawyer and staunchly Protestant Tory, Christopher Wilkinson, and the rather more obscure (and Whig) Anthony Parker, a relative of another local Gentry family, the Parkers of Browsholme. In the Parliament of 1690, Kenyon replaced Wilkinson, against opposition from Catholic landowners and their tenants.<sup>33</sup> While Parker may have represented the acceptable face of Whiggery, or proved politically expedient, Kenyon had attempted to exclude him. Before the 1689 election, Parker wrote urgently to his kinsman Edward Parker of Browsholme, saying that he was about to be imprisoned for a debt owed to a Kenyon supporter.

I doe believe the occasion of his calling for it now is because I have proposed my selfe to stand for this Towne & he solicits for Mr. Kenyon & thinks by calling his money in will disenable mee to prosecute my resolutions...<sup>34</sup>

Evidently, in the vacuum of 1688-9 Kenyon was showing ambitions to gain control of both seats in Clitheroe. As it was, he had to wait until Parker was overwhelmed by alcoholism in April 1693.<sup>35</sup>

Immediately on hearing the news of his death the 'Cheef persons of the Burrow' settled upon John Weddell, the borough's recorder and nephew of reliable Tory Christopher Wilkinson as their preferred candidate.<sup>36</sup> For them, Weddell may have seemed

the best candidate to deliver the borough into the moderate Tory interest, without handing it over to the Stanleys. At first, Kenyon diplomatically expressed a preference for Philip Bertie, brother of the (Whig) Chancellor of the Duchy of Lancaster, Lord Willoughby of Eresby. However, the early canvassing on Weddell's behalf forced Kenyon to suggest that it would be best for Bertie to withdraw with his pride intact.<sup>37</sup> This manoeuvring by the borough's 'chief persons' may have disrupted Kenyon's efforts to hedge his bets at a time of change in national politics, as William III re-established contacts with leading Whigs, after three years of favouring some of James' closest advisors.<sup>38</sup>

While the elections of 1689-90 occurred with minimal intervention from the Duchy, by 1693 it was firmly Williamite and Whig.<sup>39</sup> The earl of Derby's refusal to serve as Lord Lieutenant allowed the appointment of the ardent Whig, Charles Gerard, Lord Brandon.<sup>40</sup> Despite being a supporter of Monmouth, Gerard had nevertheless been Deputy Lord Lieutenant under James. His father, the earl of Macclesfield, had been an exiled supporter of the prince of Orange, and these varied connections allowed him to negotiate the awkward change of regimes.<sup>41</sup>

In the 1693 by-election, Brandon put up his brother, Fitton Gerard.<sup>42</sup> Brandon's position in relation to the borough explains the nature of the subsequent contest, and much of the electoral management of the borough over the next thirty years. As far as Kenyon, the neighbouring Gentry, and Clitheroe's rulers were

concerned, Brandon was an interloper. An anonymous narrative of the election, prepared on Weddell's behalf, gives a sense of the scorn with which the burgesses met Brandon's overtures. On 2 May 1693, Brandon wrote to the Bailiffs of Clitheroe, reminding them that he had suggested they remain 'disingaged... till somebody fit for your service might be proposed'.<sup>43</sup> He now recommended his brother. The narrative observed caustically that 'the Request wanted not a good share of confidence comeing from a stranger to the town & on behalf of One that is neither res[id]ant nor free there'.<sup>44</sup> It asked 'what consideration can this bear, but that as hee is our Lord Lieutenant wee are bound to choose who hee will [?]'.

Brandon's agent, the county muster master, began a round of liberal hospitality, telling local Tory notables, Ambrose Pudsey and Thomas Lister that the Lord Lieutenant had the power to be 'kind or cross' with the town.<sup>45</sup> He invoked the memory of Brandon's electoral campaign at Lancaster in 1685, when a large number of (well-paid) militia had been quartered in that town.<sup>46</sup> The same could be done to the benefit of Clitheroe's tradesmen and retailers, which Weddell's party interpreted 'as a treating of the Town, at the Country's purse'.<sup>47</sup>

These crude electoral threats were made for the same reason that the borough felt able to be dismissive of Brandon's attentions. At the start of the campaign, he lacked a power base in the town, a local organiser, and a bridgehead of burgages from which to mount a successful fight. Brandon's most powerful weapons were to prove

his control of the militia, his efforts at securing popular support, and his connections at Court.

He soon gained an ally in the widow of the deceased MP, Mrs. Ann Parker, daughter of Sir Thomas Stringer (MP in the late 1670s and 1681-5).<sup>48</sup> She threw herself wholeheartedly into the campaign to support Fitton Gerard as her husband's parliamentary successor, and the young Cheshire gentleman Roger Mainwaring as out-bailiff (and returning officer) of the town.<sup>49</sup> Weddell's supporters alleged that she undertook the task with rather more enthusiasm than discretion. Robert Page later testified to the Commons' election committee that she caused the curtains of her husband's house to be cut up and made into thirty coats of green and blue for the children of Gerard's voters.<sup>50</sup> This gendered largesse was matched by her spending on alcohol and sums of two shillings to people who would disrupt the open outcry voting.

Such frantic and crude canvassing was necessary because of the pattern of ownership of burgages in 1693. As Table 2 shows, a majority of these were owned individually, or in pairs (64 percent of the total).<sup>51</sup> The largest blocs were thirteen held by the (formerly Presbyterian) Asshetons of Whalley; nine by the Catholic (and Jacobite) Walmesleys of Dunkenhaigh and the Sherburns of Stonyhurst; five by the heirs of Sir Thomas Stringer; five by the two local Nowell families; four by the two Lister families and four by the two Marsdens. After the death of Sir Ralph, the Asshetons became politically indifferent, splitting their votes and those of

their tenants between Gerard and Weddell. The Catholic Walmesleys and their successors kept their distance from the post-1689 settlement.<sup>52</sup> The Stringer properties were brought out in favour of Gerard. The Nowell families were split between both candidates. The Listers were in favour of Weddell, as were the Marsdens (unlike one of their tenants).

Electoral management in this period was, therefore, a matter of interest, influence and obligation, rather than something dictated by ownership and landlord power. While Mullett is undoubtedly correct to detect a strain of borough independence in the politics of the post-Restoration era, this must also be due (in part) to the complicated process of actually delivering a majority. Burgesses had to be persuaded, overawed, or bribed, because they could not generally be told how to vote.

This is evident if we examine the Inquiry Jury for 1693.<sup>53</sup> This consisted of twenty-two men. Fourteen were burgage owners in their own right, and eight were tenants (including two who were related to the owner). All the burgage owners were ‘independent’, owning only one or two burgages each. The only significant tenant relationships existed for the two burgages possessed by Sir Ralph Assheton’s heirs, and one by Thomas Stringer (future MP).<sup>54</sup>

The independence of the jury (or the care with which it was selected) is also evident in its voting patterns. Eleven jurors voted for the ‘Tory’ candidates for bailiffs, ten for the ‘Whig’ candidates, and two appear not to have voted.<sup>55</sup> The parliamentary candidates

could have little direct hold over such a group, who were not enmeshed in formal clientage relationships, or inherently biased to either side. Instead, the parties appear to have managed the jury by two strategies. Firstly, they persuaded them not to report new burgesses. One of the 1694 jury admitted to Parliament that they had avoided meeting in order to evade determination of votes inserted by writ of mandamus.<sup>56</sup> Secondly, the bailiffs ignored their presentments, a pattern that was repeated in 1695 and 1722.<sup>57</sup> However, this was management of the electoral process by evasion of procedure, rather than by exerting control over it.

While we only really have a record of the electoral activities of the local Gentry, we can also sense the calculus employed by the voters of Clitheroe. Clearly, they favoured candidates who were known, and had local connections that bound them to the interest of the borough. This was helped by prior service as an out-bailiff or recorder – proof that the candidate could be of real use to the town. They also respected a display of powerful patronage relationships. Roger Kenyon provided a direct line to the earl of Derby.<sup>58</sup> The duke of Albermarle had provided favoured access to James II. Fitton Gerard had impeccable contacts with the new Whig ascendancy. As these links waxed and waned, so did local support for their possessors. The Chancellor of the Duchy's secretary wrote to Kenyon a month before the 1693 election that although, 'your endeavours have made two Parliament men att Clitherow; and it

seemed to me probable you might have sett faire for a third, ... it may be tempora mutantur'.<sup>59</sup>

The elections for bailiffs and for Parliament showed that times had definitely changed. The election for out-bailiff in October was tied between Wilkinson and Roger Mainwaring, whose critics alleged he was unknown in the borough, and not yet twenty-one.<sup>60</sup> The distribution of votes indicates a possible difference in the electoral strategies of the two parties. The 'Tory' candidates for bailiffs, Wilkinson, and John Lister of Westby (another member of the local Lister clan), secured the votes of thirteen of the out-burgesses, thirteen of the in-burgesses, and sixteen of the 'free inhabitants', with only two split votes for Lister and Mainwaring. This distribution indicates that Kenyon's links were with the burgage owners, and the established power structure of the borough. The 'Whig' candidates for bailiffs, Mainwaring and Clitheroe resident Thomas Dugdale, obtained the votes of only six out-burgesses, ten in-burgesses, but twenty-one 'free inhabitants', plus three more who may not have been properly qualified. Gerard's party may either have sought, or simply been more successful in obtaining, support from those outside the town's ruling group, so as to overcome their weakness among the burgage owners. They also used the militia and Lord Lieutenancy as an alternative source of patronage for those outside the Kenyon-circle. Weddell's supporters noted, graphically, that one of Mainwaring's chief local supporters, who had led an abortive riot after the poll,



had been 'made a Militia Officer – so the whore was married to make her an honest woman – Militia Officers may do anything'.<sup>61</sup>

In the event, both sides claimed victory, and Wilkinson's supporters objected to the votes of fifteen of Mainwaring's voters, including five militia officers inserted as freemen only by a writ of mandamus.<sup>62</sup> Not to be outdone, Gerard's party alleged in their printed 'Case' that an armed 'show down' had occurred when Wilkinson, Christopher Lister and Ambrose Pudsey had burst into:

a Publick House, where some of Mr. Gerard's Friends were peaceably Drinking together... Thomas Lister esq. and Ambrose Pudsey esq. set pistols to the Breasts of severall of them, and Mr. John Lister, Bayliff, threw one of them to the Ground, and Trampled upon him.<sup>63</sup>

On the 25<sup>th</sup> November, Wilkinson's supporters informed Kenyon that Gerard and Mainwaring had sneaked into the town's Moothall and proclaimed the date of the election for the following Thursday (30 November).<sup>64</sup> Predictably, the election descended into farce. In a symbol of his support among the borough elite, Wilkinson conducted the poll for Weddell in the Moothall. Equally symbolically, Mainwaring adjourned the poll for Gerard to the borough shambles.<sup>65</sup> The sheriff would only accept Mainwaring's poll, and so returned Gerard as MP, rather than Weddell. Both had polled forty-five votes, but two of Weddell's votes were

disqualified.<sup>66</sup> The matter was referred to the Commons' Committee for Elections, who reported in favour of Gerard. However, the House issued a new writ, primarily because the Parties would not agree on the validity of either candidate's votes.<sup>67</sup>

Meanwhile, Wilkinson died in January 1694, and the parliamentary election in February was preceded by another chaotic contest for out-bailiff.<sup>68</sup> At the same time, Kenyon's correspondent Thomas Marsden hoped that the earl of Derby would 'now come out of retirement, and show himself zealous both for Church and State, against dissenters and republicans'.<sup>69</sup> In the Parliamentary contest, Christopher Lister (a relative of the Lister family of Arnoldsbiggin) replaced Weddell.<sup>70</sup> Despite these manoeuvres, Gerard polled forty-six votes, and Lister forty-three, although Lister's supporters made last-ditch objections to forty of Gerard's voters.<sup>71</sup> They alleged that his supporters included unfranchised militia officers, bribe-takers, a 'school boy... kept upon Charity', and the pairing of Henry Mercer Sr. & Jr. The Father (an independent burgage owner) was described as 'a rouge that hath been whipt at the Rouge's post for petty larceny'. The son, who voted as a lessee, was dismissed as 'an Idiot'. Weddell's party asserted that he was so drunk at the poll that two women attendants only cast his vote by raising his arm at the appropriate moment. The matter dragged on in the Commons until 18 April, but eventually Gerard was returned as MP.<sup>72</sup>

These desperate tactics reflect the weakness of Kenyon and his local Tory interest outside the locality. The earl of Derby was said to believe that the shenanigans in Clitheroe 'ought to be represented in Parliament', but was firmly excluded under the Williamite regime.<sup>73</sup> At the same time, in the spring of 1694 the newly invigorated Whig MPs in the Commons were entirely unsympathetic to Tory candidates, however maltreated, and the machinery of the Duchy, and the Shrievalty in Lancashire was consistently behind the Lord Lieutenant and his brother.<sup>74</sup>

The 1693 election represented a breakdown of the post-Restoration coalition in Clitheroe, between the town's leading burgesses, Kenyon, the local Tory gentry, and their connections to the Crown, either through the Albermarles, or the Stanleys. Gerard's campaign built a new platform among the borough freemen by extensive petty bribery, and displays of power against the existing order. Such tactics were necessary because of the dispersed ownership of burgages. Neither side exercised any automatic electoral majority by virtue of rights of ownership.

#### (IV)

There were further disputed elections in 1695, 1698 and 1702. This electoral rivalry led gradually to the construction of significant burgage holdings, primarily through dynastic alliances, rather than new purchases. By 1700 the holdings of Thomas Stringer (son of

the borough's MP of the 1670s and 80s) and his cousin, Christopher Parker (son of Anthony Parker) overshadowed the Assheton family's twelve burgages.<sup>75</sup> The Stringers and Parkers had increased their burgage holding from five in 1693 to nineteen in 1700. All were bought piecemeal, unsurprising in a borough where no large holdings of burgages existed. This accumulation resulted from Thomas Stringer's abortive attempt to gain Kenyon's seat for the Whigs in 1695, when Tory Ambrose Pudsay defeated him, once again with much evident chicanery.<sup>76</sup> Stringer acquired further burgages in the run-up to the 1698 election, and was returned despite further protests, this time from Pudsay.<sup>77</sup>

This bloc of burgages did not allow electoral domination within the borough, but it provided a platform of votes onto which others could be joined. It also indicated the creation of a serious, permanent electoral 'interest' in the town, binding one of the two seats to the family, and allowing Stringer's nephew Christopher Parker to succeed him as MP in 1706.<sup>78</sup> Parker was then given first refusal on his uncle's eight burgages (but may only have bought five).

Interlopers such as Gerard would now find it more difficult to conduct a campaign that reached out to the 'free inhabitants' over the heads of the burgesses. Significantly, the Gerards and Mainwaring took no long-term interest in the borough. They lacked local roots or personal connections (despite Mainwaring's marrying into a burgage owning family), and possibly also the resources to

begin building an electoral 'estate' in the town.<sup>79</sup> As political opportunists it was easier for them to seek less contentious (and more prestigious) opportunities elsewhere, at Lancaster 1697-8, and the county seat between 1698-1700.<sup>80</sup>

The second new electoral interest was created by the candidacy of Edward Harvey in 1702, when he challenged Ambrose Pudsay for the Tory interest.<sup>81</sup> Harvey was a cousin of the Duke of Montagu, who had gained control of the Honour of Clitheroe through marriage to Albermarle's widow in 1692. He had failed to revive the Honour's previous influence in borough politics in 1693 and 1698, and he was a resounding third and last in the 1702 poll.<sup>82</sup>

However, he mounted a more serious campaign to replace Pudsay in 1705, after which he alternated with his brother Daniel as MP until 1713.<sup>83</sup> Although the Harveys built upon initial electoral support by purchasing burgages, even in 1710 they possessed only three outright. Instead, they secured most of their advantage by allying with Thomas Lister of nearby Arnoldsbiggin. The recent History of Parliament volume for this period credits the Listers with a 'shadowy' power over Clitheroe.<sup>84</sup> The difference between Harvey's poor showing without their support in 1702 (half the votes of either Stringer or Pudsay), and his election unopposed in 1705 was due to his cultivation of local contacts, notably the Listers.<sup>85</sup> They claimed 'a very great interest' in the borough of Clitheroe, and certainly could demonstrate a long connection with it, with members of the clan sitting for Clitheroe in the early seventeenth

century.<sup>86</sup> More recently, Thomas Lister may have acted as agent for his kinsman Christopher Lister in the 1690s. This mixture of immediate and immemorial connections was a source of power in an area that cherished such links, and was hostile to outsiders who ignored them. However, the family did not exert this power by virtue extensive burgage ownership. At this time the Listers of Arnoldsbiggin held only two burgages, which they had owned since the sixteenth century. A cadet branch among the in-burgesses of Clitheroe owned two other burgages.<sup>87</sup> By 1720 the family had acquired only two more.<sup>88</sup>

Thomas Lister's local power was recognised in 1713, when he was elected MP after the death of Christopher Parker, but (presumably) using the electoral support of his ally Edward Harvey.<sup>89</sup> However, the seeds of the family's eighteenth-century dominance in the borough were sown in 1716, when Thomas Lister, and Nathaniel Curzon (a Derbyshire landowner, and MP for Derby 1713-15) married the daughters and co-heirs of Sir Ralph Assheton of Whalley.<sup>90</sup> This brought them access to Sir Ralph's nine burgages, and his lease of four more under the Glebe of Whalley Rectory. More importantly, it allied the Listers' local connections to the Curzon's money. This proved an irresistible electoral combination for most of the century, but also the cause of the families' ultimate falling-out in 1780.

With the death of Christopher Parker in 1713, the electoral interest built up by the Stringers and Parkers since 1675 was

transferred to Parker's brother-in-law, Thomas Stanley of Cross Hall, a kinsman of the earl of Derby.<sup>91</sup> The earl's youngest brother, Charles Zedenno Stanley, was elected MP in 1713, and after his death in 1715, Thomas Parker, cousin of Christopher, was defeated by Edward Harvey in another closely fought election.<sup>92</sup> Once again, Lister and Harvey engaged in careful electoral management. An annotated poll book from this election reveals that Lister's agent had identified nine of Harvey's voters who might 'be prevailed to vote for Mr. P', and eight of Parker's supporters who might be persuaded to vote the other way.<sup>93</sup> True to the litigious spirit of Burgage franchises, he also listed eleven 'bad votes' whose legitimacy could be challenged should they be tendered.<sup>94</sup>

Despite this setback, by 1720 the Stanley owned eighteen burgages, thirteen of which were inherited from Stringer and Parker. It was the largest electoral bloc in the borough, but once again ownership was insufficient to secure even one of the town's two seats. Stanley also attempted to buttress his influence in the borough by drawing on the earl of Derby's power and interests. Despite possessing this external and internal leverage, Stanley had alienated at least twenty burgesses, who complained to their MPs, Thomas Lister and Edward Harvey in December 1717.

Gentlemen, when our rights are invaded we apply ourselves to you our Representatives, knowing it your Interests, as well as inclinations to stand by us in all just, and legal defences...

all occasion'd by Mr. Thomas Stanley, who being made a Justice of Peace and Captain of the Militia; and being thereby rais'd above the level of other ordinary men, doth take upon him to do whatever he inclines to.<sup>95</sup>

They accused Stanley of trying to secure the election of the earl of Derby's steward as out-bailiff of the town by raising 'four or five and Twenty of the Mobish freemen'. He had threatened that 'the Lord Derby wou'd stand by him... although we cannot believe that either the Lord Derby or his steward will countenance such tumultuous actings'. Another hand added the instruction 'you are desir'd, if you think fit, to let the Lord Derby know what use this Gent. makes of his lordships favour'.<sup>96</sup> This exposure of Stanley's high-handedness shows that the borough felt sufficiently insulated from the earl's power base to mobilise its two MPs against the Stanley interest.

(V)

In the twenty-nine years after 1693, a combination of dynastic links and purchasing led to the formation of modest but visible electoral blocs – particularly for the successive Stringer/Parker/Stanley interest. Less obvious, but undoubtedly real, was the influence exerted over the borough by the Lister/Harvey grouping. This was closer to the power of Roger Kenyon than that of the Stringers, and was built upon the same political alignments. In particular, there



was a persistent rumour that this group harboured Jacobite sympathies. Back in 1693 the earl of Scarborough had written to the Marquis of Carmarthen alleging that 'Weddell and his party are Jacobites'.<sup>97</sup> Edward Harvey corresponded with the Court of St. Germain, and attempted suicide after his arrest in 1715.<sup>98</sup> In 1749 Lord Egmont's electoral survey recorded that Lister's son was 'a strong and sour Jacobite'.<sup>99</sup> As late as the election of 1780, the diarist Elizabeth Shackleton recorded that one of her neighbours thought the Listers were 'all Jacobites'.<sup>100</sup> If so, the 1715 election may represent something of a coup by 'Jacobite' sympathisers, ending nearly two decades of (at least nominal) joint Whig-Tory returns. Thereafter the Whig interest in the borough was eliminated.

This extinction would certainly not have been seemed likely in Clitheroe on the eve of the election in March 1722. Between 1720 and 1722 two prospective Whig candidates made the most rapid accumulation of burgages seen there to that date. One, John Monckton (later Viscount Galway) was a Yorkshire landowner.<sup>101</sup> The other was James Haldane, a London lawyer active as a dealer in sequestered Jacobite estates, such as that of the Andertons of Lostock.<sup>102</sup> These two bought up fifteen out of Stanley and Harvey's eighteen burgages. By 1722 Monckton had acquired twenty-one, while Haldane possessed a further seven. This gave them direct control over twenty-eight burgages, while Lister and his brother-in-law Nathaniel Curzon, held fifteen, and controlled two others by

mortgage and reversion agreements. However, Lister and Curzon could now also call on the Asshetons' six burgages, giving near parity to Monckton and Haldane.<sup>103</sup>

Table 2 shows considerable consolidation compared to 1693. Then, almost two-thirds of the burgages had been owned singly or in pairs, with only the Asshetons holding more than ten. There had been fifty-six owners of the 102 burgages. By 1722 there were only thirty-five burgage owners, and now less than one-third of the burgages were owned individually or in pairs. Between them, Lister, Curzon, Haldane & Monckton now owned forty-five burgages, with control of the Assheton properties ensuring that the four men controlled fifty-one of the borough's 102 burgages. Almost as many burgages were now held in holdings of more than ten, as were owned singly.

These property links imply a different kind of electoral contest to the largely uncontrolled affair in 1693. Yet, the ensuing election was no more predictable. Despite their expensive preparations, Haldane and Monckton lost comprehensively. The two main blocs Monckton-Haldane, and Lister-Curzon, maintained impressive voter discipline, with only split vote among the Lister & Curzon burgages, and one Curzon voter being attracted to the opposition.<sup>104</sup> Most of the local Gentry holdings voted for Lister & Curzon, including the burgages of the Asshetons' burgages (bar one), Richard Shuttleworth of Gawthorpe's seven burgages, Alexander Nowell of Read's, the heirs of Roger Kenyon, the Parkers

of Browsholme, and assorted Clitheroe burgage holders. Haldane and Monckton picked up some support among the independent burgesses, but generally in the form of hedged votes, rather than outright endorsements. Possibly deliberately, the burgages of Assheton of Cuerdale, and of the Catholic Lady Petre and Duchess of Norfolk voted in equal numbers for the two pairs of candidates.<sup>105</sup>

Clearly, Lister & Curzon were able, as Kenyon had been, to mobilise the support of the neighbouring Gentry burgage owners and their tenants. This may have forced Haldane & Monckton to buy burgages to secure votes, rather than rely on local loyalties and social networks. Their chief electoral error seems to have been either to fall foul of the system for enfranchising voters. They had eleven burgesses and free inhabitants disqualified by the bailiffs, apparently because of inadequate conveyances to their tenant 'freemen' electors.<sup>106</sup> In the subsequent Commons protest, the borough inquiry jury alleged that when they had objected at the poll to these exclusions:

and thereupon offering to the said Bayliffs a list of Persons to be inserted in a Call Book... one of the Bayliffs did upon the bench in a violent and Indecent manner tear the same and commanded the Clerk to proceed to Poll.<sup>107</sup>

The Jury also described one Bailiff as 'a menial servant to Mr. Lister'.<sup>108</sup> Of the fifty-five signatories to this petition, forty-two can be identified as voters, of whom thirty-nine voted either for Haldane & Monckton, or split their votes between the two camps.

The 1722 election demonstrated that local connections and a degree of legal guile could still outweigh a slight superiority in the numbers of burgages owned. However, although electoral behaviour was unpredictable, property rights were becoming more significant in determining voting patterns. Clitheroe was moving towards becoming a 'pocket borough'. The dispute was now about into whose pocket it would fall. It was much easier to contemplate the creation of such a 'pocket' borough when only five families owned a majority of the burgages, compared to the earlier dispersed pattern of ownership. The 1722 election also hinted that where only one family owned an outright majority of burgages, there could no longer be any question of a Haldane or a Monckton trying to lever open the electoral process.

#### (VI)

The participants to the 1722 election appear to have drawn this conclusion themselves. Monckton sought election again for Clitheroe in 1727, but did a deal with Nathaniel Curzon by which he agreed to sell his burgages to Lister and Curzon jointly in return for Curzon's seat in the forthcoming Parliament. He invested the

purchase money in burgages in his home borough of Pontefract.<sup>109</sup>

At the same time Haldane was encumbered by cases about the forfeited Jacobite estates, and may also have wanted to sell.<sup>110</sup>

For the cost of £4,500 Lister & Curzon received thirteen burgages from Monckton, eight from Haldane, and a further eleven or twelve formerly the estate of Thomas Stringer, plus two others.<sup>111</sup> Their Glebe lease of four burgages augmented this joint estate giving thirty-eight or thirty-nine votes. When these were added to Lister's thirteen burgages and Curzon's two, the families now exercised direct control over fifty-three or fifty-four of the borough's 102 burgages. Between 1731 and 1761 the families only bought another three burgages. As Assheton Curzon remarked in 1780, 'they two had a complete majority in the Borough, and ... nobody else, if they agreed could molest them'.<sup>112</sup>

Obviously, this control of the burgages changed Clitheroe's political dynamics by preventing the borough elite, the in-burgesses, from having a choice of electoral networks. Since 1661, Clitheroe had always been too small, and lacking in formal constitutional powers, to assert its independence over the neighbouring gentry and aristocratic patrons. However, through procedural manipulation, and the exploitation of personal loyalties, the burgesses and freemen had often played off such interlopers against each other, or fought off a powerful outsider by mobilising local patronage networks.

The predominance of the Listers & Curzons eliminated these alternative choices. In effect, the two families served the same function as the competing networks had done in the past. The Listers, living only five miles distant at Gisburn Park, maintained local networks and personal connections.<sup>113</sup> The Curzons, living in Derbyshire, and moving more confidently among the ranks of the 'greater gentry', provided patronage links to the centre, even if the family's prime political concern was to secure a peerage, rather than to promote the borough's interests.

As Assheton Curzon had noted, though, this all depended on the continuing political and social co-operation between the two families. Outwardly, the familial alliance survived without problems for three generations. However, there were ongoing tensions. As early as the 1720s the families considered the division of their joint estate in Glebe properties and burgages inherited by Sir Ralph Assheton's daughters.<sup>114</sup> In 1780, one of Thomas Lister's advisors stated that the Curzons alleged that they had been sole purchasers of the Monckton & Haldane burgages, so that the Listers sat as MPs in Clitheroe entirely due to their influence.<sup>115</sup> He remembered that before the 1761 election Thomas Lister Sr. had preferred his brother Nathaniel to Assheton Curzon, relenting eventually, but telling Curzon:

Well cousin I have brought you in at the Request of my  
Brother, but I tell you in your face that I can bring in two

members for Clitheroe whenever I please in opposition to you.

At the 1783 election another witness repeated the story, to defend the Listers from the charge that they were a 'Mushroom family' – recently sprung up.<sup>116</sup>

Thomas Lister died in 1761 leaving a nine-year old heir. In 1764, Nathaniel Lister wrote a letter that confirms stories of the family's resentment towards the Curzons. He stated:

The Curzon family had no possessions or Interest in Clitheroe till my father took them by the Hand. The want of money at that Time made it necessary so to do... Far be it from me to propose any Thing that seems to bear hard upon the Curzon family, whom I love & Honor but... the Listers must be allow'd to have had the precedent Right, the Curzons only a secondary arising from the first... if I was the acting Trustee for my Nephew, no man living should nestle upon his advantage & ground & get thereby better footing in that respectable Corporation...<sup>117</sup>

The implication was that the Listers were dependent on Curzon money for their local electoral dominance in the borough, and had considerable difficulty reconciling this power with their financial inferiority to the Curzons, whose wealth derived from

Derbyshire lead mines.<sup>118</sup> Thomas Lister Jr. was brought up with these attitudes, but also with Assheton Curzon as one of his guardians. His resentments were recorded in the history of the 102 burgages put together by his agents in 1782:

Owing to some Ill Treatment Mr. Lister received from Mr. Curzon soon after he came of age [in 1773]; having reasons also for suspicion and dissatisfaction from the conduct of Sclater Mr. Curzon's Agent – and withal born and possessed with the idea that Mr. Curzon had enjoyed a seat for this Borough entirely thro' the Favor of his Family Mr. Lister determined not even to give Mr. Curzon a plausible Pretext for alledging... there was any Honorary Tie or Engagement for continuing to support him or his interests in Clitheroe.<sup>119</sup>

Lister suspected that Sclater had been purchasing burgages secretly on Curzon's behalf and conveying Lister properties as joint Lister & Curzon ones.<sup>120</sup> Significantly, while the Listers used the same language of electoral 'interest' as correspondents had ninety years before, interest now equalled 'property'. In the litany of complaints made against the Curzons, it was objected that:

Mr. Curzon has been remarkably negligent in civility to the Gentlemen of the County... being told of it by a friend, he answer'd very short 'what occasion have I to court them, my Interest is Property [?]'.<sup>121</sup>



As far as the Curzons were concerned, this shared majority of burgages guaranteed that Listers & Curzons would sit for the town in perpetuity, and without challenge.

(VII)

It was presumably with this thought in mind that Assheton Curzon wrote to Thomas Lister on 28 June 1780. Curzon had sat for Clitheroe since 1761, and now wanted to step down in favour of his twenty-three-year old son, Penn Assheton Curzon. He told Lister:

I think he deserves to have his abilities brought forward and I can do it no way so well, as by letting him have an opportunity of joining in the debates of the House of Commons...<sup>122</sup>

He assumed the election would be a formality, but thought it a necessary courtesy to inform Lister of his intentions, and to organise the matter by conveying the joint-burgages to new voters. Dependent burgesses and freemen would not need to be persuaded or coerced. As one, John Barcroft, admitted to Penn Assheton Curzon, 'I consider myself a trustee for the real owner or owners, and as to my vote... it must follow the property', despite the fact

that Barcroft was Steward of the Honour of Clitheroe, a lawyer and gentleman of independent landed income.<sup>123</sup>

Unfortunately for Curzon, these joint burgages were central to the electoral coup that Lister had been planning for nearly a year. As early as September 1779, Lister's agent noted that the absence of Curzon's steward in London would provide 'a better opportunity to Purchase & c. without giving alarm'.<sup>124</sup> The following May, he mentioned that a burgage could be purchased 'without creating the least suspicion of you having any concern in the matter'.<sup>125</sup> On 29 May, the agent reported that he had made one purchase 'pretending to be upon treaty with Mr. Thompson (near Halifax)'.<sup>126</sup> In early July Assheton & Penn Assheton Curzon visited Lister at his London lodgings, to discuss conveyances to new voters and recorded that Lister had said, emphatically, 'I can have no objection to my friend Penn'.<sup>127</sup> It soon became clear that he had no intention of supporting him, either.

Within days, Lister was canvassing for the second seat in Clitheroe on behalf of his brother-in-law, local gentleman John Parker of Browsholme.<sup>128</sup> After receiving legal advice enjoining 'the utmost candor and openness to Mr. Lister',<sup>129</sup> Assheton Curzon wrote to Lister on 22 July, expressing his hurt:

An attack of the severe nature you now level against me seldom comes from a Friend & Relation without something of a peculiar kind has happened to give rise to & Justify it... I

own I thought I had a better right to a second interest in the borough than any other Person & the whole course of my conduct thro' your childhood & since you came of age proves that I never thought of a first... I must further say that in thought or deed I never did you or any of your interest an injury in all my life.<sup>130</sup>

Through the election in October and the subsequent parliamentary appeal, the families stuck to two different strategies. Lister refused to make one-year 'sham conveyances' to voters on any of the shared burgages, insisting on a narrow construction of the franchise that limited voting rights to burgage owners or their tenants. This gave him a personal property advantage over Curzon.<sup>131</sup> Meanwhile, Curzon adhered consistently to the Rev. Richard Assheton's advice that 'all Freeholders who have Estates for life or in fee in the Borough' could vote, which would extend the franchise to all freehold lands, instead of just recognised burgages, so overcoming Curzon's numerical disadvantage.<sup>132</sup>

Curzon's advisors considered the various voting permutations, believing they could knock Parker into third place if electoral custom could be revised in their favour.<sup>133</sup> However, this strategy could only be tested by Parliament after the election. In the mean time, both families tried to purchase as many of the remaining burgages as possible, but fell victim to the laws of supply and demand. In 1761 there were twenty-five remaining

independent burgage owners, with forty-five burgages. After the purchases of Lister & Curzon's steward, Robert Sclater, during Lister's minority there remained only twenty burgage owners and thirty-three burgages on the eve of the 1780 election.<sup>134</sup>

Prices rocketed in the frenetic atmosphere preceding the election. One of Lister's attorneys testified later that between 1726 and 1775 the two families had spent a total of £9,013 on forty-seven burgage properties in the borough.<sup>135</sup> By contrast, between July and October 1780, Lister had spent £24,490 buying a further fifteen burgages – including John Stanley's eighty-one acres of freehold land.<sup>136</sup> Lister's agent, Richard Eddleston, was forced to admit taking advantage of this seller's market, having sold two burgages to Lister for £300 each and refused £500 for another from Curzon's agent, in July and August 1780.<sup>137</sup> In a last ditch effort in September 1780 Lister dispatched a servant non-stop to Lulworth Castle in Dorset, to negotiate the sale of 2½ burgages from Thomas Weld (heir to the Sherburns of Stonyhurst). The price agreed was £2,000 or £800 per burgage – for properties said to be worth just £10 per annum.<sup>138</sup> Meanwhile, in purchasing a further five burgages, as well as pursuing his electoral strategy of buying freehold estates, Curzon spent £11,881 between July and December 1780.<sup>139</sup>

Table 2 shows the extent to which Clitheroe had become a pocket borough on the eve of the 1780 election. Lister, Curzon, and Lister & Curzon jointly now owned 80 percent of the burgages in

the town. Individually, Lister now owned 26½ burgages, plus one other where he owned the freehold, but Curzon leased the voting rights. Curzon owned seven burgages. Of the joint estate, twenty of the fifty-four burgages were not out of lease and could vote, but Lister's party ensured that the Inquiry Jury rejected seventeen of these votes (all for Curzon).<sup>140</sup> During the poll, on the 14 & 15 September 1780, a further seventeen people were disqualified after voting for non-burgage freehold lands or leases in the borough.<sup>141</sup> All voted for Curzon, 9 voted for Lister as well, but none voted for Parker. At the end of polling, Lister received thirty-three votes, Parker thirty-two, and Curzon only seventeen votes. Without vetoes or disqualification it was estimated that Lister would have polled eighty-two, Curzon sixty-six, and Parker only thirty-two.

The result was achieved only after many machinations. As the 'inside' candidate, Lister replicated Kenyon's tactics of ninety years' previously, by ensuring the election of Richard Eddleston as In-Bailiff, in order to control the poll.<sup>142</sup> A post-election broadside by the Curzons reported that during the poll Eddleston was 'publicly offering Wagers of three or more to one upon the Return in Favour of the successful Candidates'.<sup>143</sup> By contrast, Curzon followed the pattern set by 'outside' candidates without good local connections, by trying to widen the franchise, and by courting what he termed 'popularity', primarily through liquid refreshment. His agent disbursed at least £519 on alcohol, between 11 July and 13 Sept.<sup>144</sup> In the absence of deep local support among the burgesses,

the creation of an electoral 'mob' could be useful in disrupting the poll, or intimidating voters.

Both sides applied considerable pressure to the fifteen remaining 'independent' burgage owners, ranging from polite letters soliciting support, to more dubious means. The former yielded a response from Henry Hughes Lloyd in North Wales, who pledged his support to Penn Assheton Curzon, because he had known his father 'at Westminster School'.<sup>145</sup> The more dubious practices were exemplified by James Riddihough's case. He possessed a vote under a three-life lease for a burgage called Warrens, held by his family since the turn of the eighteenth century. Riddihough was elderly and 'incapable', and his nephew alleged that Curzon's agents had offered £50 to his nurse to cast one vote for Curzon, and none for Parker.<sup>146</sup>

The subsequent parliamentary enquiries caused both parties to spend several thousand pounds on legal advice, and to plunder the borough archives in support of their electoral strategies.<sup>147</sup> The final decision favoured Lister, with the franchise being restricted to burgages whose provenance was established by the Inquiry jury, and the longstanding payment of borough rents.<sup>148</sup>

Lister excluded the Curzons again in the 1782 by-election, when Parker made way for the Attorney General John Lee, by repeating his veto of the joint conveyances.<sup>149</sup> The families agreed to a formal division of their estate (and borough representation) only after a protracted series of legal wrangles.<sup>150</sup> The contests left

Lister £48,000 in debt, although in May 1781 his Uncle Nathaniel reported from Bath that the Curzons were saying it was £60,000!<sup>151</sup> The two families observed a brittle and distrustful truce, extending through their ennoblement in the 1790s, until Lister sold his burgages to Lord Brownlow in 1802.<sup>152</sup>

The 1780 election was a brief revival of the farcical conflicts in the town in the period before 1722, but it also demonstrated the true reality of the 'pocket' borough. The master of the town's Grammar School, Thomas Wilson provided the title for this article, by describing the 1780 election as 'a game of cards... where the dispute was whether a man could have the preference of the game by honours or odd tricks'.<sup>153</sup> The Curzons were the party of 'honours', Lister the man of 'odd tricks', but the two of them were now the only players in the game.

The Curzons understood their injured honour in more specific terms. On the division of the joint estate in Chancery, Lister was informed that the Curzons presented each of their two commissioners with a cup, engraved 'To the Assertors of Justice and the Vindicators of Injured Property'.<sup>154</sup> This injured property encompassed both ownership and electoral control of the fifty-three joint burgages, and the uncontested, perpetual right of access to the second seat in Parliament for the borough.

This fact meant that whatever their similarities on the ground, and in the alehouses, the elections of 1693 and 1780 were disputed for fundamentally different reasons. The 1693 contest was

a struggle to secure electoral control where minimal landlord power existed. The 1780 election was disputed because the landlords fell out, and deployed their property rights against each other. Significantly, in this instance, the matter was resolved finally not by the Commons' Committee for Elections, but the Court of Chancery. Politics in Clitheroe had effectively been 'privatised'.

(VIII)

If the end result of this process is unsurprising, the big question is why the consolidating tendencies of a franchise based on property rights did not produce this result by 1693 or 1722? Put simply, it appears not to have occurred to any of the earlier candidates to solve the problems of political management in this way. Despite repeated contests the conventional management strategy of 'influence' through local connections and wider patronage links continued to be effective. Roger Kenyon and the Listers were most adept at depicting themselves as representatives of, and conduits for, the opinions of the chief burgrave owners. They also aimed to secure control of the electoral process, by nominating the bailiffs, and dominating the Inquiry Jury. Presumably, too, their Tory (or even Jacobite) sympathies chimed with the political opinions of many within the borough elite.

Such connections continued to leave a large body of opinion un-represented. This included the majority of the town's 'free



inhabitants' – leasehold burgage tenants, possessed of the right to vote, but otherwise excluded from borough government. They were open to manipulation by incorporation within a wider 'crowd' of residents opposed to the existing political dispensation and new or outside candidates sought repeatedly to co-opt them. Gerard tried this tactic in 1693, Stanley in 1718, Monckton and Haldane in 1722, as did Curzon in 1780. Crucially, only Gerard succeeded, through control over the electoral process in a manner that was never repeated.

Lacking local leverage, these outside candidates set off the gradual accumulation of burgages in the borough in the early eighteenth century. Until 1716, outsiders, such as the Stringers, Parkers, Stanley and Harvey were the most likely to buy burgages, in lieu of other influence. Although some established families, such as the Asshetons, the Walmesleys, the Nowells and the Sherburns each possessed several burgages, they made no concerted additions. The Listers exemplified the inverse relationship between local influence and numbers of burgages owned, since their 'very great influence' rested on possession of only two properties, as did that of Roger Kenyon.

Gradually, outsiders subverted this politics of local 'interest'. The sudden political elevation of the Gerards to the Lord Lieutenancy in 1689 caused the first breach, but ironically this external power-base freed Fitton Gerard from the need to accumulate burgages, and ensured that Clitheroe was of passing

interest to him compared to the larger county struggle. Subsequent interlopers lacked the Gerards' connections to the centre, and relied either on the support of the borough elite (and the Listers), or the purchase of burgages in the absence of such support. At the same time accumulation also resulted from dynastic alliances, between the Stringers, the Parkers and the Stanleys, and between the Asshetons, the Listers and the Curzons. Marriages consolidated local networks, and also provided the best entry route for outsiders (such as the Curzons).

Monckton's sale to Lister and Curzon is fraught with historical contradictions. He sold precisely because he realised how difficult it was to deploy property rights to beat local interests. Yet, he used the money to buy just such an interest in his 'home' borough of Pontefract, which allowed him to use the same tactics against others that had been used so successfully against him. In Clitheroe this sale merged the Listers' 'great interest' to the Curzon's substantial 'property' within a single electoral interest. Clitheroe politics became a matter of burgage property, which followed the centripetal tendencies observed by Habakkuk for landed estates in general.<sup>155</sup> Family settlements and trusts pooled, maintained, and added to it. If the properties in question had been smallholdings or family farms, the result would have been the same. In fact, in the borough as a whole it was – by the 1780s the Listers & Curzons also dominated the borough's 3,000 acres, as well as its 102 burgages.<sup>156</sup> However, the events of 1780 showed

that an alliance between two families only sublimated the political tension between 'influence' and 'property', without resolving it under a single owner.

These developments were influenced by general political trends. The Revolution of 1688 and 'first age of party' undermined the Tories' local monopoly, by weakening their patronage links with the Court, the Lord Lieutenantcy or the earl of Derby. Adversarial Parliamentary politics increased the importance of obscure boroughs with easily manipulated franchises such as Clitheroe, and the attentions from ambitious newcomers like the Brandons or the Harveys. Conversely, as politics became more monopolistic after 1722 and 1727, Clitheroe could be written off as an irredeemably Tory, and incontestably 'pocket' borough. The defeat of the Whig candidates in 1722 de-coupled Clitheroe from the political centre, disconnecting it from alternative patronage networks, and ensuring no more interventions by 'carpet baggers' such as Monckton & Haldane.

The example of Clitheroe does little to dispel the image of such boroughs as the most venal and corruptible of constituencies. It illustrates Plumb's growth of political oligarchy based on the accumulation of electoral property. At the same time though, it also supports O'Gorman and Dickinson's model, in which procedural manipulation and micro-management was essential for political success in burgh-boroughs. These trends were accompanied by new understandings of the concept of electoral 'interest'. In the

1690s, 'interest' had meant the creation of voting alliances of independent burgage owners, by cajoling, bribing, treating, and coercing their support. By the 1780s, political 'interest' meant the ownership of these votes, and the right to command the loyalty of the tenants accordingly. Obviously, this reflected a drastic narrowing of political power within the borough but this 'oligarchic' control did not develop in a linear fashion, or replace unscrupulous partisan manipulation. Despite the gradual accumulation of property between 1693 and 1722, a plurality of burgages was created only after it became clear that outsiders could not simply buy their way into the borough. In addition, as the election of 1780 demonstrated, the electorate was only quiescent as long as it was denied a choice. In Clitheroe, at least, despite the placid appearance of electoral politics in the eighteenth century, 'oligarchy' was a social contract that had constantly to be renewed, not the unquestioned 'divine right' of an imperturbable ancien regime.

**Table 1: Electoral Control of English Burgage Boroughs, c. 1690-c. 1820:**

		<b>N. Voters</b>				<b>Manoria I/ Corporate?</b>
		<b>c. 1700</b>	<b>c.1660- 1699</b>	<b>c.1700- 1749</b>	<b>c.1750- 1809</b>	
Appleby	Westmorland	95	CI	Jl	Jl	C
Ashburton	Devon	164	CI	Jl	Jl	M
Bere Alston	Devon	<100	Jl	Jl	<b>SI</b>	M
Bletchingley	Surrey	<100	Jl	Jl	<b>SI</b>	M
Boroughbridge	Yorkshire	<68	CI	Jl	Jl	M
Bramber	Sussex	36	CI	Jl	Jl	M
Castle Rising	Norfolk	60	<b>SI</b>	Jl	<b>SI</b>	M
Chippenham	Wiltshire	<120	CI	CI	CI	C
Clitheroe	Lancashire	102	CI	Jl	Jl	M
Cockermouth	Cumberland	260	CI	Jl	<b>SI</b>	M
Downton	Wiltshire	100	Jl	Jl	<b>SI</b>	M
East Grinstead	Sussex	31	Jl	Jl	<b>SI</b>	M
Great Bedwyn	Wiltshire	118	CI	Jl	<b>SI</b>	M
Heytesbury	Wiltshire	26	<b>SI</b>	<b>SI</b>	<b>SI</b>	M
Horsham	Sussex	69	<b>SI</b>	Jl	<b>SI</b>	M
Knaresborough	Yorkshire	90	CI	Jl	<b>SI</b>	M
Midhurst	Sussex	125	CI	Jl	<b>SI</b>	M
Newton	Lancashire	104	<b>SI</b>	<b>SI</b>	<b>SI</b>	M
North Allerton	Yorkshire	194	Jl	Jl	Jl	M
Old Sarum	Wiltshire	<20	Jl	Jl	<b>SI</b>	M
Petersfield	Hampshire	154	CI	<b>SI</b>	<b>SI</b>	M
Pontefract	Yorkshire	265	CI	Jl	CI	C
Richmond	Yorkshire	273	CI	Jl	<b>SI</b>	C
Ripon	Yorkshire	153	Jl	<b>SI</b>	<b>SI</b>	C
Thirsk	Yorkshire	48	Jl	Jl	<b>SI</b>	M
Weobley	Herefordshire	100	CI	Jl	<b>SI</b>	M
Westbury	Wiltshire	61	<b>SI</b>	<b>SI</b>	<b>SI</b>	C
Whitchurch	Hampshire	<80	Jl	Jl	<b>SI</b>	M
<b>Totals:</b>						
Competing Interests				14	1	2
Joint Interests				9	22	6
Single Interests				5	5	20

**Key:**

CI = Competing interests (none predominant)

Jl = Joint or shared interests, possessing plurality/majority of burgages

SI = Single interest possessing plurality, majority or monopoly.

*Sources:*

*The History of Parliament: The House of Commons 1690-1715* eds. E. Cruikshanks, S. Handley & D.W. Hayton II, (Cambridge, 2002);

*The History of Parliament: The House of Commons 1690-1715* ed. R. Sedgwick, II

(1970);

*The History of Parliament: The House of Commons 1754-1790* eds. Sir L. Namier & J. Brooke, I,

(1964).

**Table 2: Percentage Distribution of Burgage Ownership**

**1693, 1722 & 1780 (N = 102):**

<b>Number of Burgages Owned</b>	<b>1693</b>	<b>1722</b>	<b>1780</b>
1	30.4	21.6	3.9
2	33.3	11.8	3.9
3	11.8	11.8	0
4	0	3.9	0
5	0	4.9	4.9
6	0	11.8	0
7	13.7	6.9	6.7
8	0	7.8	0
9	0	0	0
10+	9.8	20.6	80.4

*Note:* Calculated by cross-referencing LRO DDHCI Box 108, 'General State of the Borough of Clitheroe 1782...', with borough Rentals 1694-1778 and Enquiry Jury verdicts 1664-1780 in Lincs. RO. BNLW Box 1.





<sup>1</sup>\* An earlier version of this paper was delivered at the Urban History Group conference at the University of Durham in April 2003. I am grateful for the comments of participants on that occasion.

These definitions are taken from J.A. Phillips, Electoral Behavior in Unreformed England: Plumpers, Splitters and Straights (Princeton, 1982), p. 61; similar definitions are made in H.T. Dickinson, The Politics of the People in Eighteenth-Century Britain (Basingstoke, 1995), p. 31 and F. O’Gorman, Voters, Patrons and Parties: the unreformed electorate of Hanoverian England, 1734-1832 (Oxford, 1989), pp. 32-7. By the mid-eighteenth century, Phillips has suggested that ‘corporation’ boroughs had the smallest electorates, averaging only thirty voters; ‘burgage’ boroughs averaged about 130; ‘inhabitant’ boroughs averaged 600; the largest urban electorates existed in ‘freeman’ boroughs, with an average of 750 voters. Phillips, Electoral Behavior, p. 61.

<sup>2</sup> Dickinson, Politics of the People, p. 31.

<sup>3</sup> O’Gorman, Voters, Patrons and Parties, p. 32.

<sup>4</sup> J.H. Plumb, The Growth of Political Stability in England, 1675-1725 (1967), pp. 73-4.

<sup>5</sup> Phillips, Electoral Behavior, p. 37; Dickinson, Politics of the People, p. 15.

<sup>6</sup> O’Gorman, Voters, Patrons and Parties, p. 34.

<sup>7</sup> Plumb, Political Stability, pp. 159-89; E.P. Thompson, Customs in Common, (1991), pp. 71; J. Cannon, Aristocratic Century: the peerage of eighteenth-century England (Cambridge, 1982), pp. 1-33; J.C.D. Clark, English Society 1688-1832. Ideology, social structure and political practice during the ancien regime (Cambridge, 1985), pp. 93-118; L. Colley, Britons: Forging the Nation 1707-1837 (New Haven & London, 1992), pp. 147-194.

<sup>8</sup> Contests occurred in 1693, 1694, 1695, 1698, 1702, 1706, 1713, 1715 and 1722, The History of Parliament: The House of Commons 1690-1715, eds. E. Cruikshanks, S. Handley & D.W. Hayton, II, (Cambridge, 2002), 323; The History of Parliament: The House of Commons, 1715-1754, ed. R. Sedgwick, I, (HMSO, 1970), 269.

<sup>9</sup> L(ancashire) R(ecord) O(ffice) DDHCl Honour of Clitheroe Box 108, ‘General State of the Borough of Clitheroe 1782 corrected and enlarged by the same hand 1785’.

<sup>10</sup> LRO MBC 650 'An Account of the Number of Persons within the Borough and Township of Clitheroe... the 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> days of March 1801', manuscript census return.

<sup>11</sup> W. Self Weeks, Clitheroe in the Seventeenth Century (Clitheroe, 1927), p. 6.

<sup>12</sup> See J.K. Walton, 'North' in The Cambridge Urban History of Britain. Volume II 1540-1840 ed. P. Clark (Cambridge, 2000), 124. Walton notes that the average 'urban' settlement in Cheshire and South Lancashire in the 1660s contained a median of only 883 inhabitants.

<sup>13</sup> O'Gorman, Voters, Patrons and Parties, p. 343. O'Gorman lists thirty-one burgh boroughs, but Newport has been excluded because it was a Welsh borough, while a survey of the three 'Constituencies' volumes for the History of Parliament 1690-1790 indicates that Malton (Yorks.) and Newport (Isle of Wight) were not burgh boroughs in this period.

<sup>14</sup> For Cockermouth, see J.V. Beckett, 'The Making of a Pocket Borough: Cockermouth 1722-1756', Journal of British Studies, 20, 1, (1980), pp. 140-58.

<sup>15</sup> Commons 1690-1715, Cruikshanks *et. al.*, II, 690.

<sup>16</sup> Ibid., 139, 574, 668.

<sup>17</sup> That is, Appleby (Westmoreland), Ashburton (Devon), Boroughbridge (Yorks.), Bramber (Sussex), Chippenham (Wilts.), Clitheroe (Lancs.), Cockermouth (Cumberland), Great Bedwyn (Wilts.), Knaresborough (Yorks.), Midhurst (Sussex), Petersfield (Hants.), Pontefract (Yorks.), Richmond (Yorks.), Weobley (Hereford) & Westbury (Wilts.).

<sup>18</sup> Chippenham & Weobley in Wilts. were the only burgh boroughs to remain free of the dominance of one or more proprietorial families.

<sup>19</sup> L(incoln's) I(nn) L(ibrary) Misc. Pamphlets, vol. 100, f. 158, 'The Constitution of the Borough of Clitheroe, with the Right of Elections for Bayliffs, or Members of Parliament', 1694.

<sup>20</sup> Linc(olnshire) R(ecord) O(ffice) BNLW Box 1, Clitheroe Borough Rental 1694, lists 93 burghs; LRO DDHCl Box 108 'General State of the Borough of Clitheroe 1782', f.1; see also The History of Parliament: The House of Commons 1660-1690, ed. B.D. Henning, I, (1983), 286.

<sup>21</sup> The disputed election of 1661 turned on the voting rights of free inhabitants. The Commons ruled in favour of their enfranchisement, although the wording of the decision was

ambiguous. See Self Weeks, Clitheroe, pp. 295-6; M.A. Mullett, “Men of Knowne Loyalty”: The Politics of the Lancashire Borough of Clitheroe, 1660-1689’, Northern History, 21, (1985), pp. 113-5; Buck(inghamshire) R(ecord) O(ffice) AR 94/80/1334.

<sup>22</sup> Mullett, “Men of Knowne Loyalty”, p. 112; Self Weeks, Clitheroe, pp. 228-31.

<sup>23</sup> Mullett, “Men of Knowne Loyalty”, p. 110.

<sup>24</sup> Ibid., pp. 112-5, 119-23.

<sup>25</sup> Idem., pp. 108-9, 115-6.

<sup>26</sup> Id., pp. 115-9, 122-3, 125-8, 130-3, 134.

<sup>27</sup> Id., pp. 131-5.

<sup>28</sup> Id., pp. 134-5

<sup>29</sup> Henry Marsden of Gisburn. Id., pp. 121-4.

<sup>30</sup> Id., p. 136.

<sup>31</sup> Id., pp. 133-4.

<sup>32</sup> Id., pp. 133.

<sup>33</sup> Commons 1690-1715, Cruikshanks et. al., II, 324.

<sup>34</sup> LRO DDB 85/10 vol. 2, no. 10, Anthony Parker to Edward Parker of Browsholme, n.d. [1690].

<sup>35</sup> Commons 1660-1690, Henning, III, 205.

<sup>36</sup> LRO DDFr 7/7 Petition about November 1693 Election on behalf of John Weddell, ‘As to the Merits of the Election’.

<sup>37</sup> H(istorical) M(anuscripts) C(ommission), 14<sup>th</sup> Report, Appendix, IV, The Manuscripts of Lord Kenyon, (HMSO, 1894), Roger Kenyon to Guicciardini Wentworth, 22 July 1693, 273.

Wentworth wrote that he was willing to spend £2-500 on behalf of Bertie. Plumb, Political Stability, p. 90.

<sup>38</sup> C. Rose, England in the 1690s: Revolution, Religion and War (Oxford, 1999), pp. 85-7.

<sup>39</sup> After the Revolution, Brandon sought the Honour of Clitheroe, but failed after a petition from the Duchess of Albermarle in February 1690. Commons, 1690-1715, Cruikshanks et. al., II, 324. See also C(alendar) of S(tate) P(apers) D(omestic), William III, 1, 1689-90, 335, 472.

<sup>40</sup> Commons, 1690-1715, Cruikshanks et. al., II, 319.

<sup>41</sup> P. Higson, 'Hugh, 12<sup>th</sup> Lord Willoughby of Parham, A Leading Lancashire Dissenter At and After the Revolution of 1688-9', Transactions of the Historic Society of Lancashire & Cheshire, 146, (1996), p. 41.

<sup>42</sup> Commons, 1690-1715, Cruikshanks *et. al.*, IV, 12.

<sup>43</sup> LRO DDFr 7/7 Petition on behalf of John Weddell 1693.

<sup>44</sup> Ibid.

<sup>45</sup> Idem.

<sup>46</sup> See Commons, 1660-90, Henning, I, 286-7.

<sup>47</sup> LRO DDFr 7/7.

<sup>48</sup> Self Weeks, Clitheroe, p. 203.

<sup>49</sup> The out-bailiff was regarded as the more socially prestigious post: 'the out-bailiff is the chief, and hath the pre-eminency', see, Anon, An Historical Account of The Rights of Elections of the Several Counties, Cities, and Boroughs of Great Britain... (1755), p. 161.

<sup>50</sup> LRO DDFr 7/9 'An Account of Madam Parker's Management in Getting Votes at Clitheroe for Mr. Gerard'.

<sup>51</sup> In these analyses of ownership patterns, I have worked backward from the detailed listing of 1782, LRO DDHCl Box 108, 'General State of the Borough of Clitheroe 1782...', by cross referencing with borough Rentals 1694-1778 and Enquiry Jury verdicts 1664-1780 in Lincs. RO. BNLW Box 1.

<sup>52</sup> Bartholomew Walmesley was implicated as a Jacobite in the 'Lancashire Plot' of 1693. See, 'The Jacobite Trials at Manchester in 1694 from an unpublished manuscript', ed. W. Beaumont, Chetham Society, o s., 28, (1853), pp. 44, 54-5, 61, 63, 71, 74, 99-100, 102. I am grateful to the late Alan Weaver for this reference.

<sup>53</sup> LRO MBC 375, Clitheroe Court of Inquiry Jury, 19 Jan. 1693.

<sup>54</sup> Assheton's tenants, John Coulthurst and Richard Sagar, held properties belonging to Assheton's lease of the Glebe of Whalley; Thomas Dugdale was tenant to Stringer's burgage in Lowergate. Lincs. RO. BNLW Box 1 Clitheroe Borough Rental, 1694.

<sup>55</sup> LRO DDFr 7/21 Poll for the Election of Bailiff, 1693.

<sup>56</sup> Testimony of Henry Bayly quoted in the 1694 Commons Committee on Elections report, in H.A. Merewether & A.J. Stephens, The History of the Boroughs & Municipal Corporations of the United Kingdom (1835), p. 1361.

<sup>57</sup> Ibid., p. 1363

<sup>58</sup> Kenyon never expanded his burgage holdings. He and his descendants continued to own only two burgages in Clitheroe, 'Kenyon's Croft' and 'Kenyons'. See LRO DDHCl Box 108, ff. 53, 75.

<sup>59</sup> HMC, Kenyon, no. 818, 275, Guicciardini Wentworth to Roger Kenyon, 28 August 1693.

<sup>60</sup> LRO DDFr 7/21 Election for Bailiff, Oct. 1693.

<sup>61</sup> LRO DDFr7/7.

<sup>62</sup> LRO DDFr 7/8 'Exceptions to the voters in the Shambles for Mr. Mainwaring'. Wilkinson's supporters alleged that 15 of the 44 'voters' for Mainwaring were added after the vote.

<sup>63</sup> LIL Misc. Pamphlets, vol. 100, f. 158, 'The Case of the Honourable Fytton Gerard Esq... appointed to be heard on the 15<sup>th</sup> Day of this Instant January' [1693/4].

<sup>64</sup> HMC, Kenyon, Christopher Wilkinson, John Lister, Henry Pudsey, Thomas Lister, Richard Parker, Henry Marsden & Robert Sclater to Roger Kenyon, 25 Nov. 1693, 278.

<sup>65</sup> LRO DDFr 7/15 Petition of John Weddell against Fitton Gerard, sitting MP; Anon, Historical Account, p. 160.

<sup>66</sup> LRO DDFr 7/15; Anon, Historical Account, pp. 160-1.

<sup>67</sup> Anon, Historical Account., pp. 161-2; Commons, 1690-1715, Cruikshanks et. al., II, 324-5.

<sup>68</sup> Commons, 1690-1715, Cruikshanks et. al., II, 325.

<sup>69</sup> HMC, Kenyon, Thomas Marsden to Roger Kenyon, 11 Feb. 1693/4, 286.

<sup>70</sup> Commons, 1690-1715, Cruikshanks et. al., II, 325; Lister was described in 1693 as 'a bachelor of £2,000 p.a.... [and] a fierce Church of England man', Ibid., IV, 637-8.

<sup>71</sup> LRO DDFr 7/7 'Exceptions against those who voted for Mr. Gerard in the Shambles'; it appears that formal objections to the Common's Election Committee concerned only thirteen voters. Self Weeks, Clitheroe, p. 252.

<sup>72</sup> John Coulthurst, allegedly received bribes; Leonard Nowell was under age. Anon, Historical Account, p. 162; Self Weeks, Clitheroe, p. 254.

<sup>73</sup> HMC, Kenyon, 287, Thomas Marsden to Roger Kenyon, 22 Feb. 1693/4, 287.

<sup>74</sup> Of the senior officers of the Duchy, both the Chancellor (Willoughby) and the Attorney General (Edward Northey) were post-1688 appointments. Only the Secretary, Guicciardini Wentworth, Kenyon's correspondent, had been in post since 1671. R. Somerville, Officeholders in the Duchy and County Palatine of Lancaster from 1603 (London & Chichester, 1972). Brandon succeeded his father as earl of Macclesfield early in 1694, and gained royal favour by obtaining command of the county regiment, see H. Horwitz, Parliament, Policy and Politics in the reign of William III (Manchester, 1977), p. 128.

<sup>75</sup> Self Weeks, Clitheroe, p. 259; Thomas Stringer, Commons, 1690-1715, Cruikshanks et. al., V, 593-5; Christopher Parker, Ibid., 95-6.

<sup>76</sup> It was alleged that the Inquiry Jury again refused to approve the eligibility of free inhabitants and some burgesses. Commons, 1690-1715, Cruikshanks et. al., II, 325-6.

<sup>77</sup> Ibid., 326.

<sup>78</sup> Idem., 326-7.

<sup>79</sup> Lincs. RO. BNLW Box 1, Clitheroe Inquiry Jury verdict 10 Mar. 1692. Roger Mainwaring was found burgess in right of his wife Elizabeth, daughter of Joshua Radcliff of Mearley, dec.

<sup>80</sup> Commons, 1690-1715, Cruikshanks et. al., II, 328-9, 320.

<sup>81</sup> Pudsey was elected after the death of Christopher Lister, who had replaced Gerard in 1695. Idem., 326.

<sup>82</sup> Id., II, 326; Id., IV, 291-2.

<sup>83</sup> Id., II, 326; IV, 290-1.

<sup>84</sup> Id., II, 327.

<sup>85</sup> Id., 326.

<sup>86</sup> Id., IV, 639. Martin Lister, grandson of William Lister (from whom the Listers of Arnoldsbiggin and Gisburn were descended) was MP for Clitheroe between 1604-10; Richard Lister, a younger son of Thomas Lister of Arnoldsbiggin was defeated in 1640. Through his mother, Richard Lister was related to the Greenacres family, borough MPs from enfranchisement in 1558 until 1571. Self Weeks, Clitheroe, pp. 224, 229, 221; The History of Parliament: The Commons, 1558-1603, ed. P.W. Hasler, (H.M.S.O., 1981), p. 214.

<sup>87</sup> He was the son of John Lister, bailiff of Clitheroe 1678-9, 1685-6 & 1693-4 and grandson of Richard Lister, see note 93. Richard was found heir to his father's two burgages by the Inquiry Jury of 2 Mar. 1704. Lincs. RO. BNLW Box 1, Clitheroe Inquiry Jury Verdicts, 1664-1780.

<sup>88</sup> Lister bought one from his steward in 1717. LRO DDHCl Box 108, f. 42 'Late Margery Aspinnall's' burgage; the other was held in reversion from Ambrose Pudsey (only exercised in 1727). Ibid., f. 74 'Longfield's' burgage.

<sup>89</sup> Commons, 1690-1715, Cruikshanks et. al., II, 327.

<sup>90</sup> Commons, 1715-1754, Sedgwick, I, 599; II, 219.

<sup>91</sup> Sir B. Burke, A Genealogical & Heraldic History of the Landed Gentry of Great Britain & Ireland (1882), II, p. 1509. Stanley's father was second son of Sir Thomas Stanley Bt. of Bickerstaff, whose family eventually inherited the earldom in 1736.

<sup>92</sup> Commons, 1690-1715, Cruikshanks et. al., II, 327.

<sup>93</sup> Lincs. RO. BNLW Box 1, 'Poll Book at the Election for Clithero Between Major General Harvey & Parker'.

<sup>94</sup> Ibid., 'All the other bad votes... are taken to be so, because the persons who are found Burgesses of those Burroughs, are not seised thereof in their own right, nor do really receive Rents and profits... So that I conceive the Bayliffes may not onely refuse to accept such votes, but are guilty of a breach and contempt of the law in case they do allow them'.

<sup>95</sup> Lincs. RO. BNLW Box 8, Letter from burgesses of Clitheroe to Thomas Lister & Edward Harvey, 21 Dec. 1717.

<sup>96</sup> Stanley was chosen as High Sheriff of Lancashire for the year 1718. Burke, Landed Gentry, p. 1509.

<sup>97</sup> Commons, 1690-1715, Cruikshanks et. al., II, 324. It was alleged that the earl of Scarborough urged the Marquess of Carmarthen for court support for Gerard by making this accusation about Weddell.

<sup>98</sup> Ibid., IV, 292.

<sup>99</sup> Commons, 1715-1754, Sedgwick, II, 219.

<sup>100</sup> LRO DDB 81/37 Elizabeth Shackleton's Diary, 1780-1, 192, entry dated 12 Sept. 1780.

<sup>101</sup> Commons, 1715-1754, Sedgwick, II, 264.

<sup>102</sup> The Andertons possessed an estate in Clitheroe with a total annual rental value of £84, but owned no burgages. 'The Register of Estates of Lancashire Papists, 1717-1788, Vol. 1 1717', ed. R. Sharpe France, Record Society of Lancashire & Cheshire, 98, (1945), p. 113. Haldane appears to have been the younger brother of Patrick Haldane, professor of ecclesiastical History at St. Andrews, MP for Perth 1717-22 and commissioner for forfeited estates 1716-25, who earned a reputation for his rigorous seizure of such property. Commons, 1715-1754, Sedgwick, II, 95; Burke, Landed Gentry, I, 708.

<sup>103</sup> As burgage owners, the Assheton family consisted of three branches. Between them in 1700 they had owned twelve burgages. Four belonged to the lease of Whalley Glebe, held jointly by Lister and Curzon after 1716. Six went to the daughter of Arthur Assheton of Clitheroe, who married Lawrence Halstead of Burnley. Two more went to Ralph Assheton of Cuerdale, who sold out to Thomas Lister in 1724. LRO DDHCl Box 108, 'General State of the Borough of Clitheroe 1782'.

<sup>104</sup> By contrast, among those who voted for Monckton there were only two split votes and one vote for the opposition, while Haldane had two split votes.

<sup>105</sup> Lady Petre was Catherine, daughter and heiress of Bartholomew Walmsley of Dunkenhaigh, J.B. Burke, A Genealogical and Heraldic Dictionary of the Peerage and Baronetcy of the British Empire (1850), p. 788; the Duchess of Norfolk was Mary, daughter and heiress of Nicholas Sherburn of Stonyhurst, Ibid., p. 739.

<sup>106</sup> Lincs. RO. BNLW Box 8, Petition to the House of Commons Committee on Elections of James Haldane, 1722. The Inquiry jury of 18 Jan. 1721 objected to three conveyances of Monckton burgages and one Haldane conveyance. Lincs. RO BNLW Box 1 Clitheroe Inquiry Jury Verdicts, 1664-1780.

<sup>107</sup> Lincs RO. BNLW Box 8, 'The Humble Petition of the Inquiry Jury and other Burgesses of the Burrow of Clitheroe'..

<sup>108</sup> This was Thomas Pickup, who was described as Lister's steward in 1717. LRO DDHCl Box 108, f. 42.

<sup>109</sup> Commons, 1715-1754, Sedgwick, I, 361.



<sup>110</sup> Bucks. RO. AR 94/80/1336 Haldane paid £10,088 13s. 6d. to service mortgage interest and repay principal in connection with land in Clitheroe between 24 June 1734 and 15 Aug. 1740.

<sup>111</sup> Bucks. RO. AR 94/80/1350 'A Particular of the Burgage Houses belonging to Mr. Monckton and Mr. Haldane in Cliderow'. A note on this document states that it was drawn up for 'the Master in Chancery'.

<sup>112</sup> Bucks. RO. AR 94/84/1294 Curzon memorandum of meeting between Assheton Curzon & Penn Assheton Curzon and Thomas Lister, 3 July 1780.

<sup>113</sup> The Listers moved from Arnoldsbiggin to a re-built Gisburn Hall in 1724. Commons, 1715-1754, Sedgwick, II, 219.

<sup>114</sup> Bucks. RO. AR 94/80/1350. Contemporary legal advice stressed that it was difficult to break a joint entail.

<sup>115</sup> Lincs RO. BNLW Box 1, 'Mr. Whetiker's Observations' in respect of the 1780 Election.

<sup>116</sup> Bucks. RO. AR 94/80/1289 Remarks of Mr. Fletcher, a burgess 'at the Moothall 23<sup>rd</sup> April 1783 for the purpose of Re-electing Mr. Lee the solicitor general to serve in Parliament'.

<sup>117</sup> Y(orkshire) A(rchaeological) S(ociety) MD 335 Box 23 Nathaniel Lister to Nicholas Winckley, 1 Jan. 1764.

<sup>118</sup> For example, between 1760 and 1777 the Curzons spent £42,000 building Kedleston Hall in Derbyshire. The History of Parliament: The House of Commons, 1754-1790, eds. Sir L. Namier & J. Brooke (HMSO, 1964), II, 287-8.

<sup>119</sup> LRO DDHCl Box 108, f. 14. Lister's advisor, Thomas Collins, reported that Curzon's agent at Lichfield had suggested that Curzon's plan was to buy up 11 burgages, to equal Lister's 13. 'Other neighbours guess the Borough was to be the price of a Peerage which before the Election was actually in contemplation'. YAS MD 335, Box 81, Thomas Collins to Thomas Lister, n.d.

<sup>120</sup> LRO DDX 54/104 'Minutes of the several circumstances, that passed at the Poll at Clitheroe on Wednesday and Thursday, the 13<sup>th</sup> and 14<sup>th</sup> of September 1780'. Lister was reported as saying publicly that he opposed Curzon because he had received no assistance from him in the previous parliament; 'he was jealous he was undermining him in the borough'; and because Curzon's political principles 'were inimical to the constitution'.

- <sup>121</sup> Lincs. RO. BNLW Box 1, 'Mr. Whetiker's Observations'.
- <sup>122</sup> Bucks. RO. AR 94/80/1294 Assheton Curzon to Thomas Lister, 28 June 1780.
- <sup>123</sup> Bucks. RO. AR 94/80/1294 John Barcroft to Penn Assheton Curzon, 8 July 1780. For the social status of the Barcroft family see H.R. French, 'Accumulation and Aspirations among the "Parish Gentry": Economic Strategies and Social Identity in a Pennine Family, 1650-1780', Transactions of the Historic Society of Lancashire & Cheshire, 149, (1999), pp. 19-49. The Curzons alleged that Barcroft had connived with Lister over this burgage and 'disabled himself from voting for it, deprived Mr. C. of his vote, and was certainly guilty of a Breach of Trust'. LRO DDX 54/104.
- <sup>124</sup> YAS MD 335 Box 23 Richard Eddleston to Thomas Lister, 27 Sept. 1779.
- <sup>125</sup> YAS MD 335 Box 23 Richard Eddleston to Thomas Lister, 6 May 1780.
- <sup>126</sup> YAS MD 335 Box 23 Richard Eddleston to Thomas Lister, 29 May 1780.
- <sup>127</sup> Bucks. RO. AR 94/84/1294 Curzon memorandum, 3 July 1780.
- <sup>128</sup> Bucks. RO. AR 94/80/1294 John Parker to Rev. Richard Assheton, 10 July 1780.
- <sup>129</sup> Bucks. RO. AR 94/80/1289 'Questions to Mr. Arden and his answers', [R.P. Arden, Lincoln's Inn], 1780.
- <sup>130</sup> Bucks. RO. AR 94/80/1289 Assheton Curzon to Thomas Lister, 22 July 1780.
- <sup>131</sup> Lincs. RO. BNLW Box 8 'Clitheroe'.
- <sup>132</sup> Bucks. RO. AR 94/80/1289 Rev. Richard Assheton to John Parker, 21 July 1780, based on his interpretation of the 1661 ruling by the Commons' Election Committee. Addison & Hodgson, solicitors developed this further in a brief. Bucks. RO. AR 94/80/1295.
- <sup>133</sup> Bucks. RO. AR 94/80/1289 'General State of the Poll for Clitheroe 14<sup>th</sup> Sept. 1780'. The permutations were either that all freeholders had the right to vote, (giving Curzon fifteen additional votes, and Parker only eight), or that only freeholders with rights to use the town's Common lands possessed this right, (giving Curzon eight extra votes and Parker only six). The Curzons pushed for the first option to maximise their chance of success.
- <sup>134</sup> See for example Bucks. RO. AR 94/80/1295 Robert Varley to Robert Sclater, 28 Feb. 1771 & 28 Mar. 1771.

<sup>135</sup> Lincs. RO. BNLW Box 5 Depositions in Chancery Case between Assheton Curzon & Penn Assheton Curzon and Thomas Lister, 15 Mar. 1784. Deposition of John Addison, Inner Temple, gent.

<sup>136</sup> Ibid., Deposition of Richard Eddleston Sr., Clitheroe, gent., 15 Mar. 1784. Lister was reported to have paid £10,000 for Stanley's estate (which included one burgage). YAS MD 335 Box 7. Stanley was the grandson of Thomas Stanley of Cross Hall. Burke, Landed Gentry, II, 1509.

<sup>137</sup> Lincs. RO. BNLW Box 5 Deposition of Richard Eddleston Sr.

<sup>138</sup> Ibid., Deposition of John Sparrow, Stonyhurst, gent. (Weld's agent in Lancashire). Elizabeth Shackleton recorded that Lister's servant had been dispatched from Clitheroe to Lulworth Castle in Dorset on Saturday 2 Sept. and returned on Wednesday 6 Sept. 'near 600 miles sharp work in a little time'. LRO DDB 81/37 Shackleton Diary, 191-2 11 Sept. 1780; Weld had refused to commit his vote when requested by Curzon in July, stating that his policy was 'never to interfere either directly or indirectly in elections'. Dorset RO. D/WLC D10/C104 Weld of Lulworth Castle, Thomas Weld to Penn Assheton Curzon, 12 July 1780.

<sup>139</sup> Bucks. RO. AR 94/80/1289 'Estimate of Election Expenses & c. and ways and means 1781'. Curzon's agents had raised £14,960 in anticipation of further expenses.

<sup>140</sup> Lincs. RO. BNLW Box 8 Clitheroe Poll 1780.

<sup>141</sup> Lincs. RO. BNLW Box 1 'List of freeholders not paying Borough Rent and for which no person ever voted or claimed to vote at any former election – all rejected'.

<sup>142</sup> Bucks. RO. AR 94/80/1284 Draft Election Petition of Assheton Curzon, which asserted that 'Thomas Starkie and Richard Edlestone Gents. Bailiffs of the said Borough who presided as returning officers at the said Election, during the Poll, acted with the greatest Partiality in Favor of the said Thomas Lister and John Parker'.

<sup>143</sup> YAS MD 335 Box 23 'To the Electors of the Borough of Clithero, London, September 27, 1780'.

<sup>144</sup> Bucks. RO. AR 94/80/1357 Curzon Election expenses 1780.

<sup>145</sup> Bucks. RO. AR 94/80/1294 Hugh Hughes Lloyd to Penn Assheton Curzon, 8 July 1780.

<sup>146</sup> Lincs. RO. BNLW Box 1 William Riddihough to Rev. Thomas Collins, 23 Feb. 1781; LRO DDFr 3/8 Richard Eddleston, 'The Result of My Enquiries as to Old William Riddihough...', 3 Jan. 1782.

<sup>147</sup> Between 13 Aug. 1780 and 23 April 1782 Curzon spent at least £2032 9s. 4d. on legal costs in relation to the election. Bucks. RO. AR 94/80/1294 & 1357.

<sup>148</sup> Lincs. RO. BNLW Box 8 'Extracts from the Minutes of Proceedings of the Committee appointed to try the Merits of the Election for the Borough of Clitheroe made on 13<sup>th</sup> Sept. 1780'.

<sup>149</sup> LRO DDHCl Box 108, ff. 115-8, 122-4.

<sup>150</sup> LRO DDFr 5/63 Book of Agreements respecting the Borough of Clitheroe, 1785-1824, 1-6; LRO DDFr 5/7 Division of the joint estate of Mr. Lister & Mr. Curzon, 1785. Disputes about this division were the basis for the Chancery case between the Curzons & Lister, 1783-4. Lincs. RO. BNLW Box 5.

<sup>151</sup> YAS MD 335 Box 81 calculations made by Rev. Thomas Wilson for Lister, n.d.; Ibid., Box 23 Nathaniel Lister to Thomas Lister, 4 May 1781.

<sup>152</sup> See H.R. French, 'Urban common rights, enclosure and the market: Clitheroe Town Moors, 1764-1802', Agricultural History Review, 51, 1, (2003), pp. 59-62.

<sup>153</sup> 'Poems & correspondence of the Rev. Thomas Wilson B.D.', ed. F.R. Raines, Chetham Society Miscellanies, XLV, (1857), xxviii-xxix.

<sup>154</sup> Lincs. RO. BNLW Box 7, 'Curzon & Lister'. The anonymous author [Lister's surveyor Henry Hoyle Oddie?] added the acid comment that 'the merit of Mr. Taylor it seems was distinguished by his cup's being gilt'.

<sup>155</sup> J. Habbakuk, Marriage, debt and the estates system: English landownership, 1650-1850 (Oxford, 1994), pp. 1-76.

<sup>156</sup> French, 'Urban Common Rights', pp. 61-4.