
H.C.F. Lansberry
The corporation of St Albans, from the time they obtained their first charter from Edward VI to 1835, were a select body. For most of the period 1685 to 1835 they showed a decreasing concern for the government of the borough, though they jealously guarded their rights to govern. The chief administrators in the town were the borough magistrates and the trustees and commissioners of the statutory authorities. The most active of the borough's courts was granted by act of Parliament. A turnpike trust maintained the principal road through the borough. Early in the 19th century paving and lighting commissioners took over the duties of parish and borough officers and provided a minimum of health and cleanliness in the borough.

The chief function of the corporation was political. Their ability to create freemen and the mayor and town clerk's activities at the poll enabled the corporation to play a decisive part in the return of members for the borough. At the beginning of the period, the borough was subjected to the influence of two of the most powerful figures of the age, the 1st Duke and Duchess of Marlborough. Much of the political history of the borough is concerned with the struggles of the Marlboroughs and their heirs with the Grimston family, the largest landowners in the immediate neighbourhood of St Albans.

The opponents of the corporation were to be found mainly in
the vestry of the Abbey parish, the most populous of the three parishes within the borough's boundaries. An action that the vestry brought in the Court of Chancery in 1724 ended disastrously for the corporation, and the after effects of this lawsuit can be traced for almost a century in the corporation's affairs.

But, on the whole, the town's inhabitants showed an amused toleration of the corporation and its workings. Dissenters, renowned for their probity, readily accepted their guineas after an election. There were troublesome individuals, but the corporation possessed the ability to transform the irritants that entered their shell into useful ornaments—thus ambitious attorneys became town clerks.

In theory, the act regulating municipal corporations is a logical point at which to conclude, for it marks the end of the old corporation founded upon chartered rights. In practice it is not so logical. The ease with which the members of the old corporation carried on their activities in the new council suggests that it was not charters or acts of Parliament but custom that provided the animus to the government of the borough.
### ABBREVIATIONS

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THE GOVERNMENT OF THE BOROUGH

The Charters

Incorporation bestowed five main gifts on a borough: perpetual succession, the power of suing and of being sued as a whole and by the specific name of the corporation, power to hold lands, a common seal, and the authority to issue by-laws. ¹ All these gifts were apparent in the first charter granted to St Albans by Edward VI in 1553, ² but it is doubtful whether they were the ones most sought by the burgesses. Before the Dissolution the burgesses had quarrelled persistently with the abbots of St Albans, sometimes because of the abbot's monopoly of corn milling, basically because the townspeople attempted to maintain a communal identity separate from that of the Abbey. ³ Their successes, however spectacular as in 1381, were always short-lived. The abbot's steward presided over the court leet, his bailiff over the court of the market, and the townspeople pleaded suit in the abbot's hundred court, or in the abbot's court in the borough. ⁴ After 1539 the

1 Martin Weinbaum, (ed.), British Borough Charters, 1307-1660, (1943), xxiii.
2 Text, R. Clutterbuck, The History and Antiquities of the County of Hertford, (1815), i. app. 23-31.
3 VCH. Hertfordshire, ii. 478-80.
4 VCH. Hertf., ii. 478 states that for the trial of all crimes, pleas and plaints the townspeople attended the abbot's hundred court. But it is noted in A. E. Levett, Studies in Manorial History, (1938), 102 that no court rolls or registers for the hundred court exist; therefore the judicial scope and activity of this court cannot be established with certainty.
burgesses were chiefly concerned to secure for themselves the privileges previously enjoyed by the abbots.

Newcombe states that Nicholas Bacon obtained the charter of incorporation in 1553 "on seeing all rule and authority in the town quite overthrown with the fall of the abbot." But it has been suggested that members of the Gild of the Charnel Brotherhood, some of whom were also trustees of the Clocktower, may have carried on the government of the town between 1539 and 1553.

Edward VI's charter transferred to the officers of the corporation those duties which had been performed by the officers of the abbot. The mayor and burgesses had the right to exclude all foreign jurisdiction in the borough. The corporation's officers were given powers equal to those of any similar officer of a county, city or town. No sheriff, bailiff, or other king's officer could enter the borough, unless the corporation's officers defaulted in their duty. The mayor had the return of all writs, precepts and summons of the Exchequer. A court of record, patterned on that of the city of London, took the place of the abbot's court. The corporation's steward presided over the view of frankpledge at the court leet. The right to hold two weekly

1 P. Newcombe, The History of...the Abbey of St Alban, (1793), 481.
2 VCH. Herts., ii. 480-1. The mayor, chamberlain, steward and seven of the ten principal burgesses were feoffees of the Clocktower.
3 The corporation excluded the sheriff from proclaiming George IV until they learned that at Hertford the corporation had accompanied the sheriff when he made his proclamation. MCB. 3 Feb. 1820.
markets and three annual fairs which the abbot had enjoyed was transferred to the new corporation. The mayor held the assize of victuals and was clerk of the market.

The borough of St Albans, like an enclave, was surrounded by the Liberty of St Albans which was that area of Hertfordshire comprising twenty-two parishes that had formerly owed suit to the abbot's hundred court, and for which a separate commission of the peace was issued. The borough had its own commission of the peace. This always included the steward and the mayor for the time being. Only the borough justices could deliver the borough gaol of its prisoners. The justices of the peace for the county were specifically enjoined not to intermeddle with anything belonging to the borough magistrates. Thus the borough, the Liberty of St Albans and the county of Hertford enjoyed three separate and exclusive jurisdictions. Each had its own commission of the peace, clerk of the peace, and treasurer, and each area assessed its own rates.

The first mayor, the ten principal burgesses, the steward, the chamberlain and the rector of Abbey Church were nominated by the king. Two minor officers, the sergeants-at-mace, were left to be chosen by the mayor. The nomination of the first holders of offices was repeated in the charter of Charles I of 1632 and

1 The Liberty remained separate from the county until 1874.
in the charter of Charles II of 1664. Ample precedent was
provided for James II to pack the corporation in 1685.

The attempts of Charles II and James II to regulate the
boroughs were not without precedent.\footnote{J. H. Sacret, "The Restoration Government and Municipal
Charters," EHR., xlv. 234-5.} Quo Warranto proceed­
ings or the mere threat of them had caused many boroughs to re­
new their charters between 1629 and 1640. There is no evidence
to show that fear of this writ inspired the principal burgesses
of St Albans in 1631 to apply for amendments to their charter.

It seems more likely that the corporation wished to secure
their chief source of revenue. In 1609 it had been resolved
that the corporation's charter should be renewed at the expense
of the aldermen, and the charter of the taverns at the expense
of the mayor and innkeeper, Robert Woolley.\footnote{MCB., 30 Jan. 1609.} The charters were
not renewed at that time. In the same year James I granted the
corporation of Hertford the right to take one pint of corn out
of every sack or load containing five bushels.\footnote{Clutterbuck, op. cit., ii. 144.} After the fall
of Francis Bacon in 1621, the 2nd Earl of Salisbury became the
patron of St Albans corporation. His attempts to nominate both
members of Parliament for the borough were resisted.\footnote{L. Stone, "The Electoral Influence of the Second Earl of
Salisbury," EHR., lxxi. 385-391.}
were his attempts to claim the market tolls. In their petition to Charles I in 1631 the corporation of St Albans asked for the tolls of the markets "in express words as in other corporations." The charter of 1632 confirmed the corporation's right to hold markets and fairs, to levy stallage and piccage, and it granted an extra fair with free customs and toll. It did not state the exact toll that could be taken.

The new charter dated 17 December 1632 cost the mayor and burgesses £231.4.0d. This sum included all miscellaneous expenses. £50 was paid to Mr. Langton "in full discharge of all fees and other demands in passing the charter under the great seal." To meet this charge some of the corporation plate was sold. £13 came from the corporation stock, £55 from the tolls of the corn market, and £120 was lent by the mayor and nine of the principal burgesses.

Everything else that the corporation had asked for in their petition had been granted, except two requests which would have caused a financial loss to the king. The charter of the corporation and the burgesses' jurisdictional exemptions were confirmed.

1 A. E. Gibbs, The Corporation Records of St Albans, (1890), 290-1.  
2 St AM. 346 contains a copy of this petition and the Attorney General's opinion on it. Add. MSS. 16274 ff. 29-30 is another copy.  
3 St AM. 346 contains a MSS. translation of this charter.  
4 St AM. 1181. This may be compared with £139.17.2d. paid in 1664 for the charter of Charles II, and £148.13.6d. paid in 1685 for the charter of James II.
The boundaries of the borough were more precisely defined. A high steward, recorder and town clerk were appointed. The mayor was made a justice of the peace for the year following his mayoralty. Twenty-four assistants to the corporation were chosen from the inhabitants of the borough. What at first sight appears to be a broadening of the basis of government in the borough was in fact the opposite. Before 1634 twenty-four assistants to the corporation had been chosen by the freemen of the gilds; after 1634 the assistants were chosen by the mayor and ten principal burgesses.

In its secrecy, its fines and its oligarchic character the corporation had close affinities with the craft gild. The craft gilds of St Albans had been grouped into four companies: the innholders, the victuallers, the mercers and the shoemakers. After 1634 there were two companies, the innholders and the mercers. The charter of Edward VI had defined the mayor and ten principal burgesses as the common council. However, a

1 The boundaries of the borough, first described in 1327, were registered in the form of an indenture and enrolled in Chancery. VCH. Herts., ii. 469. A map was drawn by Benjamin Hare in 1634 to delineate these boundaries. See p. 305. In 1832 the boundaries of the Parliamentary borough were redrawn. These became the municipal boundary under 5 & 6 Will. IV c. 76. See p. 308.

2 The number of 24 was of medieval origins. Pat. Roll 1 Ed. III pt. 2 m. 28 records an agreement between Abbot Hugh of Eversden and twenty-four burgesses of the town of the bounds of the borough and permission to elect two burgesses to Parliament.

3 There is no record of a gild merchant at St Albans.
petition to the mayor in 1587\(^1\) stated that at the time of incorp­
oration the mayor, burgesses and inhabitants had agreed that

twenty-four of the most godly honest and able persons

of the whole commonalty of this borough were chosen

of every company in equal number which twenty-four it

pleased the said mayor and burgesses to call by the

name of common council of the borough.

The petitioners further alleged that it had been the practice
to choose two of this number to be bailiffs of the borough and
others to be wardens of the companies, and as occasion offered,
some officers of higher calling. Lately the common council had
declined in numbers and other persons "not ancient of the common­
alty" had been chosen as bailiffs. Fifty names were submitted
from the four companies, and the mayor and burgesses were in­
vited to choose twenty-four, and from that number to appoint the
bailiffs in rotation. The mayor and burgesses did not dispute
the facts contained in the petition, and twenty-four common

councilmen were selected and given order of seniority. The
charter of Charles I by allowing the mayor and burgesses to choose
the assistants from the inhabitants at large removed all trace of
prior selection by the companies. Thereafter, an assistant became
no more than a ceremonial attendant to the mayor. Increasing
fines for failure to perform the duties and the inability to
recruit a full body of assistants were evidence of the inutility

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\(^1\) MCB., 4 Sept. 1587.
of the office.

The powers of the mayor and burgesses were further extended by the constitutions which Charles I's charter authorized them to make. Edward VI's charter had allowed them to make by-laws to govern the artificers of the borough; Charles I extended this to all the inhabitans of the borough. The comprehensive collection of by-laws sanctioned by the Lord Chancellor in 1634 owed something to the rules that governed the craft companies in that fines were imposed for the non-performance of office and for divulging the proceedings of the mayor's court. The superiority of the corporation over the companies was made plain. No company could enroll a freeman without authority from the chamberlain, a corporation officer, and all freemen took an oath to obey the constitutions. The inhabitants and the freemen were bound to attend the mayor in the service of the king or in the affairs of the borough. In 1667 Lord Chancellor Clarendon approved a second set of constitutions identical to those of 1634, except for three clauses and for the maximums of the fines that could be imposed.1

At the Restoration the position of many corporations was

1 The Charter and also the Constitutions Granted to the Inhabitants of the Town of St Albans, translated by E. Farrington, (1813) is a translation of the Charles II charter and a copy of the 1667 constitutions.
ambiguous. 1 St Albans had gained notoriety as a centre of Parliamentarian activity. The town had been used as the headquarters of the Army. After the execution of Charles I the Abbey Church housed the first Independent Congregation of St Albans, 2 and it was here that the Army drew up its declaration of 16 November 1648. Colonel Alban Cox, Captain Wingate, a member of Parliament for the borough, and Sir Harbottle Grimston had been prominent Parliamentarians. At least two of the mayors during the Interregnum had been accounted members of the "fanatic Party." 3 John Howland, the steward of the borough from 1620 to 1645, was imprisoned for being a Royalist and he was discharged from his office in 1645. 4 Some of the notoriety for Parliamentarianism at St Albans can be ascribed to the fact that the town was an easy march from London; and although Sir Harbottle Grimston had taken a leading part in the negotiations with Charles I on the Isle of Wight, he did not swear to the Covenant. He joined Hollis in opposition to the Independents and was one of the members excluded by Pride in 1648. 5 In 1660 he was a member of the commission which tried the regicides.

1 Sacret, op. cit., 237.
2 W. Urwick, Centenary Memorial, (1894), 16.
3 HMC. Verulam, 101-2 has a list of thirteen of the Parliamentary party at St Albans. (Prepared for the commissioners appointed under the Corporation Act of 1661?).
4 CSPD., 1660-1, 259.
5 G. Burnet, History of My Own Times, (1897), ii. 77.
Sir Harbottle’s friendship with Clarendon¹ may have averted any threat of a Quo Warranto proceeding against the corporation, and the renewal of the charters in 1664 must be ascribed partly to the greed of the Lord Chancellor,² and partly to the wish of the corporation to extend its privileges further. Early in 1664 the mayor and burgesses petitioned the king for confirmation of their former charters, for the fines accruing from the borough sessions, for the pleas in the court of record to be raised from £38 to £50, and for power to fine any person chosen assistant who refused to serve.³

The charter of Charles II dated 27 July 1664 ⁴ was the governing charter of the borough from 1664 to 1835, apart from three years, 1685 to 1688. The borough was incorporated by the name of the "Mayor, Aldermen and Burgesses of the Borough of St Alban in the County of Hertfordshire." The enlarged common council of thirteen, the mayor and twelve aldermen, and the high steward, recorder, town clerk, and coroner were required to take the oaths of allegiance and supremacy in addition to their individual oaths of office. The appointments of high steward, recorder and

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¹ HMC. Verulam, 59-68.
² Sacret, op. cit., 256-7.
³ PRO: SP. 29/98, 84 i.
⁴ The corporation paid £139.17.2d. for their charter. HMC. Verulam, 86 has the detailed charges where it is incorrectly dated 1684-5. See also H.C. Maxwell-Lyte, Historical Notes on the use of the Great Seal of England, (1926), 93-96.
town clerk were from 1664 to 1835 subject to royal approval.

The new charter fell short of the recommendations of the warrant of 7 May 1661.

that in drawing up all future charters for boroughs or corporations there be express reservation to the Crown of the nomination of aldermen recorders and town clerks; the filling up of places in the common council with persons nominated by the boroughs and the future nomination of all recorders and town clerks; also that there be a proviso for elections for Parliament to be made by the common council only.  

Although the former grants of Edward VI were confirmed, the method by which burgesses were to be returned to Parliament was not mentioned. The charter of Edward VI stated simply that the writ of summons to Parliament should be directed to the mayor and burgesses who should have the power of electing two discreet and honest men to be burgesses of the Parliament. The charter did not specify that the electors should be principal burgesses. By the time of the Restoration the franchise at St Albans was unusually wide. It was customary for the freemen, householders and even those who received alms to vote for members of Parliament. For their part the corporation had gained all they asked in their petition. A clause prohibited a Quo Warranto for anything done before the charter was granted. Another clause allowed the

1 CSPD., 1660-61, 582. Quoted by E. J. Homeshaw, The Corporation of the Borough and Foreign of Walsall, (1960), 43.
2 HCJ., viii. 351. On 25 Jan. 1661 the Commons decided that the almsmen should have voices after it had been testified that the almsmen at St Albans had had voices time out of mind.
mayor and aldermen to levy toll and stallage in the markets and fairs "as for the space of three score years they were de facto wont to take and levy."

On 25 October 1684 all the charters and patents held by the corporation were surrendered to Charles II.¹ No writ of Quo Warranto appears to have been issued.² A petition intended for the Commons probably drafted by Sir Samuel Grimston alleged that the mayor, John Seliocke, and three other aldermen surrendered the charters without the consent or knowledge of the gentlemen, burgesses or commonalty of the borough.³ The mayor and burgesses petitioned for the grant of a new charter early in 1685.⁴ A warrant for a new charter was issued and the charter dated 16 March 1685 was brought down to St Albans three days later by Lord John Churchill.⁵

This charter was drafted in terms more consistent with the warrant of 1661. The number of aldermen was increased to nineteen. Eight aldermen from the 1684 corporation, six knights of the shire and five of the county's gentry were nominated to the new council.

1 The surrender is printed in Clutterbuck, op. cit., i. app. 32.
2 Ibid., 49.
3 HMC. Verulam, 99.
4 CSPD., 1684-5, 227.
5 HMC. Verulam, 100.
6 They were Sir Francis Leigh, Sir Benjamin Titchburne, Sir Thomas Fotherley, Sir Charles Cleaver, Sir Robert Marsham and Sir William Parkyns, who was executed for high treason in 1696 for plotting the assassination of William III. Clutterbuck, op. cit., i. 335.
All the new aldermen were non-residents of the borough and they were allowed to appoint deputies to perform the duties of aldermen and mayor. Replacements to the corporation were chosen by the mayor and a majority of the aldermen. The king had power by order-in-council to remove any of the officers. The mayor and burgesses were to elect burgesses to Parliament according to the charter of Edward VI. This was interpreted to restrict the vote to the corporation and those freemen newly chosen by the mayor and aldermen. The former freemen were told that they had been disfranchised by the surrender of the charters in 1684.

The new charter was not enrolled and was made void by James' proclamation of 17 October 1688 which declared that where the deeds of surrender had not been enrolled the corporations existing prior to the surrender were not discorporated or dissolved. The county aldermen disappeared, but there was no change of officers. Anthony Faringdon continued as recorder, Thomas Richards as town clerk, and John Churchill remained as high steward. Sir Harbottle Grimston had been high steward of the borough from 1664 until his death in 1683. Sir Samuel Grimston might reasonably have supposed that he would have succeeded his father. Instead, he saw the man who had brought the charter of James II down to St Albans, and who had used it to threaten his supporters and to overset his interest in the election of 1685, return with

1 HMC. Verulam, 100-1.
William of Orange—his honours, if not honour, intact.

The Members and Officers of the Corporation

The Mayor The two candidates who were nominated by the rest of the aldermen for the office were always two who had not served before or who were the farthest removed from it. They were presented to the inhabitants of the borough in Common Hall on St Matthew's Day when, with very few exceptions, the first name was chosen. In 1831 it was R. G. Lowe's turn to be mayor but a poll was demanded by reform conscious townspeople, and F. Searancke, the other candidate, was elected.¹ This was unprecedented. Refusal to accept the office subjected the nominee to a fine. In the 19th century and for the greater part of the 18th century these fines were not exacted.

The mayor was ex officio a justice of the peace for the borough, and after 1632 during the year following his mayoralty. He was also included in the commission of the peace for the Liberty of St Albans. It was customary for him to preside at the Liberty Quarters Sessions. A suggestion from his fellow magistrates that they should occupy the chair in rotation was strongly resisted.² He was judge of the court of record, clerk of the market, and returning officer for the borough; and it was usual for him, with

¹ County Press, 27 Sept. 1831.
² MCB., 31 Oct. 1833.
the recorder, to preside at the view of frankpledge.  

Two restrictions were placed on the mayor. He could not leave the borough for more than three days without the written consent of the aldermen and he always had to vote with the majority of the aldermen should occasion arise in the mayor's court. In practice he did not vote. When an alderman favourable to the Spencers was being sought in 1786, Georgiana, Dowager Countess Spencer wrote to her son, the 2nd Earl Spencer, "I am somewhat dismayed at finding it but too true that the mayor has no vote and that they have therefore a sure majority."  

An allowance from the corporation's revenue was made to the mayor for the expenses of his year of office. In 1688 it was £40; in 1835, £79, by which time the town clerk believed that the mayor's expenses exceeded his allowance by £100 to £150. The greatest expenditure was the feast given on St Matthew's Day by the retiring mayor to the corporation and friends. Cooks were employed to dress the bucks sent down from Althorp and Gorhambury, and the corporation's spits and trivets, handed down with the corporation plate were put to good use. Many mayors would have agreed with Lady Spencer when she wrote, "I wish some plan could be found for lessening the ridiculous extravagance of the mayor's expenses.

1 Ibid., 29 Oct. 1733; 7 Oct. 1754.  
2 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 5 Feb. 1786.  
3 MCR., 2920.
feasts which is much increased since my remembrance." The mayor also provided dinners at the meetings of Quarter Sessions and for the court leet, a supper on the eve of the king's birthday at one of the principal inns in the town, and for a time during the 18th century, Sunday dinners for the corporation.

These expenses were not without compensations for the patrons of the borough. During the delicate negotiations before the election of a new alderman in 1786, Lady Spencer wrote to her son:

Partridge went to Bayley yesterday who did not seem violent against us but said he had been used ill—and that he must take a day to consider what answer he would give—he has been with him today and told him that he thought he had a right to expect something to make amends for his ill usage—that the present matter was of great consequence and not like a vote or two in an election—Partridge is out of patience with the exhorbitance of his demand which is that if you will pay the expence of his mayoralty (probably not less than £70) he will be our friend for the future and think no more of what has passed.

In 1797 Thomas Baker received £100 from the 2nd Earl Spencer to cover the difference between the cost of his mayoralty in 1795 and the corporation allowance.

On the whole, the mayoralty was looked upon as an unavoidable initiation fee exacted from those entering the ranks of the aldermen. To be elected to the chair three times like Joseph Handley was an unenviable distinction for which the title was.
"Father of the Corporation" was poor compensation.

The Aldermen. Replacements to the ranks of the corporation were co-opted from the freemen householders of the borough. Although aldermen were removed from office for non-residence, this qualification was usually interpreted as not owning a house in the borough rather than non-residence. William Gape was able to refuse office in 1732 because he was not a householder, whereas the 1st and 2nd Earls Spencer, though non-residents, were both aldermen through their ownership of Holywell House.

The constitutions repeated part of the Corporation Act of 1661 by stipulating that an alderman must have taken the sacrament according to the rites of the Church of England during the year before his election. The Act to ease Officers of Corporations, 1718 confirmed in their office those members who had contravened the earlier act. Almost every year from 1727 and from 1760 annually, Parliament passed an act of indemnity until the Corporation Act was repealed in 1829. These statutory changes were reflected in the corporation's attitude to non-

1 MCB., 8 Aug. 1750; 2 May 1751; 1 Aug. 1770.
2 Ibid., 17 Aug. 1732.
3 13 Car. II St. II c. 1.
4 5 Geo. I c. 6. The oath of allegiance and the declaration respecting the Solemn League and Covenant were repealed. Henceforth, prosecutions for failure to perform the sacramental obligation were to be begun within six months of the taking of corporate office.
5 9 Geo. IV c. 17.
conformists. Exclusion from the body was due more to the intolerance of individuals than to the rigid observance of the constitutions. In 1786 Lady Spencer wrote, "Kingston's answer to Wm Kinder today was very unpromising he said if they took a D---presbyterian in (or some such word) he'd starve them all."¹ And when the subject recurred in 1792, "you speak of Munn's being a dissenter as an objection and have nevertheless chosen Dr. Baker who I always thought was one likewise."² A similar vagueness prevailed when the corporation were seeking a recorder to succeed James West. Thomas Rudd wrote to West, "the dear old girl Gregory was afraid Mr. Whately was—a terrible thing—a presbyterian tho I am satisfied he dont know what a pres is."³ The common council was always predominantly Church of England, and in the 19th century two of its clergymen were made aldermen, though not without protest.⁴

The mayor was forced to proceed to a new election within eight days of the death of an alderman, or within eight days of the common council's acceptance of an alderman's resignation. The West Papers contain several examples of the intrigues employed by West's agents, Thomas Rudd and Joseph Handley, to secure recruits favourable to West. Although Rudd was able to arrange the election

¹ Althorp MSS., Lady Spencer to 2nd Earl Spencer, 5 Feb. 1786.
² Ibid., Same to same, 1 June 1792.
³ Add. MSS., 34735 f. 16.
⁴ MCB., 2 Sept. 1807.
of others he was never able to get himself elected to the corpor-
ation. On the only occasion that he attempted this he was snubbed by the rest of the aldermen and he complained to West:

This is what never was my Fate before. I never was the song of the Drunkard nor the derision and scorn of mankind...I must call in your warmest assistance to set me right and to give me your earliest notice of the opinion of the Solicitor and Attorney General wether Mr. Vandermeulen can act. I shall not choose to expose myself in any public club or company till I have some support in my own mind and can slightly return the scorn I am to meet.¹

A candidate's social and financial standing outweighed the disadvantages of alien nationality. Vandermeulen was a merchant who could dine and play cards with Lord Grimston; Rudd was a grocer who died with his estate mortgaged to west. Of the 118 aldermen who were elected between 1688 and 1835 the great majority belonged to the professions of attorney and surgeon and to the class of the well-to-do tradespeople. Such families as the Kinders, who were farmers and brewers, and the Kentishes, who were wool staplers and corn dealers, both of them owning property inside and outside the borough's boundary, provided many aldermen. A few aldermen came from the gentry and aristocracy. Members of the Gape family of St Michael's Manor occupied aldermen's chairs.

¹ Add. MSS., 34734 f. 219-220.
² Plate 58a in N. Pevsner, The Buildings of England, Hertfordshire, (1953) shows Frederick Vandermeulen's substantial house which still stands on Romeland opposite the Abbey gateway.
for all except twenty-seven of the years between 1688 and 1835. The 1st and 2nd Earls Spencer and the 2nd and 3rd Viscounts Althorp were aldermen during the last half of the 18th century and the first ten years of the 19th century. The town clerk's claim that the corporation "has always been distinguished by the respectability and intelligence of its members" was too sweeping an assertion, but was not altogether without foundation.

The Assistants The corporation always experienced difficulty in recruiting the full quota of twenty-four assistants. Their numbers declined from twenty-four in 1657 to six in 1674 in spite of the charter of 1664 and the constitutions of 1667, which gave the mayor and burgesses the authority to fine persons chosen assistants who refused to serve. In the early 18th century a different tactic was used. Six guineas was allowed to the mayor to buy two silver mugs for the senior assistants, provided that they had gowns and attended upon the mayor. The post of assistant was not a stepping stone to the common council unless one were the relation of an alderman. Generally, the assistants were recruited from the small tradespeople of the town, and it was of no interest to them to attend a corporation in whose deliberations they could play no part.

2 The last time this allowance was made appears to have been in 1732. MCB., 18 Sept. 1732.
For a short period in the 19th century the assistants formed their own court "to ascertain the duties and privileges devolving in them as assistants agreeable to the charter."\(^1\) A translation of the Charles II charter by Anthony Faringdon, recorder 1681 to 1699, and a copy of the 1667 constitutions were obtained. On 6 October 1813 it was resolved that Solomon Shaw, one of the assistants, should print them. In the preface Shaw explained:

> If the present publication should in any degree be the means of agitating our rights and privileges, and if by resuming the exercise of any that are discontinued, so as to increase our respectability as a corporate body or our interests as tradesmen, it will doubtless be a great satisfaction to the freemen and inhabitants of the borough, for whose particular benefit the charter was originally granted.\(^2\)

Copies were forwarded to the mayor, recorder and high steward, but the publication only emphasized that the assistants had no rights or privileges.

The following year the court of the assistants took counsel's opinion to see whether the by-laws which excluded foreigners from trading in the borough could be enforced. On learning that they could not, the court appears to have collapsed. Its only sequel was the printing in 1815 of a history of St Albans by Shaw in which he expressed forcibly his dissatisfaction with the corporation and with the lot of an assistant.

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1. Minute Book, Court of the Assistants. Lewis Evans Collection.
2. The Charter and also the Constitutions Granted to the Inhabitants of the Town of St Albans, translated by E. Farrinton, (1813).
Many of the assistants are, in their private characters as respectable as some of the aldermen; but as public members of the same corporation, they must stand aloof: and as to their requiring their assistance and counsel, with the above exception (which is little better than calling them out of respectability in private life to be ridiculous in public) there is no such honour conferred.¹

The corporation took Shaw's publication into consideration,² and in 1822 a new two-volume history of St Albans by Frederick Lake Williams appeared.³ Dedicated to the Countess of Verulam, the author listed many of the corporation and their supporters among his subscribers. There were many similarities between volume two, which described the contemporary state of the town, and Shaw's earlier work, except that all criticisms of the corporation had been omitted.

The High Steward The charter high stewards were always the nominees of the king; their successors were the nominees of the mayor and aldermen, subject to approval by the crown. Their election is an accurate guide to which faction—Marlborough, Grimston, West or Spencer—was in the ascendant in the corporation at the time. There was one exception to this. In 1722 when the corporation were in trouble with a Commission of

¹ S. G. Shaw, History of Verulam and St Albans, (1815), 174-5.
² MCB., 3 Jan. 1816. Shaw was removed from his post as assistant (MCB., 4 Oct. 1817) when he left the town. Later he became the printer of the first numbers, 2 July 1825-30 Sept. 1826 of the Whig, Herts. Mercury.
³ F. L. Williams, An Historical and Topographical Description of the Municipium of Ancient Verulam, (1822).
Charitable Uses, they chose the Attorney-General, Sir Richard Raymond, who very wisely refused to serve.

It was the official function of the high steward to counsel and direct the mayor and aldermen. His chief value to the corporation was his influence at Court. When an address from the corporation was presented to the monarch, the high steward usually accompanied the mayor. On these occasions he felt responsible for the terms of the address and sometimes composed it himself. On the accession of George III, Alderman Handley reminded West, "let us not be the last borough in drawing up an address of loyalty" and West drafted an address which was sent to the mayor. On the fall of the Fox-North coalition in 1783 the mayor, John Osborn, a friend of Lord Grimston, called a Common Hall "to consider the propriety of addressing His Majesty on the present critical situation of affairs" and proposed to thank George III for turning out the late administration. The high steward was George John, 2nd Earl Spencer, a Foxite. Alderman George Pembroke, a Spencer supporter, attempted to stop the address by asserting that it could not

1 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 17 Aug. 1786. "Doctor Preedy who came yesterday says it is always usual for the High Steward to attend the addresses, ours I believe will be ready to be presented at the levee tomorrow...Kinder hopes you will go with him...and depends upon you for bag and sword."
2 Add. MSS., 34735 f.65, Handley to West, 30 Oct. 1760, and f.79.
3 MCB., 11 Feb. 1784.
pass as a regular act of the corporation unless the high steward
had been consulted. This did not deter the other aldermen. Lady
Spencer wrote to the 2nd Earl that she had sent for Alderman
Thomas Kinder and had told him:

I wondered much he would suffer such a step to have been agreed upon without acquainting you with it. I said I thought it must be disagreeable to you to have the two places you were known to have so many friends in as Northampton and St Albans among the first to thank the King for a measure you could not approve. I tried all I could to make him give way a little—but there was no such thing. He said there were not 6 people in or out of the corporation that were not for it, that all that could be done would be to moderate the terms of the address.

The Recorder The duties of the steward of Edward VI's charter were inherited by the recorder, an office created by Charles I by his charter of 1632. Recorders were required to be "learned in the laws of England" and were invariably barristers. Because the corporation were litigious, the title "friend at Court" could be applied more aptly to the recorders than to the high stewards, at least during the 18th century. They were the most competent justices acting within the borough, and presided at the courts of Quarter Sessions and of record. At St Albans their chief failing was non-attendance, for usually they were not residents of the borough. 2 John Sympson, who was nominated by Charles II, was allowed to appoint a deputy. James West

1 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 12 Feb. 1784.
2 Anthony Faringdon, recorder 1681-1689, had a house in Fishpool Street, later used as the poor house for St Michael's parish.
appointed George Pembroke as his deputy in 1758. It was a by-law of the 1667 constitutions that the recorder should not have a deputy without the mayor's consent, and when Percival Lewis attempted to appoint Charles Wetherall in 1810 the corporation successfully contested Lewis's action in the Court of King's Bench, and Lewis was removed from office. But as Lewis had been a friend of the Spencers and in 1784 was considered as a possible candidate for the borough in the Spencer interest, it may be that the corporation, which after the Spencers abandoned the borough in 1807, was predominantly in favour of the Grimstons, took this opportunity to rid themselves of a one-time opponent.

The Common Clerk, Chamberlain and Coroner. These offices were always held by one man. The clerk was elected by the mayor and aldermen, subject to royal approval. His official salary was £5 a year, but there were various perquisites of office. By 1835 he received £85 from the Parliamentary candidates for making proclamations and preparing poll books and returns. When acting as chamberlain he collected the corporation revenue, on which he was entitled to a poundage of 2 l/2%. He also received 11/6d. for enrolling the indentures of an apprentice, a pre-

1 Add. MSS., 34734 f. 187, 189.
2 Recorder 1782-1810. It was alleged that he attended Quarter Sessions nine times in ten years. MCB., 12 Oct. 1810.
3 MCB., 11 Aug. 1810.
4 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 28 April, 11 May 1784.
5 MCR., 2921.
requisite to becoming free. As coroner he was paid £1 on every inquisition. But, as the Commissioners investigating municipal corporations pointed out, the real inducement to an attorney of the post of town clerk was the legal business of the corporation, for which he was paid the usual scale of professional charges, and a widening of his private practice through his connection with members of the corporation.¹ John Boys, town clerk from 1792 to 1817, charged £97.2.2d. for defending the action brought against the corporation by Lewis the recorder. Isaac Piggot, town clerk from 1817 to 1827, was paid £263.15.7d. for upholding the corporation's right to exclude George Avis from his freedom.² Of all the members the clerk was most dependent upon the corporation financially and was most concerned about any possibility of a change in the corporate structure. It was the town clerk who drew up the resolution to support the mayor's presiding at the Liberty Quarter Sessions, and who prepared the petition to the House of Lords against the bill to regulate municipal corporations.³

Minor officers of the corporation included two sergeants-at-mace, who served the notices of the mayor and the process of the court of record, two beadles, originally the officers

¹ Reports of Commrs., 1835 (116) xxiii. 25.
² A detailed account of these bills is listed at the end of the Mayors' Account Book, 1731-1814.
³ MCB., 9 July 1835.
of the wardens of the companies, four constables appointed at the court leet, eight viewers of the streets and highways, two flesh and fish tasters, two searchers and sealers of leather and two viewers of the market at the Cross.

The Courts of the Corporation

The Mayor and Aldermen's Monthly Court. This court was not created by any charter. The constitutions of 1634 stated that the mayor was to hold a monthly court to do public business and to redress grievances. By adjournment the court could sit more often than once a month, and did so particularly when a Parliamentary election was near. Joseph Handley called thirty-seven courts in his mayorality of 1742-3, and averaged one a week between April and September 1743. Conversely when trouble was in the air, for instance, during the negotiations about the siting of the new town hall, only two courts were held in one year although twelve were called.  

The meetings of the court were held, or rather begun in the town hall, for it was usual to adjourn to the greater comfort of one of the inns which held a corporation wine license. In the 18th century more corporation business was done at The White Hart than at the town hall. The upper room of the old town hall was divided by a wooden partition, and one section

1 MCB., 1828-9.
of the room served as the mayor's court room and as the court room of the borough and Liberty magistrates. At the election of the mayor on St Matthew's Day the partition was removed and the assistants and inhabitants who were to choose one of the two aldermen nominated by the rest of the common council stood in the lower part of the room. This assembly was called a Common Hall and occasionally it was used for other business. A Common Hall was called when it was proposed to apply for an act of Parliament for paving and lighting the borough.¹

In all matters of importance decisions in the mayor's court had to be made with the consent of the majority of the aldermen. An amendment to this rule, that any resolution agreed to and carried on a division should be signed by those consenting, was passed in 1756.² This was changed in the following year to those dissenting having their names entered in the Mayors Court Book.³ For convenience the town clerk carried a draft court book in which he entered the resolutions of the aldermen, and these resolutions were later tidied up and entered in the folio sized Mayors Court Book. For this reason the draft court books are occasionally more informative than the official court book.⁴

1 Ibid., 10 March 1803.
2 Ibid., 3 Nov. 1756.
3 Ibid., 13 Jan. 1757.
4 Draft court books exist from 1612 to 1721 and from 1753 to 1835.
The Court of Record. Granted by the charter of Edward VI and reaffirmed by every subsequent charter, this court was held weekly, before the steward until 1632, thereafter before the recorder, mayor or any two of the aldermen. All actions for debt, contract or trespass not exceeding £38 could be tried in this court. The corporation petitioned in 1631 to have this limit raised to £66.13.8d. This was refused on the Attorney General's comment, "By this the King shall lose the fines of some finable writs." Charles II raised the limit of actions that could be pleaded to £50, but restricted the jurisdiction of the court by ordering "informations and actions popular" to be brought before the justices at Hertford Assizes.

The recovery of small debts in the court of record was expensive. The corporation were entitled to the fines, and they admitted that the fees charged by the four attorneys appointed by the corporation were exhorbitant. The establishment in 1752 of a court of requests in St Albans, which dealt with debts of £2 or less greatly diminished the business of the court of record. The last action recorded in the "Entries of Actions" book is on 12 October 1789, though there is no entry of a court after 1 January 1779. A committee formed in 1832 to consider

1 St AM., 346.t, 1701, two viewers presented the bailiff for
2 MCB., 8 July 1752.
3 St AM., 324-9 are court of record books for 1739-1779. St AM., 332-4 are "Entries of Actions" books for 1766-1789.
the possibility of reestablishing a court of record abandoned its
enquiries on the introduction of a bill into Parliament to estab-
lish local courts for debt.¹ The town clerk said in 1833 that
the chief obstacle to the revival of the court was the want of
a duly qualified judge to determine questions of law.²

The Court Leet. The constables provided lists of the freeholders,
residents and dozeners of each of the four wards of the borough
to the view of frankpledge held at this court once a year.³ A
leet jury, enrolled from the assistants and inhabitants, toured
the borough annually and presented nuisances at the leet. In
addition eight viewers of the borough reported to the common
council nuisances and encroachments upon the corporation waste.⁴
If the fault were not remedied the offender was presented at
the next leet.

The 17th century jury used the powers that they had inherited
more freely than their successors in the 18th century. For
instance, in 1663 forty-five alehouse keepers and thirty-two
innholders were presented for selling ale for excessive gain
and contrary to statute.⁵ Presentments in the 18th century

¹ MCB., 9 June 1832.
² MCR., 2924.
³ St AM., 236-285 are an incomplete series of court leet books
from 1751-1822.
⁴ MCB., 10 Sept. 1701, two viewers presented the bailiffs for
not cleaning the streets.
⁵ The court leet of the abbot also heard offences against the
assize of ale. Levett, op.cit., 143.
were mainly bad roads, footpaths, unsafe buildings and nuisances such as pounds and ponds. In 1788 the mayor, aldermen and burgesses of the town were presented "for suffering the Market House in the Middle Ward to be in a ruinous state for want of necessary reparations so as to endanger the lives of persons passing." But this may be a formal presentment used before the extensive repair or alteration of corporate property was undertaken, for in 1791 the Market House was ordered to be rebuilt. Affeereors were chosen annually to set fines on those who were amerced at the leet. By the 19th century presentments were followed by no compulsory steps. Except for the period between 1818 and 1822, when presentments were fully recorded, or when a conscientious mayor presided, the court was in decline for much of the 18th and 19th centuries, more particularly after 1804 when the paving and lighting commissioners were established with powers of watching and cleansing the borough. It may be that the principal attraction for the leet jury was the dinner.

1 St AM., 254.
2 MCB., 15 July 1791. At first it was thought that it would be necessary to present the old town hall before an act of Parliament could be obtained to build a new one. HCR., iv. 201.
3 No leet could imprison an offender, but the lords of all leets were supposed to possess a pillory and tumbrel. R. Burn, The Justice of the Peace, (1797), iii. 100.
4 MCR., 2924.
5 In 1776 Mayor George Pembroke fined the constables £1 for failing to provide lists of freeholders.
at which they were entertained by the mayor. The town clerk explained to Lord Verulam, mayor in 1808, that:

It is usual for the Gentlemen who are summoned on the Leet Jury to dine with the mayor and such of the Aldermen as may please to attend the Court on that day—the jury consist of from 13 to 15, Mayor, Town Clerk, and usually not more than one or two Aldermen, in all about 24 including the 4 Constables—none but those summoned on the jury ought to dine but by some mistake which I have endeavoured to rectify, several of the assistants without either being summoned or invited have dined with the Leet Jury of late. This is most certainly very irregular, none should intermix with a jury who are sworn to keep secret the matters before them until their presentments are made, which are never completed until after dinner according to the usual mode of transacting business at the Leet.

The Court of the Market

This was the third court of the abbey to which the corporation succeeded. By the 16th century the abbey had leased the office of bailiff and clerk of the market with its fines.\(^2\) The mayor and burgesses continued this practice by farming the profits of the leets, markets and fairs to two bailiffs chosen at first from the craft companies and after 1634 from the assistants. The corporation collected the market tolls from 1700 to 1786. From 1786 to 1835 the tolls were farmed, usually by one of the lesser officers, such as the sergeants-at-mace.

By the 19th century this court also had become a formality. The mayor, as clerk of the market, had charge of the standard

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1 Gorhambury MSS., John Boys to Lord Verulam, 10 May 1808.
2 VCH. Herts., ii. 481.
weights and measures against which all the weights and measures used in the borough were supposed to be checked annually. The beadles gave advance notice to every shop and innkeeper to produce his measures, naturally false measures were never brought in. Shaw relates the story of one measure which was kept especially for this purpose. As the beadles made their rounds it was passed rapidly from innkeeper to innkeeper, the deception being discovered only when one fell and dented it.¹

The Court of Quarter Sessions A gaol in which to keep felons was granted to the mayor and burgesses by Edward VI. Before 1824 the borough gaol or compter was on the ground floor of the town hall. Like many other town gaols it was unsatisfactory. In 1780 John Howard found that "Felons have two day rooms and two close offensive night rooms. Their allowance a pound of bread a day. No straw: no court: no water."² After 1824 the borough's prisoners were sent to the Liberty gaol which was housed in the Abbey gateway. The borough sent its vagrants to the Liberty's house of correction which was also in the Abbey gateway.

Although the borough and the Liberty had separate commissions of the peace there was some overlapping of borough and Liberty magistrates. The mayor and the recorder were always included

¹ Shaw, op. cit., 172.
in the Liberty commission and it was usual for members of the county aristocracy, such as the Marquess of Salisbury, the Earl of Essex, Earl Spencer and Viscount Grimston, to be included in both commissions. In 1685 the corporation paid £21.12.0d. to the Lord Chancellor to include the mayor and recorder in the county commission.¹

No direction was given in Edward VI's charter to hold Quarter Sessions. It was agreed in the mayor's court in 1616 that there should be four sessions for the borough.² Apparently, capital felony was tried at the borough sessions in 1696 for in the mayor's accounts for that year John Hawgood was paid £3 "for making and setting up the Jibbott to hang Thos. Nash for murdering his mother," and £1.5.0d. was paid to "Thos. Farthing for hanging Thos. Nash by agreement of the Coy."³ However, in 1726 Thomas Garrard, recorder from 1726 to 1758, in his charge to the grand jury of the borough explained that the jurisdiction of the court did not extend to "great felonies" and that the common practice was to try only "petit larcenys", trespasses, unlawful assemblies, extortion, and cases involving false weights and measures. In particular he referred the jury to the statutes relating to the maintenance of highways and bridges.

¹ MAB., 1684-5.
² Gibbs, op. cit., 63. The court book covering this period is missing from the borough muniments.
³ MAB., 1696-7.
1 Geo.I St.2 c.52 empowered magistrates of all cities and
boroughs to put the highway acts in force within their juris-
dictions.¹

24 Geo.III c.54 authorised all corporations having courts
of Quarter Sessions to levy "a rate in the nature of a county
rate." St Albans magistrates had levied a rate long before
1784. In 1655 £40 was ordered to be collected by means of a
rate, which the church wardens and overseers were to make, for
two brass fire engines for the borough.² The rate which the
borough magistrates fixed in Quarter Sessions was collected by
the overseers of the poor from the three parishes within the
borough and given to the borough treasurer. The title of
borough treasurer was not a synonym for borough chamberlain,
although both posts were sometimes held by the town clerk. The
treasurer used the "levy money" to pay the cost of repairing
the gaol, to maintain the borough's prisoners, and to pay the
salaries of the conveyer of prisoners, the clerk of the peace
and the high constable or borough gaoler.

At times the treasurer received additional sources of income
which exceeded that from the borough rate. For instance in
1781-2 his receipts were greatly increased by allowances from

¹ The charge is appended to a MSS. copy of the charters in the
Town Clerk's Office.
² MCB., 13 June 1655.
the Middlesex county treasurer for Middlesex families on relief in St Albans. In 1783-4 £80 came from the borough rate, whereas £150 came from the Middlesex treasurer, mostly for the families of St Albans men serving in the Middlesex militia.¹

The Borough Commission of the Peace

Few things caused more excitement among the better class inhabitants of the borough than the rumour that a new commission of the peace was to be issued. No position was more coveted than that of a permanent member of the Bench, for it lifted one above the shifts and turns of corporation politics. With the exception of the attorneys, whose ambition was to be made town clerk, most aldermen hoped to be placed on the borough commission. Because it was the object of so much hope those who could influence its composition were not anxious to see a new commission emerge. Friends were able to assess their importance in their patron's estimation. To be able to exclude one's enemies from the commission was an obvious example of one's influence. A commission of the peace tested leaders as well as followers.

The borough commission of the peace was formulated in much the same way as that for the county. The Custos Rotolorum forwarded a list of names to the Lord Chancellor. Sometimes a

¹ Treasurer's Account Book, 1764-1807.
direct approach to the Lord Chancellor was attempted by the borough's patrons or by its representatives in Parliament.

Nevertheless, the Custos was the key figure to be cultivated.

The stresses in loyalty created by a new commission of the peace are shown in the events that followed the appointment of James West as recorder of St Albans in 1758. The appointment had annoyed the Spencer faction in the corporation, who had expected their candidate to secure the position. To offset this disappointment, John Spencer's supporters attempted to increase the number of their friends on the borough commission. They alleged that there had been a failure of justice in the borough and they submitted a list of candidates to Lord Cowper, the Custos Rotulorum. The allegation was not without foundation. The previous commission had been issued in 1733 and of the thirty-one justices appointed only eight were alive in 1758. Of these only one in addition to the mayor, ex-mayor and recorder was active.

The list sent to Lord Cowper had been prepared by the Reverend Benjamin Preedy, rector of Abbey Church, and it was especially

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1 Add. MSS., 34734 ff. 158-187.
2 Ibid., f. 310.
3 Add. MSS., 35600 f. 10. Correspondence of the 1st Lord Hardwicke on Legal Appointments, 1733-1741.
4 Add. MSS., 34734 ff. 194-5.
5 Benjamin Preedy, D.D. (1722-1796); rector of Abbey Church, 1754-96; master of the grammar school, 1754-75; rector of Dunton, 1772; made rector of Brington, Northants. by Lord Spencer in 1777.
strong in clergymen. To these West's partisans particularly objected:

James Ibbetson D.D. lives outside the borough and is a person of an arbitrary mean and partial disposition, which he has shown as archdeacon of St Albans. Benjamin Preedy in particular to be kept out, for he is already acting justice for the Liberty which he carries with a high hand over the mayor and aldermen who presented him to the living and also the free school. John Boys, Parson of Redborne (where he ought to reside) is notorious for being of a whimsical litigious arbitrary disposition, often at law with his parish for trifles.

West was able to postpone a new commission coming out, but he was not anxious to submit to Lord Cowper the alternative lists of names that his friends in St Albans had provided, for after the death of her first husband in 1746, John Spencer's mother had married William, 2nd Earl Cowper. Prudence was not to the liking of Alderman Joseph Handley and under the injunction "Aut Caesar aut Nullus" he wrote to West:

our parson...is as busy as the D---l in a high wind...
Your friends interest in general is at stake and yours in particular. For Gods sake show yourself our Friend, our Guardian and faithful protector. Make a point of it never suffer our enemies to reign over us. There is not one man we have pointed at but is your avowed enemy. Are these proper persons to rule our constituents?...

If you can spare us half an hour pray send us a line or two of comfort, at present we are all pains and convulsions. Surely Sir, the sooner this affair is finished the better. They have all their engines at work and will be forever plaguing us and you till it is over. In short if they are suffered to be in it will be out of the power of your friends ever to serve you, the corporation in particular.

1 Add. MSS., 34734 f. 239.
2 Ibid., f.243, Handley to West, 9 Jan. 1759.
West attempted to calm his friends and counselled caution by including a George II halfpenny, which bore a figure with an olive branch on its reverse side, in his replies. But this only baffled his agents and much to his embarrassment they urged him to show his power. "The eyes of all the country are open at you" they wrote, "and this affair will determine your weight to all the world."2

A series of moves by the opposing side forced West to act. In April 1759 Thomas Rudd, West's most reliable agent in St Albans, wrote to him that Lord Cowper intended to visit the borough sessions, and that:

The Mayor has been ill and will go out of town tomorrow and stay all this week for the air. It seems to me not necessary this week more than another except to be out of the way the Sessions Day and as you are ill of the gout they may get somebody else not to appear and then there may be an artificial failure of justice.3

Three weeks later R. Hodgson of the Middle Temple applied to West to be made deputy recorder "owing to the universal clamour and murmuring on account of the Recorder's not attending."4 Finally, Robert Henley, the Lord Chancellor, told West that as he had not settled the affair of the commission of the peace with Lord Cowper, "I must be under a necessity of treating his Lordship as I do other persons in his place and by inserting

1 Ibid., f. 251, same to same, 23 Jan 1759.
2 Ibid.
3 Ibid., ff. 279-80, Rudd to West, 24 April 1759.
4 Ibid., f. 288, Hodgson to West, 14 May 1759.
the list he recommends."^1 In reply West suggested that all the aldermen of the borough should be made magistrates in their private capacities; or if it were thought that a larger commission were necessary, that it be made up from two lists which he submitted.\footnote{2}

When West eventually applied to Lord Cowper his answer left West in no doubt of the success of his application. Of Handley, whom West had included in one of his lists, Lord Cowper wrote:

\begin{quote}
(he) is I am certain the same gentleman for whom I applied to the late Lord Chancellor on the recommendation of the late Mr. Spencer for the same favour as now desired. I can very well remember that at that time he was thought not a proper person to bear the King's Commission and was represented as disaffected to the Government and a man of no morals and this character of him came (from) hands who then pretended to know him full well. The late Mr. Spencer was much obliged that his friend was left out of the Commission and resented it highly. Should the recommendation of him now come from the same hands who formerly opposed him what should I be able to say on that head as I think I am duty bound to inform the Great Seal all I know concerning it. Must I infer the change to conscience or the good effects of the Treasury till?\footnote{3}
\end{quote}

Such treatment played no small part in inducing West, when the opportunity arose five months later, to exchange the recordership for the less rigorous post of high steward.

When the new commission at length appeared in August 1761,

\begin{footnotes}
\footnote{1} Ibid., f. 302, 29 June 1759. \\
\footnote{2} Ibid., f. 306, 30 June 1759; Add. MSS., 34735 f. 370. \\
\footnote{3} Add. MSS., 34734 ff. 317-8, 18 July 1759. West was joint secretary of the Treasury, 1741-1762.
\end{footnotes}
the largest ever to issue for the borough, it served to emphasize the failing influence of West, and of his master, the Duke of Newcastle. Four of West's nominees, one of whom was John Spencer, were included; whereas ten of Spencer's nominees were chosen. It was the warning light for West's followers. George Pembroke, his friend for twenty years, whom West had made deputy recorder, protested "tho I neither desire or chuse to act as a Justice yet...I do not like to have a mark set on me by being left out." He later became a strong supporter of Lord Spencer. The bitterest and most verbose reproaches came from Alderman Handley:

Was there any man took equal pains and care to support the joint interest this last election. I harrassed myself to death, made my house a Goal (sic) and disoblige'd most of my friends and what return am I likely to meet with? Why truly a Commssn of the peace is coming out, and I who have ever been a staunch only friend am to be excluded, whilst persons of no property or interest and others who have been and ever will be utter enemies are thought proper persons to fill this commssn. I have been above twenty years in the Body, have been twice thought worthy to fill the Chair, am father of the Corporation and an invariable friend to both your interests and after all am not thought worthy the small Honour of being only one of his Majesty's Justices of the peace for the boro of St Alban. I think this very hard and what I never tamely can submit to.

Ten years later the 1st Earl Spencer was in a similar position

1 Ibid., f. 232; Add. MSS., 34755 f. 329.
2 Add. MSS., f. 331, Pembroke to West, 25 Sept. 1761.
3 Ibid., f. 335, Handley to West, 30 Sept. 1761.
to that of West in 1758. This time the Custos Rotolorum was Lord Essex and it was Lord Grimston who had his ear. Richard Sutton, Lord Spencer's candidate returned for St Albans in 1768, informed his patron:

Lord Essex has again been besieging Lord Weymouth and Lord Rockford about the Commission. I saw Ld Weymouth this morning who asked me whether there might not be some kind of composition, for example by letting the Commission come out without your friends and having them put in some months hence under a cold seal. I told him I thought you could not agree to this as it would be giving the triumphs to the Grimstons and be dangerous to trust such a promise. He then asked me if you could not give up some of them, to which I said I did not see how you could draw the line between them without offending much those you gave up and hurting your interest. 1

The Whigs were again hampered by a Custos of the opposing faction in 1787, and Lady Spencer advised her son that if Lord Salisbury did not put any of their friends in the Commission, Lord Spencer should send his list directly to the Lord Chancellor. 2 Lord Grimston, who was asked by Lord Salisbury to recommend persons for the magistracy, was able in this way to offset to some extent the patronage at the disposal of Lord Spencer when he became First Lord of the Admiralty and Lord Privy Seal in 1794.

1 Althorp MSS., Sutton to 1st Earl Spencer, 3 Dec. 1768. Viscount Weymouth was Secretary of State for the Southern Dept., 1768-70; the Earl of Rockford was Secretary of State for the Northern Dept., 1768-70.
2 Ibid., Lady Spencer to 2nd Earl Spencer, 3 Oct. 1787.
The Revenue

Edward VI allowed the corporation to receive lordships, manors, lands, rents, rights and privileges not held in capite of the king to a total value of £50. A further £40 of similar revenue was granted for the support of the grammar school as well as the borough, a rather ambiguous phrase which the corporation and some masters of the grammar school interpreted in opposing ways. The corporation were granted also the fines and profits of the court of record, the clerk of the market's court, the assize of bread wine and ale, the stallage, piccage and other profits of the three annual fairs, and the goods and chattels of outlaws, deodands and strays. The rents of the properties given by this charter, i.e. the town hall, the sumpter yard, and the waste of the borough, also supported the state of the corporation. In return for these privileges and properties held in free burgage, the corporation paid a fee farm rent to the Crown of £10 a year.

The corporation's right to exact market tolls did not pass unchallenged. Subsequent charters did not define this right satisfactorily, although the charter of Charles I gave to the

1 See pp. 9-10, 16-17.
mayor and his officers the authority to enter every house, granary, cellar or shop in the borough to search for grain held back to enhance its price, and to seize such grain and sell it in the market. It was not until the corporation successfully defended two actions at Hertford Assizes in 1702 that disputes about their right to exact toll ceased.

The corporation did not own much property and the administration of what little property they had was not such as to inspire further endowment. The town hall and compter house, which contained living quarters for the gaoler, was invariably rented to the borough gaoler, usually for £10 a year. The office of gaoler was profitable and the gaoler lodged a bond with the corporation for the proper performance of the duties. Mary Bowley gave bond of £200 when she was made borough gaoler in 1769. The medieval clock tower was obtained from the surviving trustees of the Gild of the Charnel Brotherhood in 1587. A tenement adjoined this building and these were sometimes let to members of the corporation on favourable leases. In 1703 Alderman William Marston obtained a forty year lease of the clockhouse

1 MCB., 18 Nov. 1702.
2 Women in such posts were not unusual in the borough. During the 1770's, by succeeding to their husbands jobs, Mary Bowley was borough and Liberty gaoler, Mary Twitchell was keeper of the house of correction, and Ann Hunt, conveyor of vagrants.
3 F.G.Kitton, "The Clock Tower St Albans: its origin and history," St Albans and Herts Architectural and Archaeological Society, 1901-2, 298-319.
at the rent of £5 a year, and in 1747 Alderman Joseph Handley
was granted a twenty-one year lease at the same rental.\(^1\)

By the beginning of the 18th century five other tenements
had been acquired. The rents from stalls, shops, two wells and
a well house completed the fixed sources of revenue. The profits
of the borough court of Quarter Sessions and fines for the non­
performance of office and for encroachments upon the corporation
waste brought in an occasional revenue, but for the period 1685
to 1835 income from these sources was small.

The following is an undated schedule of the corporation's
revenue, but is early 18th century.\(^2\)

<table>
<thead>
<tr>
<th>Description</th>
<th>Rent</th>
</tr>
</thead>
<tbody>
<tr>
<td>The bailiwick, used to be rented by bailiffs</td>
<td>£80. 0. 0</td>
</tr>
<tr>
<td>The Compter House and adjoining stalls</td>
<td>12. 0. 0</td>
</tr>
<tr>
<td>1 messuage under the Clock House</td>
<td>5. 0. 0</td>
</tr>
<tr>
<td>5 other messuages</td>
<td>8.19. 8</td>
</tr>
<tr>
<td>Stalls and shops in market and Market House</td>
<td>11.10. 0</td>
</tr>
<tr>
<td>2 wells and encroachments on the waste</td>
<td>5.10</td>
</tr>
</tbody>
</table>

\[\text{£117.15. 6}\]

This income was adequate to meet all normal expenditure, which
included a £40 allowance to the mayor for the expenses of his
year of office, £16 for four Sessions dinners, taxes upon the
corporation rents and sundry payments to minor officers and
bell ringers.

Between 1678 and 1683 the annual income showed an increase

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\(^1\) MCB., 2 June 1703; 3 June 1747.
\(^2\) St AM., 2003. The corporation took the bailiwick into their
own hands in 1703. MCB., 29 Sept. 1703.
from £119 to £164. This was somewhat misleading because the chamberlain's method of bookkeeping was to carry over the surplus from one year and to add it to the following year's revenue. By 1683 the surplus was £55. On sound principles but by dubious means, the corporation decided to purchase the fee farm rent of the borough for £200. The additional £145 that was needed was obtained by borrowing from the surpluses which had accumulated from the charity estates entrusted to some of the aldermen.

In the following year the charters were surrendered. The new charter of James II cost £148.13.6d. A further £21.12.0d. was paid to the Lord Chancellor for a commission of the peace for the borough and for getting the mayor and recorder into the county commission. £70 was spent on loyal addresses and celebrations on James II's accession. To cover these expenses the corporation sold some of their plate, and borrowed £200 from Alderman John Gape. As security they mortgaged the recently acquired fee farm rent, the compter house and the clock house. The remains of the Queen Eleanor Cross were pulled down in 1702 and the corporation borrowed £100 from Aldermen John Gape and Henry Dobyns to build a market house on the spot.

1 MAB., 1683-4.
2 Ibid., 1684-5.
3 Ibid.
4 Ibid., 1702-3.
At the same time that the corporation's debts were increasing their rentals from property got into arrears. The corporation leased the whole of their rents and the profits of the courts to Thomas Richards, Jr., the town clerk, in return for a lump sum of £27 a year. Although the lease was for eleven years, after 1688 the rents were listed again in the mayor's accounts. In 1694 the mayor noted that all the rents which were supposed to be collected by the town clerk had not been accounted for. Richards was also Receiver General of the land tax for St Albans. By petition to the Lords of the Treasury in 1698 he alleged that John Gape, Jr., one of his sureties, had seized all his estate and would not permit him to receive his taxes. Gape claimed that Richards had been greatly in arrears and had absconded, and he asked for leave to proceed against Richard's estate. By 1700 one of the corporation rents had been in arrears for 16 years, another for 14 years and several for 3 or 4 years.

The corporation were not unduly worried by this state of affairs because the income derived from rents was small in comparison to that from market tolls. St Albans had a large

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1 Thomas Richards, Sr., was town clerk, 1648-1678. St AM., 960 is the counterpart of the lease dated 14 July 1686.
2 MAB., 1694-5.
3 Calendar of Treasury Books, xiii. 1697-1698, 446
4 Calendar of Treasury Books, xiv. 1698-1699, 398.
wheat market. Fifty years later when the market had declined, it was still claimed to be one of the greatest in England.\(^1\)

Also, St Albans was in the centre of the barley district which provided the best malt for the brewing of porter, the most common drink in the 18th century.\(^2\) During the middle years of Anne's reign, the inflated price of corn, brought about by the wars of William III and Marlborough, and the steady growth of St Albans market, rapidly increased the corporation's revenue.\(^3\)

In 1708-9 141 loads of toll corn were sold for £231.\(^4\) In 1709-10 the revenue totalled £326, of which £252 came from toll wheat, £22 from the cattle and hay market and £25 from redemption for freedom to trade in the borough.\(^5\) This was the highest revenue the corporation received between 1685 and 1835.

As the Allies met with stiffening resistance in the Netherlands and their losses mounted higher, so the corporation's wine bill rose as they loyally toasted the victories of their high steward, the Duke of Marlborough. £1.15.0d. was spent at the taking of Bethune, £3.5.6d. for a victory in Spain, £3.6.0d. at the capture of Douai, and £4.4.0d. at the taking of Mons. They drank the Queen's health, to her birthday, to her coronation, and simply

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4 MAB., 1708-9.
5 Ibid., 1709-10.
in thanksgiving. Peace brought a sharp drop in the price of wheat. 152 loads of toll wheat in 1712-13 realized only £151. The corporation did not curtail their junketings. There were no more victories to be celebrated, but there was the proclaiming of the peace, the thanksgiving for the peace, and even the restoration of Charles II to be commemorated. The increased revenue of the war years had not induced the corporation to repay the money they had borrowed. Coasting along in the wake of the Marlborough's wave of success the corporation felt secure from local interference. But the Marlboroughs had made enemies in and around St Albans. The influence that they exerted over the corporation was resented by the Grimston and Gape families. In 1714, the year after Thomas Gape had resigned from the body, the corporation were called upon to repay the Gape loans. They had no alternative but to borrow elsewhere.

More dangerous than loans were the charities, those generous benefactions of an earlier piety which offered a tempting and ever present fund from which to replenish deficiencies. Malversation of a charity which helped to maintain the fabric of the Abbey Church aroused the vestry of the Abbey parish. One

1 Ibid.
2 Ibid., 1712-13.
3 See p. 202-212.
4 MAB., 1714-15. £200 borrowed from James Cooke to pay two corporation bonds.
of its most influential members, Joseph Pembroke, a wealthy grocer and a Receiver General of the land tax for St Albans, joined with the 1st Viscount Grimston in 1721 to bring down upon the heads of the corporation a commission of charitable uses. From its outcome stemmed all the corporation's financial difficulties for the next hundred years. The debt, confirmed by the Lord Chancellor, that the corporation owed to the charities amounted to almost £1000.¹

From 1721 to 1835 the mayor and aldermen were never able to clear themselves of debt. At the beginning of the inquiry the corporation accepted small loans of £5 and £10 from the female relatives of the aldermen.² When the inquiry ended £200 was borrowed from Richard Carter, a newcomer to the body, and one must conclude, not well informed of its condition.³ Part of the costs of the charity case was met with a bond of £300 to be repaid at the rate of £50 ayear.⁴ In 1728 £200 was borrowed from the Reverend John Cole, Jr., the rector of Abbey Church.⁵

The corporation were not able to do more than pay the interest charges on these loans. By 1734 the tolls had dwindled to £101.

¹ See p. 72 n.4.
² MAB., 1722-3.
³ MCB., 3 Nov. 1725.
⁴ Ibid., 17 Aug. 1726.
⁵ Ibid., 8 May 1728.
The reduction in market revenue was due partly to the tolls, which after 1714 were charged on the London to St Albans road. The "Broadwheel Act" 1 was said to have damaged further St Albans market. A petition of the mayor, aldermen, farmers and tradesmen to James West in February 1755 alleged that farmers were obliged to use turnpike roads to reach St Albans market, and that if the act were enforced farmers would find other markets for their produce to the ruin of St Albans. 2

With their property let on long leases the corporation could expect no increase in income from that quarter. 3 After another case had been brought against them in Chancery in 1737, 4 £500 was borrowed from Martha Rutland, a sister-in-law of William Gape. 5 The corporation were not seriously pressed for the repayment of this loan for ten years. By that time the political scene in the borough had changed. St Albans was represented in Parliament by two friends of the Pelham administration, James West and Sir Peter Thompson. In February 1748 West's agent wrote to him:

1 To reduce the wear on the roads caused by heavy waggons with narrow wheels, 26 Geo. II c. 30 required that waggons drawn by more than four horses should have wheels nine inches in width.
2 Add. MSS., 34734 f. 94.
3 A tenement was leased in 1724 for 99 years at the rent of one shilling a year. When the corporation regained their property in 1822 they were able to raise the rent to £20 a year.
4 MCB., 22 June 1737.
5 MAB., 1737-8.
I can add nothing as to the money that will be requested from the Mayor and Aldermen. If twas consulted so as to make your interest more secure I should think it prudent to advance it. If Sir Peter would lay down half and you the rest I think that may be the best way since you have already parted with so large a part of it.

West did not offer a loan to the corporation and missed a good opportunity to increase his influence in the borough. However, he may have helped to find a backer for when in 1750 £800 was borrowed from Richard Budworth the interest payments were made through Rudd.

Failure to maintain the interest charges on this loan resulted in a subpoena being issued in 1756 for the mayor to appear in Chancery. To clear themselves of this trouble the mayor and aldermen borrowed £1000 from John Spencer in 1756 and another £250 in 1757. The corporation mortgaged everything they had. By 1756 this included eighteen tenements and all the toll, tonnage, stallage, piccage, markets and marts or fairs of corn, grain, hay, apples, cherries and all other goods and profits of saleable things of and belonging to the said borough commonly called the bailiwick as the same were granted to the Mayor, Aldermen and Burgesses by the several charters of King Edward VI and Charles II and all other the freehold messuages, land, tenements and hereditaments whatsoever...lying within the said borough.

The loan was never repaid. The interest charges were cleared

1 Add. MSS., 34734 f. 52, Rudd to West, 25 Feb. 1748.
2 St AM., 962. The indenture is dated 28 Sept. 1750.
3 MCB., 5 May 1756.
4 MCB., 1 Sept. 1756; 25 April 1757.
5 St AM., 963. The indenture is dated 6 Sept. 1756.
spasmodically until 1774. Two alehouses, The Hare and The
King's Arms, were sold in 1772, but not until the corporation
were reminded two years later that they were part of the
mortgaged property did they disgorge the proceeds to Lord
Spencer.¹ Lady Spencer wrote to her son in 1786 that Alderman
Thomas Kinder wished to see him "about foreclosing (I believe
they call it) your bond from the Corporation."² Lord Spencer
did not foreclose. In 1811, four years after the Spencers had
cut all political connections with the borough, a correspondent
of Daniel Giles, M. P. for the borough from 1809 to 1812, wrote,
"People are blessing themselves that they have nothing to do
with a body of men who are up to the eyes in debt to the Spencer
Family and have nothing to pay either principal or interest
with."³

One consequence of the loan was that it convinced West that
St Albans was no longer a safe seat for a Secretary to the
Treasury. Even patronage began to fail him. In February 1759
the mayor, William Young, who was a Surveyor General of Windows,
died in office. Alderman Joseph Handley wrote to West:

Suppose this place to be given to the Mayor of St Albans
for the time being for the benefit of the Corporation in

¹ MCB., 2 Dec. 1772; 2 Feb. 1774.
² Althorp MSS., Lady Spencer to 2nd Earl Spencer, 11 June 1786.
³ Giles MSS., James Brown to Daniel Giles, 25 March 1811.
...This I know that they have all often declared even your worst enemies that was you ever to clear them of their debt they would chuse you at little expence in opposition to the whole world—Surely now is the time and this is the way for you to fix the Corporation for ever.

West was ahead of his agent on this occasion. On the same day that the mayor died West wrote to the Duke of Newcastle:

I have this moment received an account of the death of the Mayor of St Albans who was a General Surveyor of Windows. I most humbly implore your Grace it may be continued to the Corporation which is of the utmost consequence to the Interest there. 2

The place was given to Alderman Alexander Stirling, who had negotiated the Spencer loan when he was mayor in 1756. If West had expected to secure permanently his interest in the body by giving the place to Stirling, he miscalculated; for in 1763 Stirling returned to his native Scotland.

During the middle years of the 18th century, corporation revenue was at its lowest point. By 1756 the market tolls had dropped to £59. In 1786 the corporation began the practice, which they continued until 1835, of farming the market tolls.

The first year the tolls were farmed they brought in £80. Thereafter, they rose steadily, until in 1825 the tolls were leased at £186 a year. The improvement was partly due to the influence

1 Add. MSS., 34734 f. 264, Handley to West, 4 Feb. 1759.
2 Add. MSS., 32887 f. 470, West to Newcastle, 2 Feb. 1759.
of the Napoleonic wars on the price of corn. Also, the new method was more efficient. To evade the tolls the farmers began to bring one sack of corn to the market and to use it as a sample to sell the remainder of their load.\(^2\) The inhabitants and tradespeople who petitioned the corporation in 1826 complained that by allowing the tolls to be taken by strangers, whose only motive was to benefit themselves, the trade of the town suffered.\(^3\) No abatement of the tolls was ever seriously considered. The town clerk in his evidence before the House of Lords on 6 August 1835 declared that the only complaint against the corporation that he had heard from the townspeople was on the matter of tolls and the corporation could not alter them.\(^4\) Except for a short period from 1830 to 1831 when Parliamentary candidates were required to pay £50 for their freedom, the tolls were the corporation's principal source of revenue.\(^5\)

The 18th century corporation never learned to live within their income. They drifted from crisis to crisis, which usually appeared in the form of costs incurred through litigation. When pressed, 

1 Mitchell, loc. cit.
2 MCB., 8 April 1795. The toll collector complained that corn was sold by sample. Ibid., 8 Aug. 1804. The corporation ordered that corn must be sold in bulk. Ibid., 6 Oct. 1809. The corporation threatened to prosecute those who sold corn by sample.
3 St AM., 1180, 11 Sept. 1826.
4 HLJ., lxvii. 466.
5 Three candidates paid £50 for their freedom in 1830 and two in 1831.
as in 1789, the mayor and aldermen apportioned these costs between them. More often they gave a corporation bond for the sum demanded and hoped they had bequeathed its payment to their successors.

The 19th century corporation fared little better. Some small credit is due to them for reducing the allowance for the mayor's feast. Also, they meanly curtailed expenditure on the town's fire engines and threatened to sell them unless the fire agencies paid £50 for their repair. Two court cases with costs totaling £300 would have forced the corporation to borrow again had they not received two windfalls. In 1823 the tenement leased in 1724 came back into the corporation's possession. The tenants were evicted, the row of cottages demolished, and the materials sold for £158. £200 was gained on the sale of the old town hall. £914.10.0d. was paid for the hall. By agreement with the Liberty magistrates, the whole of this sum ought to have been paid towards the cost of the new town hall. In fact, only £707 appears in the St Albans Court House Treasurer's Account.

Both of the foregoing properties were mortgaged to Lord

1 MCB., 8 April 1789.
2 Ibid., 13 Sept. 1828.
3 Ibid., 7 March 1827.
4 Ibid., 11 March 1823.
5 Ibid., 2 July 1831.
6 St AM., 361.
Spencer. No mention of the Spencer loan was made to the commissioner investigating St Albans corporation. The town clerk said that the average income was £188.14.9d. and the average expenditure was £170.10.0d., thus the corporation's financial position appeared respectable. In this respect, the investigation of the corporation's affairs came at a most opportune moment.

The Charities

"Public charities cannot be too public" wrote Shaw in 1815. His remark was occasioned by an enquiry which was being held in that year by a committee of parishioners into the state of charitable bequests in the Abbey parish. He went on to observe, "it is much to be regretted such a measure had not been adopted by the parish years ago, as it is too evident, from the neglect and abuse of many of them, the intention of the donors were not always the primary object in view with those who were entrusted with their management."2

Shaw was not well informed, for almost one hundred years earlier the same vestry had begun proceedings which had led to an action in the Court of Chancery against the mayor and aldermen. As administrators of trust property the corporation had

1 MCR., 2927.
2 Shaw, op. cit., 206-7.
a deplorable record. They borrowed money from trust rentals, only a fraction of which was ever repaid; they installed themselves or their relations in trust property at reduced rentals or on extended leases; and they omitted to pay the taxes on trust property, thus forfeiting it to the lord of the manor. Although all the corporation's charities were endowed with land or buildings, whose rentals doubled and sometimes trebled between 1685 and 1835, no increase was ever made in the sums of money distributed to the legal beneficiaries except as a result of a court action. It was not fortuitous that most of the charities belonging to the corporation had been bequeathed in the 16th and 17th centuries and few new ones made in the 18th century. Yet, grossly as these guardians of the poor's inheritance abused their trust, to apply to the Court of Chancery for redress was to subject the intended recipients to even greater privations, for a part if not all the costs of a suit was awarded out of the revenue of the charity concerned.

There was ample scope for charitable works in St Albans, for it had more than the average number of poor for a town of its size. Although it had a population from 300 to 400 fewer than Hertford or Watford in the first three decades of the 19th century, it had twice their number of poor in its workhouses,

1 Of the ten charities which the corporation as a whole or in part administered, four were given in the 16th and five in the seventeenth century.
far more poor on outdoor relief, and its poor rate was almost double that of the other two towns.¹ When the average cost per head of poor relief in England and Wales was thirteen shillings and three pence,² a comparable figure for St Michael's parish, the poorest parish within the borough's boundaries, was nearer to £4.13.3d.³ None of the labourers of this parish owned the cottages in which they lived, nor did they rent any additional land on which to grow food, nor did they have any savings.⁴

Dissatisfaction over the distribution of the charities induced the corporation to insert a notice in the London Gazette of 13 July 1721. It read:

Whereas divers Reports and Suggestions have been spread, that several houses and other donations to the Poor People of this borough, for which the Mayor and Aldermen were trustees, have been alienated, or lett upon long leases upon payment of fines (or other considerations) to the said Mayor and Aldermen, which they have clandestinely appropriated to their own private use, whereby the Annual Charities paid to the said Poor People are considerably diminished; which fraudulent practices we utterly disown, detest and abhor. And to the End that Justice may be done to the said Poor People, in case any such vile practices have been (heretofore) put in execution, we, the Mayor, Recorder and Aldermen of this Borough, do hereby desire and invite any Person ...

to give us information at any of our Courts, in order to enable us to make strict inquiry into the abuse of the said Donations.

³ Reports of Commrs., 1834, (44), xxx. 217a.
⁴ Ibid.
The corporation's invitation was immediately accepted, but not in the form that they had hoped. In the Post Boy of 20-22 July 1721, three members of the Abbey parish vestry made a specific charge that the corporation had not fulfilled the terms of a trust which benefitted the Abbey Church.  

By charter dated 25 February 1687 James II granted to John Churchill, and to George Churchill and Thomas Docwra, the members of Parliament for St Albans, the advowson of Mary Northchurch alias North Berkhamstead, or Much Munden, whichever fell vacant first, to present to the rector of Abbey Church towards his better support. The Reverend John Cole, Sr., was subsequently granted the living of Much Munden in 1688 and held it until his death in 1713. Cole entered into a bond with the corporation in 1691 to pay £40 a year towards the repair of the Abbey Church. The bond was renewed in 1698 with a penalty of £500 for non-fulfillment.

John Cole, Jr., succeeded his father as rector of Abbey Church,

1 The announcement is reprinted in Middlesex and Hertfordshire Notes and Queries, iii. 1897, 94-5.
2 Text, Clutterbuck, op. cit., i. Appendix, 32.
3 John Cole, (1637-1713); vicar of St Michael's, 1662; rector of St Albans, 1687-1713; rector of Much Munden, 1688-1713; archdeacon of St Albans, 1688-1713.
4 Much Munden was valued at £300. John Ecton, Thesaurus Ecclesiasticus:...Liber Valorum, (1786), 513.
5 MCB., 8 July 1691.
6 John Cole, (1683-1754); rector of St Albans, 1713-1754; master of the Grammar School, 1740-1754; archdeacon of St Albans, 1741-1754.
but did not succeed to Much Munden. The advowson of the Abbey Church was the most important piece of patronage that the corporation had to bestow. Thomas Robbins, the mayor in 1718, pressed the Duke of Marlborough to restore the living of Munden to the corporation's nominee. The mayor explained that the fabric of the Abbey could not be kept in repair without the £40 from the income of Munden, and he continued:

In a word, my Lord, if your Grace shall think fit after all this to give Munden away from the Abbey, we shall be obliged to ask your Grace's Favour in presenting a petition to the King and Council in order to obtain a brief to empower us to beg the Charitable Contributions of the Nation for preserving the fabric of the Abbey from immediate ruin. For it is come to this, that the Church must needs be repaired either by a rate upon the houses and land of the parish, which will never do, or by a brief, as the Bishop of the Diocese observed in his visit here last Wednesday.

The corporation were not successful in forcing the Duke's hand, and Munden was never again attached to the Abbey. A brief, the third to be issued since the Abbey had become a parish church in 1553, allowed the churchwardens to beg charitable contributions in all the cities and towns of England and Wales. On investigating the charities that had been given for the support of the church, the vestry discovered that £295 was still owing to the Abbey on John Cole's bond. Receiving

1 Blenheim MSS., F.1.24, Thomas Robbins to Duke of Marlborough, 22 June 1718.
2 Middlesex and Hertfordshire Notes and Queries, i. 1895, 142.
no satisfactory answer to their reply to the corporation's advertisement, the vestry made application for a commission of charitable uses.

Additional support for the vestry's investigations came from William, 1st Viscount Grimston. He had little affection for the corporation, which at this time was dominated by Sarah, Duchess of Marlborough. Also, his lordship had a personal grievance against the Marlboroughs. He believed that they had let him down in the election of 1715 and that the Duchess had later insulted him.¹ A letter to Lord Grimston from Joshua Pembroke, one of the signatories of the letter to the Post Boy, reveals that Lord Grimston had submitted to the Lord Chancellor a list of names of those justices of the peace whom he thought suitable to appear on the commission.² When Pembroke received the commission from his brother Thomas, all those whose names were on the list were included, among them Pembroke and Lord Grimston.³

Meeting at the Bull Inn, St Albans on 8 and 9 May 1722, the commission heard evidence from twelve witnesses about the state of all the corporation charities.⁴ These can be divided into

¹ See p. 209-211.
² HMC. Verulam, 116.
³ Ibid., 117-8. The commissioners were locally resident and were on the Liberty or borough commissions of the peace.
⁴ St AM. 1430 and 1432 are copies of the inquisition.
three categories: a grammar school, almshouses, and rentals or interest incomes. The incomes were to be given to the Abbey and to the poor, to whom they were distributed either in cash or in bread.

The grammar school superseded the monastic school which presumably had been closed at the Dissolution. The charter of Edward VI which allowed the mayor and burgesses to erect a grammar school repeated part of a private act of Parliament of 1549, obtained by Richard Borman, the last abbot of the Abbey, for the purpose of reestablishing the school. Until 1871 the school was housed in the East Chapel of the Abbey Church. It was supported by the rents from 37 acres of land and the income from three wine licences. There was also a house given by Richard Platt in which the usher lived. After this house burned down in 1745 the land was let at £2.15.0d. a year.

The wine licences, two of which had been granted by Elizabeth in 1570 and a third by James I in 1606, were supposed to confer upon their holders the exclusive right to sell wine in St Albans and within a two miles radius of the town. This right in practice depended upon the willingness of the corporation to prosecute offenders. At the inquiry it was claimed that the

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1 VCH. Herts., ii. 56; HCJ., i. 7,9; Statutes of the Realm, iv. pt. 1, ix.
2 Similar privileges were enjoyed by Oxford and Cambridge.
3 A. E. Gibbs, Historical Records of St Albans containing the History of the Grammar School, (1888), 23.
licences were so valuable that reversionary leases of them were obtained by members of the corporation for their own use. A century later, at the instigation of Bowen, the master of the grammar school, the licences were auctioned to the highest bidder. They were then considered to be more of a liability than an asset; for it was said that wine could be bought in any respectable inn in the town. The corporation were not unduly lax in upholding this monopoly. The total fine that could be imposed for each offence against the licences was £20. The costs of the case when the corporation prosecuted an innkeeper in 1804 came to £100. In all probability the corporation would not have acted then had not the innkeeper obtained an ordinary wine licence from Customs and Excise, thus testing the legality of the corporation's charters.

Mismanagement of the grammar school charity was said to have begun in the middle of the 17th century. In 1651 Alderman Gilbert Selioke received £17 which had never been returned. Between 1657 and 1684, £160 had been borrowed by the corporation and only £52 had been restored to the charity. One of the wine licences had been underlet to an alderman for twenty-one years; an unwarranted rent collecting charge had been made for twenty-

1 St AM., 1440. A reply by John Fothergill et al. to the exceptions taken by the corporation to the commissioners' decree.
2 Shaw, op. cit., 210.
3 MCB., 8 Aug. 1804.
seven years; almost £100 had been expended on extravagant treats to the visitors at the annual breaking up of the school; and the whole income from the wine licences and rents for 1707 was in no way accounted for. All these charges were found proven and the commissioners decreed that the corporation owed the grammar school £1029.12.9d. The commissioners arrived at this remarkable total by refusing to treat the deficits as embezzlements, but entering into the spirit of the corporation's financial phraseology, they regarded them as loans and as such subject to compound interest at 6%. Thus, although the principal sum involved was £388.2.9d., the interest charged was £641.10.0d.

The commissioners dealt in like fashion with the rest of the charities administered by the corporation. Skelton's charity was the profits from the rents of two tenements in the town. It was to be used to provide twenty-six penny loaves for the poor every Sunday. Instead of using the surplus to buy more land and property for the support of the poor, as they were enjoined to do, the corporation borrowed the surplus. The principal trustee, Alderman John Gape, was ordered to repay £114.6.9d. to the charity. The rental of Lathbury's charity, also from two tenements, was found to have been withheld for forty-eight years. The mayor and aldermen owed this charity £386, which when interest

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1 St AM., 1429 and 1431 are copies of the writ of execution of the decree of the commission of charitable uses, dated 30 May 1722.
had been added came to £949.4.0d. Surplusses from a charity commonly known as "Claypits" were also diverted into corporation loans. Rents totalling £360 from an 80 acre farm in Essex had disappeared into the pockets of individual aldermen. On John Cole's bond the commissioners found that £238 plus £113 interest was due to the Abbey. The grand total that the mayor and aldermen were ordered to pay was £3024.6.6d. with costs of £150.1

The corporation took exception to those sums totalling £2273.1.6d. that the commissioners had decreed the corporation as a whole should pay. Alderman Gape, who was ordered to restore £495 to the Abbey Church and to Skelton's charity, and Aldermen Stone, Agutter and Neale, who were ordered to pay £380 to Gawen's charity, were left to make their own defence against the commissioners' decree.2 Upon the report of this evidence the duplicity of the mayor and aldermen's appeal revealed the dilemma with which they were faced.2 They protested that they never gave any note or bond for the money, that none of the sums borrowed appeared in any account book of the corporation, that even if the loans were made there was no mention of any interest, and anyhow they ought to be considered repaid after so long a time. They denied all knowledge of loans from the grammar school; £176.1.9d. to "Claypits"; and £13.10.0d. to Abbey Church.

1 St. AM., 1476.
2 St. AM., 1433-8 are copies of the exceptions to the decree by the mayor and aldermen.
school revenue, until a bond for one was accidentally discovered. They withheld the Mayor's Account Books for the years being investigated, but failed to keep the account book of the school governors from the commission. Faced with this evidence the corporation disclaimed all knowledge of the governors' affairs, although the governors were always members of the corporation appointed by the corporation.

The master of the grammar school, the Reverend John Fothergill, and some of the vestry of St Albans parish exasperated by the corporation's prevarication filed suit in Chancery against them. The vestry rashly promised that the costs of the action should be paid by the inhabitants of the parish. Both parties engaged counsel, and a further examination of witnesses took place in the town hall on 17 April 1723. Upon the report of this evidence the Lord Chancellor made an order. Several of the corporation's exceptions to the decree were allowed. The final sum that the corporation were ordered to pay was less than half that decreed by the commissioners. The grammar school charity received the greatest award. £700 was allocated to the school for repairs.

1 It was the vestry's misfortune to bring a case before the only Lord Chancellor to be impeached for allowing his Masters to misuse suitors' money. W. S. Holdsworth, A History of English Law, (1938), xii. 204-6.
2 St AM., 1466 are the depositions of these witnesses.
3 PRO: C. 33/342 f. 355, 23 April 1724.
4 £808.12.9d. to the grammar school; £176.1.9d. to "Claypits"; and £13.10.0d. to Abbey Church.
and for the completion of the library. Fothergill was awarded £100. In 1725 Fothergill was dismissed, ostensibly because he appointed an usher without the corporation's consent; but after making submission he was reappointed master.

The borough's representatives repaid handsomely the corporation's exertions in the election of 1722. The Mayor's Account Book for 1722-3 records many journeys to London to consult with the members and the recorder "to extricate the corporation from their troubles." On 6 March 1725 a humble address of thanks was ordered to be presented to the "Hon. Wm. Gore and Wm. Clayton, Esq. our Representatives in Parliament for the great and signal service done to this corporation and that the said address be signed by the Mayor and Aldermen." The administration of the charities was not permanently improved by the commission. Joshua Pembroke, who had paid the vestry's bill for the prosecution of the corporation, was awarded costs of £560. £250 was paid by the mayor and aldermen; £310 came from the charity money recovered by the action. In 1731 Pembroke was asked for an account of what money was due and paid on the Lord Chancellor's order, and in 1737 the corporation were

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1 Gibbs, Historical Records of St Albans containing the History of the Grammar School, (1888), 36.
2 See p. 211.
3 MCB., 6 March 1723.
4 St AM., 1470. Lord Chancellor's order pro costs, 28 July 1725.
5 MCB., 17 Nov. 1731.
again in Chancery for non-payment of the sums decreed in 1724.\textsuperscript{1} Proceedings in the King's Bench Court were taken against Alderman Joseph Handley in 1772 for withholding grammar school revenue when he was school governor in 1762. And in 1746 Handley had leased two tenements belonging to the grammar school for forty-one years at £3 a year. In 1772 it was alleged that Handley had not paid rent for these houses for eighteen years.\textsuperscript{2}

For the most part, the masters of the grammar school were concerned only to improve their own salaries, while the school deteriorated. The Reverend Benjamin Preedy recovered £20 in 1756 which had been withheld from wine licence revenue by two of the aldermen. A few years later Preedy admitted to the mayor's court that he had no scholars, though he was ready and willing to teach as many as should be sent to him.\textsuperscript{3}

Following the protracted suit successfully prosecuted by the Reverend Joseph Spooner in Chancery for an increase in the master's salary, the Lord Chancellor made an order in 1787 that eight new trustees of the charity lands supporting the school be appointed.\textsuperscript{4} Henceforth, the corporation had the appointment of

\begin{itemize}
  \item \textsuperscript{1} Ibid., 22 June 1737.
  \item \textsuperscript{2} Ibid., 16 Jan. 1746; 2 Dec. 1772; 6 Jan. 1773. Also see Account Book of the Grammar School, 1587-1774.
  \item \textsuperscript{3} MCB., 3 Feb. 1762.
  \item \textsuperscript{4} Joseph Spooner, (17\textsuperscript{-}1796); master of the grammar school, 1776-96; rector of Abbey Church, 1779-96.
  \item \textsuperscript{5} PRO: C. 38/735, 10 Feb. 1787. Alderman Thomas Kinder farmed the school lands at a very modest rent.
\end{itemize}
four trustees only.

In 1822 the Reverend William Mogg Bowen petitioned for a further increase in the salary of the headmaster. He had discovered that the trustees held £1000 in 3% reduced annuities and £140 in cash. He proposed that after the school buildings had been put in order the surplus in the funds should be paid to him, that his salary should be doubled to £120 a year, and that the lands and licences should be put up for auction. His requests were refused, for it was revealed in the report of a Master of the Court of Chancery that only seven pupils attended the school. Bowen was promised £120 a year if he could enroll twenty pupils.

Giving evidence before the Charity Commissioners in 1833, Bowen admitted that he had only twelve scholars of whom three were private pupils and the other nine the sons of gentlemen. He stated that he was ready to receive into the school up to 120 boys and, "as required by statute to instruct them in the classics at 4d. per quarter but...none attend to whom only a classical education is given, and those who attend with a view to other objects pay the further charge of twelve guineas."
In fact, when he had applied to Lord Grimston to support his application for the post of master, Bowen had written:

The foundation I consider a good one, for the establishment of a Grammar School. But, to be obliged to educate an almost indefinite number of boys gratuitously, or nearly so, should they be presented for that purpose, has created in my mind no small degree of hesitation. However I am now determined to abide the election and to make a trial; and do therefore beg leave to solicit the honour of your Lordship's concurrence. Should I be elected, I intend to open a school on a plan of general instruction similar to that adopted by Dr. Dupre at Berkhamstead.¹

Bowen had chosen a fitting exemplar. The grammar school at Berkhamstead was the most notorious in Hertfordshire.² Lord Eldon's decision in 1805 on the Leeds grammar school case that masters could not depart from the classical curriculum laid down by the school's founder, made it impossible to remove masters such as Dupre and Bowen. There was little likelihood of Bowen's dismissal while he remained a strong supporter of the corporation.³ Not until 1844 when the trustees had petitioned Chancery was Bowen removed with a pension of £50 a year.

A Blue Coat Charity School established about 1714 in St Albans,

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1 Gorhambury MSS., Bowen to Lord Grimston, 28 March 1803.
2 VCH. Herts., ii. 78. A correspondent of The Reformer, 29 Dec. 1835 wrote that Dr. Dupre received £250 a year and a house but "not a boy had been educated here from time immemorial."
3 St AM., 1177. A "Petition and Remonstrance" by the freemen and inhabitants presented to the corporation on 17 April 1805 complained of mismanagement by the trustees, but brought no response.
4 MAB., 1714-15 ordered that £8 be paid annually to the charity school.
may have attracted pupils who might otherwise have gone to the grammar school, but by the middle of the 18th century it too was in difficulties. John Cole wrote to James West, 9 November 1746:

The Charity School here has been suffered almost to come to a total decay among us. The good spirit of raising it has taken Mr. Gape who is our present Mayor. And by the unanimous agreement of his Brethren, we went round the Town on Thursday last and acquainted the surviving Subscribers among us with the intention, soliciting the payment of one half year's subscription in order to clothe the children.¹

By 1834 a British Charity School and fourteen private institutions provided an education for those who could not afford Dr. Bowen's fees.²

The almshouses bequeathed to the corporation in 1569 consisted of three tenements and a public house called The Vine. The mayor, aldermen and the rector of Abbey Church had the nomination of ten people to the eleven rooms available. In addition to this minor piece of patronage the corporation gained advantage by having a public house whose tenant could be relied upon at election times. In 1811 James Brown wrote to Daniel Giles:

You have heard...perhaps also that the Aldn. have elected a Grand Committee to investigate the history of Public Charities in the Town; but their meetings seem to be put off ad Graecas Kalendas. Capt. Woolley,

¹ Add. MSS., 34734 f. 21-2.
² Pigot and Coys., National (London and Provincial) Commercial Directory, 1832-4, i.
Mr. Vandermeulen’s tenant, seems to have driven them into it, in consequence of some old almshouses abutting upon his garden, which the Corporation have shamefully neglected till they are in a most tremendous state. 1

At the end of the year The Vine was let to Samuel Wildbore at a peppercorn rent on condition that he kept the whole property in repair. 2 The Charity Commissioners noted in 1833 that the almshouses were in a very bad state of repair. 3

The Commissioners found that the corporation had shown a similar unconcern for the remainder of the charities. £300 which the 1722 commissioners had ordered to be placed in trust for Gawen’s charity was still invested in 3% Consols in 1833.

There had been no accumulation of profits because in 1828 a new farmhouse had been built which with the attendant law expenses had cost £580. The revenue had been totally absorbed and the town clerk stated that he was forced to advance the annual payment of £40 for the poor out of his own pocket. 4

Twenty-six penny loaves and the equivalent of thirty groats continued to be doled out from Skelton’s charity, although part of the charity estate had been sold to the Reading and Hatfield Turnpike Trust for £500 and this sum had been invested in 3% Consols, which with the rental from the property that

1 Giles MSS., James Brown to Daniel Giles, 25 March 1811.
2 MCB., 4 Dec. 1811.
3 Reports of Commrs., 1833, (60), xviii. 183.
4 Ibid., 186.
remained, gave the trustees an income of £45 a year.

With Hall's charity, otherwise known as "Claypits", the corporation excelled themselves, for in the middle of the 18th century it was completely lost. The last record of the charity in the corporation's books was on 3 November 1741, when the tenant surrendered the land to William Young, the mayor, and three of the aldermen. After these trustees had died and no

1  Ibid., 188.
2 Reports of Commrs., 1833, (60), xviii. 187.
3 N. Carlisle, Concise Description of the Endowed Grammar Schools of England and Wales, (1818), i. 512-3.
4 Reports of Commrs., 1833, (60), xviii. 187.
£2 a year to the poor of St Albans. However, in 1827 after three of the original nine acres of land had been sold to a turnpike trust, the annual value of the land had appreciated to £35. J. L. Nicholas, one of the commissioners who investigated this charity in 1833, in an unpublished supplementary report noted that it was

an acknowledged principle that if the lord consents to a trust on the Court Roll he is bound by it and cannot claim against his own act in the event of the land escheating for want of an heir. In this case the trusts were expressly declared in the surrender and admission of the 24 of Eliz. and it seems therefore that according to this principle, Lord Verulam now holds the land subject to these trusts, and should account to the charities for the whole rent.1

The apparent apathy with which the misapplication of the charities was treated may be explained partly by the lack of information about their existence or of their scope. Occasionally attempts were made to spread such information. After the commission of charitable uses of 1722 the vestry of the Abbey parish printed lists of benefactions. In their report to Parliament in 1850 the Charity Commissioners noted that many charities "have been abused and diverted from their proper objects, because persons locally acquainted with the circumstances have declined to incur the pecuniary responsibility or odium of instituting legal proceedings."2 This was true at St Albans.

1 PRO: Charity 2/105.
2 Reports of Commrs., 1850, (1242), xx. 4.
Apart from the few instances where the individuals who brought proceedings against the corporation had personal interests in a particular charity, those who disagreed with the way charities were handled chose other means to show their disapproval. The local aristocracy sent their sons to Harrow. The Dissenters maintained their own schools.¹

A high poor rate probably stifled some concern for the poor. Towards the end of the 18th century the vestries of the three parishes within the borough employed contractors to relieve their casual poor and to run their workhouses. Although a vestry such as St Peters might take some care in the selection of their contractors,² their main concern was to reduce the poor rate. The system made scant allowance for any increase in the numbers of the poor or in their standard of living.

In mitigation of the corporation's behaviour it may be said that during this period it was exceptional to deal honestly with the charities in one's care. Their depredations were trivial compared to those of the corporation of Exeter, who by 1835 owed £17,000 to their charities.³ The income from all the corporation's charities did not equal that of the Marlborough alms-

¹ Dr. Samuel Clark established at St Albans one of the earliest schools in the county for the children of Dissenters. Urwick, Bible Truths and Church Errors and Day School Education in St Albans, (1888), 217.
² HCRG., St Peter's Vestry Order Book, 1787-1802.
³ Reports of Commrs., 1835, (116), xxiii. 49.
houses, the largest private charity in St Albans. Nevertheless, the corporation cannot escape all criticism. If it was legal advice about their obligations that they required, then they might have had it freely from their recorder. Their common clerk, a permanent official providing continuity of practice, should have been conversant with the contents of the corporation chest. The aldermen themselves might have shown some interest in one of the few useful duties they had to perform. In fact they were incorrigible. They stifled criticism, doled out a pittance, and while the poor pined they feasted.

The Freemen

Merewether and Stephens were at pains to prove that a freeman was an obsolete distinction. Their views were representative of those reformers who believed that the means by which a man was made free of a borough were not a proper qualification for the Parliamentary franchise. They were concerned with what they thought ought to have been rather than with what was. However, they were correct in pointing out that in the charter granted by Edward VI to St Albans no mention was made of freemen.

1 The corporation protested to the House of Lords against the municipal corporation's bill because "various local charities which are founded for the benefit of freemen and their children will cease with the existing generation." MCB., 8 July 1835.
Burgesses, inhabitants and residents were referred to, and the mayor and principal burgesses were given powers to make laws for governing the artificers of the borough. The word freemen does occur in the charter of Charles I, and the by-laws approved in 1634 were mainly for the regulation of the freemen. It might be true to say that by this date the terms artificer and freeman were becoming interchangeable.

The by-laws and the Mayors Court Books make it clear that in the 17th century the freedom of the borough was valued as a trading privilege. One of the by-laws prohibited making free a non-resident of the borough to the detriment of the trade of the resident freemen. Five non-residents made free in 1698 signed an undertaking not to injure the trade of the borough. Occasionally in the 18th century the freemen attempted to protect their trading rights. The cordwainers declined in importance after St Albans ceased to be a place of pilgrimage, but in 1744 they were still sufficiently active as a body to complain of a cobbler who traded without being free.

Lipson has noted that "The uncertainty that existed as to the legal position (of non-free trading) is shown by the frequency..."
with which counsel's opinion was taken regarding the validity of by-laws."¹ As late as 1814 the assistants to the corporation took counsel's opinion whether the corporation could enforce their by-laws and prevent foreigners from trading in the borough and were told that they could not. Their counsel advised them that some restraints on trade which the by-laws introduced were legal in the City of London and in some other incorporated places, but only on the ground that they had been a custom since the time of legal memory, i.e. from the beginning of Richard I's reign. "The corporation of St Albans" he added, "being a modern corporation cannot set up an immemorial custom nor could they acquire by charter a privilege to make such laws."²

This aspect of the freemen's rights had long ceased to interest the corporation, and not only because they were more interested by the freemen's franchise. It was difficult to enforce penalties against non-free traders. Even in 1631, William Noy, the Attorney General, had answered the mayor and burgesses' petition that none should exercise a trade in the borough except he be free with "This will not bind forreyners though it be granted."³ Warrants were made out frequently in the 17th and early 18th centuries to distrain against non-free traders. One case in

² St AM., 1178.
³ St AM., 346.
1702 shows the corporation's limitations. A fine of two shillings a day could be imposed on offenders. Robert Lockerby was fined £10 for trading for 100 days without his freedom. His goods, which were distrained and sold to pay the fine realized six shillings and two pence.\(^1\) The corporation's powers of restraint and summons were only worthwhile exercising against innkeepers, surgeons and apothecaries, and it is significant that redemption for freedom from these classes was doubled and sometimes trebled. The only ways in which the corporation could have regulated trade in the borough and have had their action upheld at Common Law, would have been to prevent monopoly or the sale of unfit goods.\(^2\)

The creation of honorary freemen was generally agreed to have begun in 1685. It marks the beginning of the importance of the freemen's vote in Parliamentary elections in St Albans. Witnesses called by Admiral Henry Killegrew to support his petition against the election of John Gape in 1705 maintained that "they never knew honorary freemen made till King James' charter."\(^3\) A draft petition to the House of Commons Committee of Privileges and Elections, probably prepared by Sir Samuel Grimston, who was unseated by the Churchills in the election of 1685 alleged:

\(^1\) MCB., 18 Nov. 1702; 24 Jan. 1703.
\(^3\) HCJ., xv. 37.
That the day before the election, the mayor with these new aldermen went to the town hall with there servants and others whose names they had in writing, and there called them by their names into the counsell chamber... and made about 46 of them free to serve their designe and to outvote all that were before made free, from some whereof they took security that they should take no advantage as to their toll, save only in order to there election of parliament men, and refused to make any townsmen free, telling them that in good time if they behaved themselves well, they might be made free.¹

On 22 September 1686 fifteen freemen were made gratis, none of whom came from St Albans or even from Hertfordshire.²

After 1688 the foreign freemen disappeared and the old freemen regained their electoral rights, but the practice of making honorary freemen was not forgotten. Edward Seabrooke, mayor in 1702, made about sixty persons free although the mayor's court stood adjourned and only two other aldermen supported him.³ On appeal by the other aldermen, their creation was set aside by the Court of Queen's Bench.⁴ In 1705 the aldermen determined by a vote of seven against four that honorary freemen could be made, and forty-three were created.⁵

The votes of the honorary freemen were the subject of several appeals to the House of Commons between 1700 and 1722. The

¹ HMG. Verulam, 100-101. The town clerk noted in the draft minute book 26 August 1685, "The making of freemen deferred till the next court to be appointed at the election."
² Draft minute book, 1685-1696.
³ MCB., 7 Oct. 1702; CSPD. 1702-3, 5 May 1702.
⁴ CSPD. 1702-3, 128, 146.
⁵ MCB., 5 Sept. 1705.
honorary freemen of 1705 were made by a corporation in which
the majority of the aldermen were favourable to John Gape.
Killegrew, who was supported by the Marlboroughs, petitioned
the Commons that without the votes of the honorary freemen Gape
would not have been elected. ¹ Thereupon the Commons resolved
on 24 November 1705 that the franchise at St Albans should be
in the freemen by birth, service and redemption and in the house-
holders paying scot and lot. ² Gape's election was therefore set
aside and Killegrew declared elected. ³ During the election of
1707 the mayor refused to accept the votes of honorary freemen,
but in the election of 1710 the mayor "polled them in a by-book
to see if he should want them for Mr. Gape but there was a
majority without them." ⁴ In 1714 a Tory House of Commons which
supported Gape's petition against William Hale, the sitting
member, decided that the franchise at St Albans should be in
the mayor, aldermen and freemen and those householders paying
scot and lot. ⁵ The Commons did not declare which categories of
freemen should have the vote. By contrast Hertford's franchise
was clearly defined as the inhabitant householders, resident
freemen and a maximum of three non-resident freemen. ⁶

¹ HCJ., xv. 8, 2 Nov. 1705.
² Ibid., 37.
³ Ibid., 38.
⁴ Ibid., xvii. 597.
⁵ Ibid.
⁶ HCJ., xv. 5 Dec. 1705.
The Duchess of Marlborough interpreted the 1714 ruling of the Commons to mean that an unlimited number of honorary freemen could vote. For the election of 1722 she determined that her candidate, William Clayton, should be returned for St Albans. Viscount Grimston and Joshua Lomax, who were defeated at the election, alleged that the mayor "was under the command of a great Lady" and that he was in hopes there would be a Tory Parliament that would bear him out, that she had promised to defend him if he was called to account. 

Accordingly at midnight, the mayor and his brethren in concert with others and enemies to the constitution, held a court a few days before the election, and at the result thereof the mayor, being postmaster, sent post-horses into the adjacent counties and towns to give notice that all persons that had a mind to serve the sitting members, if they would repair to the town hall ...they should be made free gratis. Recruits coming in a great pace, a court of the said mayor and aldermen...registered about 200 auxiliaries, consisting of about forty persons, some gentlemen, divers servants and persons from unknown places, who never before saw the town, and only on the election day since, when men that had no votes were armed with clubs and staves by the said mayor directly out of his house, and did assault and knock down good subjects.

The petitions of Grimston and Lomax and of the inhabitants of the town were later withdrawn.

1 "The case of the Rt. Hon. Wm. Lord Viscount Grimston and Joshua Lomax, Petitioners; against Wm. Clayton and Wm. Gore, Esq., Sitting Members." British Museum cat.no. 748 c.6 (2). See p.45.
2 HMC. Verulam, 118. Between January and March 1722, 173 freemen were admitted, 118 gratis. MCB.
3 HCJ., xx. 17, 18 Oct. 1722; Ibid., 65, 26 Nov. 1722.
The next occasion on which a large number of honorary freemen were made was in 1743, when the death of Thomas Ashby resulted in a contested by-election at which Hans Stanley was returned. Stanley stood with the concurrence of John Spencer, who with Holywell House had inherited the Marlborough influence in the borough. At twenty-six courts, mostly held by adjournment at the White Hart between 13 April and 14 September 1743, the mayor, Joseph Handley, at this time a friend to the Spencer cause, admitted 459 freemen gratis.\(^1\)

The large proportion of honorary freemen, each entitled to admit a son on the copy of his freedom, caused some concern to the mayors, who were the returning officers at Parliamentary elections. Successive town clerks sought from learned counsel a more explicit definition of the franchise than that given by the Commons in 1714. Mr. Strange was of opinion in 1733 that the corporation could not make an honorary freeman of a nonresident; to do so would be to erect a market for the franchises of the Crown.\(^2\) William Murray, who was asked to confirm this in 1735, thought that it was properly a matter for the Commons.\(^3\)

In 1767 Fletcher Norton ventured to say that the eldest son of

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1 MCB. As a reward John Spencer attempted to get Handley on the permanent commission of the peace for the borough. See p.45.
2 Add. MSS., 16275 f. 6. A MSS. volume of cases relating to the creation of honorary freemen of St Albans.
3 Ibid., f. 16.
an honorary freeman whose father was not an inhabitant was not entitled to be a freeman. ¹ In the same year John Dunning opined that the franchise lay in the inhabitant freemen alone. But ten years later he modified this by saying that if the immemorial usage had been to admit the sons of freemen whether resident or non-resident the corporation could not refuse to grant the freedom to others in similar circumstances. ² In practice the honorary freemen voted at every election from 1714 to 1835.

After the middle of the 18th century honorary freemen were made sparingly. Matthew Iremonger, one of West’s agents for the election of 1761, complained:

> The loss of a Court yesterday has been greatly to Lord Newnham and your disadvantage and every person who applied for their freedom were in the joint interest... I think Mr. Pembroke is too nice in these affairs considering how we are push’d for I am persuaded and well assured that if two or three honorary freemen had been made one month ago out of the neighbourhood it would have kept them in aw. ³

The statute 3 Geo. III c. 15, passed in 1762, which forbade freemen voting at Parliamentary elections unless they had been admitted to their freedom twelve months before the day of the election, possibly curbed the numbers of honorary freemen.

In the 19th century honorary freemen were very few. The Duke of Wellington was presented with the freedom of the borough in

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¹ St AM., 1176.
² Ibid.
³ Add. MSS., 34735 f. 242, Iremonger to West, 19 March 1761.
a 50 guinea gold box, which the corporation could ill afford.\(^1\) Captain James Gape and Lieutenant Charles Vandermeulen were made free in 1823 for their services in the Napoleonic Wars.\(^2\) The corporation were anxious to restrict the number of freemen when they thought that they controlled a majority of their votes. To this end they interpreted their by-laws very narrowly, particularly after 1807 when Earl Spencer gave up the borough.

From 1606 it had been the custom to make free the eldest surviving son of a freeman if he produced his father's certificate of freedom.\(^3\) On 3 May 1809 the corporation made a by-law that no one should be admitted a freeman by his father's copy unless the father had been a bona-fide resident of the borough. The corporation maintained this right when a writ of mandamus was issued against the mayor to force him to admit George Avis to his freedom.\(^4\) The Court of King's Bench upheld the corporation's right to impose such a condition.\(^5\) The case was an expensive one for both parties. Avis was committed to prison and later discharged under the Insolvent Debtors Act.\(^6\) The town clerk's bill for defending the corporation came to £163.15.7d. and was still unpaid five years after the case had ended.

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1 MCB., 15 July 1815.
2 Ibid., 5 Feb. 1823.
3 Ibid., 1 Sept. 1606.
4 Ibid., 17 April 1818.
5 PRO: KB. 28. 466 rot. 1.
6 MCB., 30 Sept. 1820.
The corporation were equally strict about admitting freemen by service. Their chamberlain enrolled the indentures of all apprentices, provided that they were fourteen years old. If apprenticeship began before enrollment, or if it could be shown that an apprentice had been absent from service, even for a few days, application for freedom was refused.

For financial reasons the corporation did not restrict the numbers who asked for freedom by redemption. No smaller sum than £5 was ever paid for this right, although payment of £2 down and the remainder by instalments was common in the 17th and early 18th centuries. After the commission of charitable uses in 1722, the mayor and aldermen were glad to admit women to the freedom of the borough. More women, who appear to have been or who wished to become shopkeepers, were made free in 1744 and 1757. The fee for redemption was raised to £10 in 1733 and remained at that figure until 1802 when it was reduced to £5 for tradesmen. £50 was demanded of Parliamentary candidates after 1826, but this order was rescinded on 8 December 1832.

All freemen were enrolled in one of the two craft companies of Innholders and Mercers. Each company was governed by two wardens, elected annually, who held quarterly meetings at the

1 MCB., 24 Oct. 1733.
2 Ibid., 26 Feb. 1818; 6 Jan. 1819; 4 Jan. 1826.
3 Ibid., 8 Dec. 1725; 12 Jan. 1726.
town hall to enroll freemen and to receive their "quarterages", one penny a quarter from resident freemen and four pence a quarter from non-residents. The by-laws stipulated that this money should be for the common use of the companies. The corporation found it a convenient fund when repairs to the fire engines or town pumps were necessary. No meetings of the companies had been held for several years when in 1820 the corporation sought the opinion of their recorder, George Watlington, whether they could force freemen to pay their arrears or disfranchise them if they refused.\(^1\) Watlington quoted Coke to the effect that a corporation could not disfranchise any freeman unless they had express words in their charter or by prescription could do so; nor could they distress upon a freeman's goods for arrears.\(^2\) Shortly after this opinion had been obtained, the companies' books ceased to be kept.\(^3\) The companies faded from existence, but not before the wardens had paid all the money in their hands towards the repair of the pump at the Market Cross.\(^4\)

In 1835 there were 448 freemen, of whom 180 were free by birth, 107 by service, 80 by redemption, and 81 were honorary freemen. 106 freemen were residents of the borough.\(^5\) The Reform Act of 1832 disfranchised three quarters of the freemen of St Albans.

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1 MCB., 1 Nov. 1820.
2 St AM., 1179.
3 St AM., 3680-1 are account books of the companies.
4 MCB., 4 Dec. 1822.
5 St AM., 300, Freemen's Roll of the Borough of St Albans.
C. T. Ellis, the author of several manuals on the procedure to be followed by those who wished to obtain a local or private act of Parliament, wrote in one preface:

The great spirit which in the present age prevails for agricultural improvements; for ornamenting cities and towns; the growing prosperity and increasing wealth and population of this country; its extended commerce and flourishing manufactures; are circumstances (among others) which have rendered applications to Parliament for private bills, so frequently necessary.  

This was one aspect of the extraordinary growth of statutory authorities in England in the last half of the 18th and the first half of the 19th century. It has been estimated that between 1745 and 1845 ten thousand acts were passed creating or regulating them. Along with the economic development of this period, the autonomy of the institutions of local government, founded on local custom and charter rights, was being breached by acts of Parliament and by rulings in the courts of Common Law. The Webbs believed that:

It was more than anything else...uncertainty of the law and of the powers of the various local government courts and officers, coupled with the growing need for summary jurisdiction in dealing with offenders or recalcitrants that gradually led to the establishment of new statutory authorities for special purposes.  

1 C.T.Ellis, Practical Remarks and Precedents...relative to applying for and passing bills, (1802), v.  
3 Ibid., 395.
The municipal corporation of St Albans had been created as a franchise or legal immunity from the jurisdiction of adjacent courts. To this franchise had been added the further privileges of holding markets and fairs and of creating freemen. The corporation always showed concern when these privileges were infringed, but they did not consider that they had any obligation, or indeed legal right, to take upon themselves the functions which the new trustees and commissioners exercised by authority of act of Parliament.

Before 1798 all acts of Parliament were classified as Public General or Private Acts; between 1798 and 1868 there were Public General, Local and Personal, and Private Acts. After 1868 there were Public General, Local and Private Acts. The bound volumes of the Private Acts contain acts of enclosure, divorce and naturalization. Because many local acts contain a clause declaring them to be Public Acts to be judicially noticed without being specially pleaded they are bound with the Public General Acts. Turnpike acts are illusive. The first act for St Albans turnpike passed in 1714 is bound with the Private Acts. From the beginning of George I's reign turnpike acts are called Public Acts and are bound with the Public General Acts. From 1753 to 1760 they may be bound separately as "Road Acts." From the beginning of George III's reign turnpike acts, though still called Public Acts, are bound as Local Acts. From 1798 they are
called Local and Personal Acts and are bound as Public Local and Personal Acts.

Whereas the vagaries of classification of these acts appear to be arbitrary, the differences in procedure which attended the introduction and passage through Parliament of public and private bills were of greater importance. It is necessary to discuss briefly this procedure to explain why some local acts for St Albans were readily obtained, and others were not. ¹

A public bill originated with a motion by a member of Parliament to introduce a bill; a private bill originated in a petition to Parliament by its promoters. The petition, whether to the House of Commons or to the House of Lords, usually formed the preamble to the 18th century act. If the bill affected local taxation the petition was to the Commons. The promoters of a local or private bill who petitioned the Commons had to satisfy the Examiners of Standing Orders that the orders of the House relative to the proposed bill had been complied with before the bill was introduced into the House. According to the Parliamentary agent who handled the bill that enabled the corporation and Liberty magistrates to build a new town hall at St Albans, the promoters did not have to appear before the Examiners unless

¹ The following general information about private bill procedure is taken from F.H.Spencer, Municipal Origins, (1911), 46-113, and O.C.Williams, The Historical Development of Private Bill Procedure and Standing Orders in the House of Commons,(1948), i.
they had contravened Standing Orders. J.E. Dorington, of the firm of Parliamentary agents, Dorington and Jones, wrote to J.S. Story, the clerk of the peace, "As we shall this time be correct in our notices it will not be necessary to go before the Standing Orders Committee, who only come into action when some irregularity has occurred." After 1774 amendments to Standing Orders increased, mainly due to canal legislation, and to avoid delay and expense in the introduction of a bill, it was advisable to obtain the advice of a Parliamentary agent.

Promoters who satisfied the Examiners of Standing Orders had their petition referred to a Committee on the Petition. The Speaker nominated all the members of any locality affected by the proposed bill and any member of the Commons could nominate two more. Fifty members were appointed to the Committee on the Petition for the bill establishing a Court of Requests at St Albans. The Committee examined witnesses, and its chairman, invariably the member of Parliament to whom the promoters had entrusted the bill, reported a precis of this evidence to the House. If leave were given to introduce the bill, it was printed and read a first time. After the second reading a debate and division could ensue. The opposers of the St Albans Canal bill

1 HCRO: L/Misc. 81, Dorington to Story, 28 Aug. 1828.
2 HCJ., xxvi. 16 Jan. 1752.
issued to sympathetic members what amounted to a whip, a printed map of the intended cut with the opposers' objections appended and the note, "The opposition to the Bill for making a canal from St Albans to Watford will be made the second Reading on Wednesday the 19th February 1794 when your attendance is earnestly required."  

If there were no opposition to a private bill on the second reading it was referred to a Select Committee. At this stage a public bill would have gone to a Grand Committee or to a Committee of the Whole House. The Select Committee could be as large as the Committee on the Petition. The Select Committee for the St Albans Court of Requests bill had 65 members. The quorum was five, but it was the practice for the guiding member and the Committee clerk only to attend. The clerk told the guiding member that he had submitted the bill to the Chairman of Committees in the other House, that it had been approved and that all the guiding member had to do was to initial the clauses and to sign the bill. The clerk then added four more names as present. 

Determined opposition to the bill in the Select Committee could be very troublesome. By proposing that all members have voices proceedings could be extended to the point where the bill

1 Add. MSS., 32351 f. 4. 
2 HCJ., xxvi. 21 Feb. 1752. 
3 Spencer, op. cit., 56-7.
could not be passed in one Parliamentary session. On the chairman reporting from the Select Committee the bill was ingrossed and given a third reading. Petitions against the bill as a whole could be heard at any time during its passage through the Commons. Counsel for the promoters and the opposition could be heard at the Bar of the House as well as in the Committees.

The House of Lords was better organized than the Commons to deal with private bills. Much of the inspection of private bills was done by the Lords. All petitions to the Lords were referred to a Committee of Judges. Before private bills were introduced into the Commons they always passed the scrutiny of the Lord Chairman of Committees, who after 1800 was a permanent paid official. Dorington admitted in evidence before a Commons committee in 1833 that "it would be useless to take a bill to the Lords to which his Lordship objected."¹ Not only useless but expensive, for private bills, unlike public bills, were charged with numerous fees.

In an appendix to The Solicitor's Instructor in Parliament, Ellis prints a list of the fees charged on private bills by the officers of both Houses of Parliament.² The Lord Chancellor received £10, the Clerk of Parliaments £5, Gentleman Usher Black

¹ Williams, op. cit., i. 56.
Rod £5, Clerk Assistant £2, Yeoman Usher £1, Reading Clerk £2, and the eight doorkeepers £2. In the House of Commons, the Speaker, the Clerk, the Clerk Assistant, the Serjeant, the Housekeeper, the two doorkeepers, the four clerks without doors and four messengers all received similar fees. Also, fees were charged for swearing witnesses and for issuing certificates to that effect.

These fees were charged on single bills which, thanks to the alertness of the clerks, were very few. When more than one person benefited by a bill it was known as a double bill and charged with double fees.¹ Bills which involved the multiple personality of a corporation were double bills. If such a bill comprised more than one purpose it became a two double bill charged with triple fees. In 1803 the townspeople of St Albans resolved that it would be desirable to obtain an act for paving lighting and watching the borough. When the act emerged from Parliament the functions of cleansing and regulating had been tacked on, thus making it a five double bill. Nine double bills with fees amounting to many thousands of pounds were not unknown. Protracted opposition to a private bill, even if it were eventually unsuccessful in Parliament, could cripple the promoters so that they were unable to carry out the intention of the act.

¹ The doubling of fees dates from a resolution of the House of Lords, 13 June 1751.
The drafting of a private bill was often the work of a local solicitor who was or intended to be clerk of the statutory body which was renewed or established. John Cowper, Isaac Piggott and John Story were all solicitors in St Albans and successively clerks to the St Albans turnpike trustees, for whom they obtained renewal acts. A private bill was a financial windfall for them. In 1791 Cowper collected £63.19.2d. as his share of the £287.2.2d. expended on a new act for the turnpike trustees; in 1811 Piggott charged £117.7.0d. for a renewal of the act, and in 1831 Story charged £197.17.10d. ¹

Story was also clerk of the peace for the Liberty magistrates. His bill for legal business in connection with the building of the new town hall was £855, a greater sum than that received by the architect. This did not include £352 paid to Dorington and Jones, the Parliamentary agents.² It can well be imagined that the attraction to a solicitor of the post of clerk to a turnpike trust was not only the salary, which was usually modest, and that he was not tardy in urging upon the trustees the necessity for an extension or renewal of that statutory instrument which he might well regard as an admirable example of the way in which Parliament in the 18th century most helped those who helped themselves.

¹ HCRO: St Albans and South Mimms Turnpike Trust Minute Book, 4 July 1791; 9 Jan. 1812; 24 Oct. 1831.
² St AM., 561, St Albans Court House Treasurer's Account Book.
The Webbs have defined a statutory authority as "one particular local governing authority to discharge one designated function, for one prescribed locality." Four such bodies were created for St Albans and its immediate neighbourhood. They were the St Albans and South Mimms Turnpike Trustees in 1714, the Commissioners of the Court of Requests in 1752, the Paving and Lighting Commissioners in 1804, and the trustees for building the new town hall and sessions house in 1829. Of these the turnpike trust was the most long lived and the most powerful authority in Parliament and in the district through which the road passed.

The St Albans and South Mimms Turnpike Trust

Turnpikes were not an innovation peculiar to the 18th century. The earliest turnpike bill was passed in 1622. The Lord Chancellor and the Lord Treasurer appointed surveyors and overseers, who in turn appointed collectors of tolls on the Biggleswade to Baldock road. In 1663 the justices of the peace of Hertfordshire, Cambridgeshire and Huntingdonshire obtained statutory authority to set up toll gates to enable part of the Old North Road to be repaired. The justices of the peace of ten other counties followed their example. What was new in the flood of

1 S. & B. Webb, Statutory Authorities, (1922), 3. are justices of
turnpike legislation of the 18th century was the ability of the trustees to borrow money on the credit of the tolls. The first trust with these powers was created in 1706; within five years no more of the old sort of turnpike authority were created. For those country gentlemen who lacked the courage to risk their capital in the trading boom after 1708, the turnpike trust backed by statutory guarantee offered a more secure though less lucrative opportunity for investment. It is open to conjecture whether this change in the financing of road improvement was wholly to the good.

To obtain their first act, it was necessary for the promoters of a turnpike bill to prove that extraordinary conditions on the length of road they intended to maintain rendered inadequate the statutory obligations of all parishioners to repair the highway. The preamble of the first St Albans turnpike act alleged that:

Whereas part of the Great North Road leading from the city of London to the Northern parts of Great Britain... by reason of the great and many loads and carriages of goods and the many passengers and droves of cattle which dayly pass through that road is become so very ruinous that it is dangerous to all persons horses and other cattle that pass through the same and for that the ordinary course appointed by the Laws and Statutes of this Realm is not sufficient for the effectual repairing and amending the same...except some other provisions be made for raising money towards putting the same in good and sufficient repair.

Forty trustees were nominated. Most of them were justices of

1 1 Geo. I c. 12.
the peace for the Liberty or borough of St Albans, and the mayor of St Albans for the time being was included. They were authorized to erect toll gates, to charge four pence for a coach, chariot or wagon, three pence for a chaise or cart, a penny for a horse, three pence per score for cattle, and to distrain upon the goods of any person refusing to pay toll. Their surveyors were allowed to take gravel or any other road-making material from the parish commons through which the road passed and from any other property not developed on payment of compensation for damage. Parishioners were not excused statute duty on the road. Statute duty was not abolished until 1835, but it is doubtful that it was enforced on this trust long before that date. The treasurer's accounts and minute books of the trust, available from 1760, do not show any income from composition money, nor is statute duty referred to. In 1822 it was stated that "neither statute duty nor composition money were allotted for the mail road in this trust."¹

To finance their work the trustees could borrow capital and pay 5% interest. No maximum was fixed for the amount of capital that could be borrowed. This was a serious omission in the drafting of turnpike bills, and some trusts saw the whole of their toll revenue disappear in interest payments. St Albans was not one of them. At no time in the 18th century did its mortgage

Twenty-one years was the normal life of a turnpike act. The significance of the financial arrangements became apparent in 1735. The trustees petitioned Parliament that they had borrowed a considerable sum of money, and in order to repay this and to repair the road it was necessary to renew the act. The new act fixed the distribution of toll revenue in order of priority. Firstly, the costs of the act were to be paid; secondly, the creditors were to be repaid; thirdly, the road was to be repaired. The powers granted by the act of 1735 were to cease if the justices of the peace of Hertfordshire, Middlesex and the Liberty of St Albans found that the creditors of the tolls had been repaid, and that the road had been sufficiently repaired for the parishioners to maintain it in the future. In fact, no serious attempt was made to pay off creditors until 1833. The debt that the trustees incurred was an important prop to their existence.

Each renewal act brought an increase to the trustees' powers. The act of 1751 tripled the charges on coaches, and enabled the trustees to fine the parish surveyors who failed to provide them...

1 8 Geo. II c. 9.
2 The change in emphasis in the purpose of these acts is also noted by Arthur Cossins, "The Turnpike Roads of Nottinghamshire," History Association Leaflet 97, (1934), 18.
3 24 Geo. II c. 10.
with lists of parishioners liable to statute duty. In 1770 the property qualification for trustees laid down in the General Turnpike Act of 1754-5 was incorporated in the third renewal act. Henceforth, trustees were to be in receipt of £100 from rents, or heir apparent to £200 of similar revenue, or to have a personal estate of £1500.

This act allowed trustees to erect side gates and to take tolls at them. It also enabled them to buy land to improve, straighten or alter the course of the road. If a landowner refused to come to terms over the price of land which the trust required, a jury of twelve empanelled from the county by the sheriff examined witnesses, and its verdict on the sale and recompense was subject to appeal to Quarter Sessions only. On 6 May 1818 the deputy sheriff returned a warrant for a jury to be empanelled on a dispute over compensation to be paid to Mr. Ward. Counsel was engaged by both sides. The trustees had offered £50; the jury awarded £51. Proceedings could not be removed to a higher court by writ of certiorari. As the trust contained most of the active justices of the peace at Quarter Sessions there was in practice no appeal.

The trustees could not obtain buildings in this way, a fact

1 28 Geo. II. c. 17.
2 10 Geo. III c. 107.
3 MB., 6 May 1818.
which was overlooked when they applied for a renewal act in 1791. Until 1794 travellers from London entered St Albans via Sopwell Lane and were obliged to make the dangerous right angle turn on to Holywell Hill and to climb its steepest part to reach the centre of the town. To eliminate this two variations of route were proposed. One was to enter the town on a line with the White Hart Inn, to cross Holywell Hill and to continue south of the Abbey Church until the new road joined with the old in Fishpool Street. This route would have been the best practicable, if one were concerned only with the incline of the road, and therefore, it found favour with Thomas Telford. Its obvious disadvantage was that it virtually bypassed St Albans and the majority of innkeepers who derived their living from the road.

The other proposal, eventually adopted, was to enter the town by widening the passage between the Peahen and the Cross Keys inns. The Peahen was owned by Francis Carter Searancke. The Cross Keys was a charitable trust property whose chief trustee, Alderman Thomas Kinder, was also a member of the turnpike trust. Both of them demanded a higher price for their properties than

1 31 Geo. III c. 108.
2 Most of the inns on the east side of Holywell Hill had their own roads which joined the coach road west of the toll gate. See map p. 307.
3 A petition of the inhabitants of Holywell Hill against this route was presented to the trust by Viscount Grimston. MB., 9 July 1792.
the turnpike trustees were prepared to pay. Less than three years after they had paid £287 to get their act renewed, the trustees were obliged to apply for another act giving them powers of compulsory purchase of property similar to those that they already enjoyed for land purchase. These powers applied only to property required to build this particular section of the road. The new bill was undoubtedly worthwhile financially, for the Cross Keys trustees who had asked £1500 for their property were obliged to accept £900. Another who had asked for £100 was given £80 for his property. Significantly, none of the owners thought it worthwhile to appeal to a jury.

As the powers of the trustees increased, their attention to the detailed administration of the road decreased. In 1779 the tolls were first farmed. With occasional short breaks to allow the trustees to check receipts, the letting of the tolls, usually for a three year period, became standard practice. At first local inhabitants or the road repair contractor took them. Later professional toll farmers such as Lewis Levy regularly outbid others at the triennial auction. If the tolls of the St Albans trust are any guide, the professional toll farmer operated on such a narrow margin of profit that the local man could not

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1 34 Geo. Ill c. 113.
2 Mb., 22 Nov. 1792; 8 May 1794.
3 He is said to have farmed £400,000 to £500,000 of tolls within a radius of 80 miles of London. E. A. Pratt, A History of Transport and Inland Communication in England, (1912), 318.
compete. In 1808 the trustees withdrew the tolls from the auction when there were no bids above £2000, and they resolved to collect the tolls themselves. Between June 1808 and June 1809 they collected £2280. They paid £220 to their four collectors, thus leaving a profit of £60 a year. In 1809 the tolls were taken at £2265 by Joshua Smith. He defaulted and had his collectors turned out of the toll houses.\(^1\) Another lessee defaulted in 1813.\(^2\) Toll leasing was hazardous for the uninitiated owing to the exceptions to toll of various forms of transport, such as mail coaches and local farm carts. The opening of the Grand Junction Canal between Braunston and London was said by one toll farmer to have reduced his income by £4 a week. He was allowed £50 for his loss, "Mr. Pickford having given it under his hand that from May to October 1798 he had taken 321 waggons off this road."\(^3\)

Income from the tolls rose gradually. In 1759, the first year for which records are available,\(^4\) it was £993. When the tolls were first farmed in 1779 they fetched £1360. In 1802 they

\(^1\) Smith and his father, one of his sureties, were listed as bankrupts in the London Gazette, June 1810.
\(^2\) MB., 17 May 1813.
\(^3\) Ibid., 9 July 1798; 11 April 1799.
\(^4\) The first Minute Book of the trust beginning 19 June 1760 notes that "the book in which the orders made at the several meetings of the Commissioners of this Turnpike were entered was destroyed by a fire which happened at a dwelling house of Mr. Wm. Kentish the Surveyor and Clerk of the said Turnpike, 3 Dec. 1759,"
realized £2005 and in 1832, £4890 a year. However, the financial
heyday of the trust was short-lived, for on the completion of the
London to Birmingham railway in 1838 the toll revenues of the
trusts on the Holyhead Road between these two points dropped by
50%. 1

The trust was rarely in a sound financial position. The
method of bookkeeping used by the treasurer in the 18th and early
part of the 19th century closely resembled that used by the corpo­
ration. In the middle of the 18th century, when new Minute and
Account Books were begun, most of the active trustees were alder­
men. The balance from one year was carried over and added to
the following year's revenue. The treasurer's statements were
always of "cash in hand." This figure varied considerably
depending upon whether interest payments to creditors had been
made for the half year. A deficit in any one year's working was
not immediately apparent. When the office of auditor was created
in 1833, an improvement in the trust's financial position follow­
ed, and this continued even though the trust's income was greatly
reduced in 1838.

The trust's chief difficulty was the high cost of maintaining
the road, i.e. comparatively high for a country trust; for in
1817 when it cost the trust £197 per mile to repair its road,

1 W. T. Jackman, The Development of Transportation in Modern
the Highgate Trust paid £542.¹ The repair of their eleven mile length of road was contracted for a seven year period in 1789 at £980 a year. The trust hoped that they were free from this troublesome duty and sold all their road-making equipment to the contractor. The contract was not renewed. Whereas the toll contractor could be reasonably sure, until 1838, that the traffic on the road would increase, the road repairer could be equally sure that the increased traffic would make the road more expensive to maintain. As each year passed the repairer was forced to go further afield for his materials. Obliged to undertake their own repairs, the trust engaged a surveyor, paid piece work rates for gravel carting, and a weekly wage to labourers who made up the road.

Much depended on the honesty of the surveyor. In 1792 the surveyor, William Kentish, was unable to account for £1100 which he had received from the treasurer.² Henry Norris, another of the trust's surveyors, was dismissed in 1820 for charging for two days work while paying for one. Incompetence rather than peculation and graft was the more usual failing of surveyors. In elections to trust offices, the only occasions when one could be sure that a large body of the trustees would be present, competence was not the first recommendation; for the political factions

² MB., 22 Nov. 1792.
of the town and county transferred their wranglings to the meetings of the turnpike trust. Norris had been unanimously condemned as incompetent and dismissed by one meeting of the trust. He was reinstated by the following meeting at which the most notable additions were Lord Verulam and J. S. Story. One trustee in a letter of resignation remarked, "It will then be open to conjecture by what means the sentiments of an absolute majority of the trustees have been overruled and in my humble opinion the interests of the trust compromised."2

In February 1820 James McAdam was appointed surveyor to the trust. The elder McAdam in his Remarks on the Present System of Road Making published in 1816 had emphasized the need to employ skilled assistants to administer and to maintain the turnpike roads of the country. He and particularly his son James had done their best to fulfil that need. James, an ambitious man who in 1834 accepted the knighthood that his father had declined, became chief trustee and surveyor of the metropolitan turnpike roads and general surveyor of thirty-nine other trusts, from which he drew a salary of £3479 a year. The McAdams' zeal to see that every

1 The trustees inserted a clause in their act of 1811 (51 Geo III c. 158) that no trustee should be allowed to vote at the election of an officer unless he had attended one meeting in the previous three years.
2 MB., 2 April 1819.
3 J. L. McAdam, Remarks on the Present System of Road Making, (1816)
4 R. Devereux, John Loudon McAdam, (1936), 180 - 1. From his salary he paid three assistants a combined salary of £700-800 a year. 84.
trust was provided with a professional assistant, preferably a
McAdam, outpaced their ability to ensure the detailed supervision
of the road necessary if the trusts were to overcome the problem
of inefficient and malingering labour, and to benefit from the
McAdam method of road-making.

Their method was to shape the road surface to a flat ellipsis
with stones or flints broken small enough to pass through a ring
2\ 1/2 inches in diameter.\(^1\) The thoroughfare bound the angular pieces
into a hard crust. No attempt was made to form a foundation for
the road. The limitations of the McAdam method quickly became
apparent on the section of the road controlled by the St. Albans
trust. By 1810 over 46,000 vehicles and a quarter of a million
animals passed along this road annually.\(^2\)

The subsoil of this part of Hertfordshire obviated any possi­
bility that the road would find a natural bed. With no stone
easily available the trust resorted to gravel. This, if not

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1. The Commissioners of the Holyhead Road printed in an appendix to
one of their reports drawings of ideal road construction tools; among them are shown this ring and hammers of approved size
for stone breaking.
2 The trustees recorded the following volume of traffic on the
road between June 1808 and June 1809.

<table>
<thead>
<tr>
<th>Vehicles</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coaches with 6 horses</td>
<td>432</td>
</tr>
<tr>
<td></td>
<td>4,620</td>
</tr>
<tr>
<td>&quot;</td>
<td>&quot; 4</td>
</tr>
<tr>
<td></td>
<td>10,643 Carts</td>
</tr>
<tr>
<td></td>
<td>1,830</td>
</tr>
<tr>
<td>&quot;</td>
<td>&quot; 3</td>
</tr>
<tr>
<td></td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>2,1</td>
</tr>
<tr>
<td>&quot;</td>
<td>&quot; 2</td>
</tr>
<tr>
<td></td>
<td>6,058 Horses</td>
</tr>
<tr>
<td></td>
<td>22,262</td>
</tr>
<tr>
<td>&quot;</td>
<td>&quot; 1</td>
</tr>
<tr>
<td></td>
<td>6,153 Oxen</td>
</tr>
<tr>
<td></td>
<td>71,249</td>
</tr>
<tr>
<td>Wagons</td>
<td>5,770 Calves, hogs, sheep</td>
</tr>
<tr>
<td></td>
<td>195,083</td>
</tr>
</tbody>
</table>

cleaned of the clay subsoil, resulted in a glutinous road surface in wet weather. Road maintenance by the trust was to scrape off this surface periodically and to apply a coating of fresh materials. The scrapings known as drift were thrown to one side. In places the road surface was between three and six feet below the natural level of the countryside. The edges of this trench were topped with high banks of drift so that occasionally even the top passengers of a coach were unable to glimpse the surrounding country. Such places in the road rarely dried out until midsummer. The trust's difficulties were increased by Ridge Hill, a notorious section of the road between South Mimms and Colney, of such sharp incline and bad surface that stage coach proprietors said that horses used between London and St. Albans cost twice as much and lasted half as long as horses used on other sections of the road. The conditions on the St Albans road provided a good opportunity for a McAdam to show his ability.

The union of England and Ireland in 1800 created a variety of problems for successive English governments, but none more galling than that the Irish members should complain of the state of the road by which they travelled to Westminster. A Parliamentary

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Select Committee with Sir Henry Parnell\textsuperscript{1} as its chairman was set up in 1815 to inquire into the conditions of the Holyhead Road. The Committee's reports issued between 1815 and 1824 were based on the reports of Thomas Telford, whom they had engaged as surveyor. The first report dealt with the Welsh part of the road, which was truly hazardous; the second, with the English part.\textsuperscript{2}

Commissioners of the Holyhead Road were appointed in 1815 to superintend the appropriation of £20,000 to improve the road between London and Holyhead.\textsuperscript{3} In 1819 the seven Welsh trusts were abolished and their roads placed in the Commissioners' care.\textsuperscript{4}

At the same time the Commissioners were authorized to build a bridge over the Menai Straits,\textsuperscript{5} and in 1821 a suspension bridge over the Conway.\textsuperscript{6} The harbours of Holyhead and Howth and the road from Dublin to Howth were transferred to the Commissioners in 1824.\textsuperscript{7}

The Select Committee had recommended that the improvements suggested by Telford should be carried out by the trusts concerned.

\textsuperscript{1} Sir Henry Brooke Parnell (1776-1842) MP for Queen's County where he held family estates, 1802, 1806 - 32; created Lord Congleton 1841; Commissioner to the Treasury in Ireland in Ministry of Talents; a Whig noted mainly as an expert on finance.
\textsuperscript{3} 55 Geo.III c. 152
\textsuperscript{4} 59 Geo.III c. 30
\textsuperscript{5} 59 Geo.III c. 48
\textsuperscript{6} 1 & 2 Geo.IV c. 31
\textsuperscript{7} 4 Geo. IV c. 74
with money borrowed from the Commissioners for Issuing Exchequer
Bill Loans for Public Works. The Exchequer Bill Loans Commission
was created in 1817 by act of Parliament \(^1\) "to afford employment
to labouring classes, encourage fisheries, support collieries and
mines and employment of the poor in the parishes of Great Britain."
It had at its disposal £1,750,000 from the Consolidated Fund.
£1,500,000 was to be used in England and the remainder in Ireland.
Money was advanced for public works on mortgage of the rates; for
the building and repairing of churches, if half the total sum
required had been raised by subscription; and to turnpike trusts,
repayment being made from an additional half toll. The largest
part of £1,500,000 spent in England went to finance improvements
in transport. The Regent's Canal alone absorbed £250,000.

St. Albans trustees were quick to seek a loan to complete an
improvement on Ridge Hill, though they hesitated when they thought
that they would have to give personal security for it. £5000
was negotiated in 1818 on the mortgage of the tolls, and the road,
constructed under Telford's direction, was completed in 1820. For
a short time St. Albans was the exemplar of the trusts on the
Holyhead Road. Parnell, who had recommended McAdam to the trust,
reported, "As the St Albans Trust have very wisely placed the care
of their road under McAdam the other trusts will soon be able to
see how much more economical and effectual his method is than
that which now prevails.\(^2\)

\(^1\) 57 Geo. III c. 34
Good relations between the trust and the Commissioners of the Holyhead Road deteriorated owing to difficulties that arose over the building of a new road through St. Albans. A bill had been introduced into Parliament in 1821 to enable the Holyhead Commissioners to make alterations to the Holyhead Road. One of the alterations would have by-passed the narrow and tortuous descent of George Street and Fishpool Street in St Albans. The relevant clause in the bill had been expunged at the instance of Lord Verulam, apparently without the knowledge of his fellow trustees.¹

The following year Parnell attended a meeting of the trust and urged the trustees to accept Telford's plan for the new road. He suggested that if the trustees obtained a loan from the Exchequer Bill Commissioners for this purpose the interest on the loan made for the Ridge Hill improvement would be reduced from 5% to 4%.² Eventually, the trustees adopted Telford's plan, but they pleaded that their debt to private creditors and to the Exchequer Bill Commissioners prevented them from allowing the improvement to be carried out immediately.³

¹ When Parnell told the trustees about Lord Verulam's action, they said that they thought he had acted so in the belief that some of the inhabitants of St Albans did not approve of the road's direction. MB., 6 July 1821.
² MB., 5 and 29 July 1822.
³ Ibid., 9 Aug. 1822.
Telford had previously criticized the trust for its failure to build a better road through St Albans. In 1816 he complained:

it is much to be regretted that instead of the new line which has lately been opened to the eastern entrance to the town at very considerable expense, that the old road had not been improved and carried on by the White Hart Inn and by the south side of the Abbey Church so as to meet the northern part of the street in a nearly straight line...There being now no prospect of this general improvement being made, I mention it merely as a caution to those engaged in alterations near towns, that they may be on their guard against local interests and prejudices when general accomodation ought to be the leading object. ¹

The opposition of similar interests in 1821 and the tardiness of the trustees annoyed Parnell. Referring to the new road which Telford had built over Ridge Hill and which the St Albans trustees now maintained, Parnell wrote in 1822, "it would by this time have been in excellent order had Mr. James McAdam, the Surveyor of the Trust, followed his own rules in selecting proper materials, nothing but broken flints or pebbles ought to be put on this road."² It was the first shot in a long war of attrition between Sir Henry Parnell and Telford on one side and James McAdam and the trustees on the other.

In 1823 a bill was introduced into Parliament which obliged trusts to accept loans for road improvements made under the Holyhead Commissioners' direction. The draft bill was scrutinized

by the St Albans trustees, and they found that the bill, by
making the trustees subservient to the Commissioners and their
surveyor, contained clauses that were objectionable in principle.¹
They resolved to oppose the bill in all its stages. The clerk
was ordered to employ counsel on the trustees' behalf in the
Commons, and to arrange a meeting in London with the clerks of
the other trusts. Lord Verulam's assistance in the House of
Lords was sought. A week later the clerk triumphantly reported
that his efforts had been successful. Parnell had agreed to
withdraw or modify all the objectionable clauses.

The act,² which was passed in July 1823, allowed the Holyhead
Commissioners to build a new road through St Albans commencing
at the Peahen Inn and ending at the Pondyards. After the road
had been completed it was to be maintained by the Commissioners
for two years and then handed over to the trustees. It was
estimated that the cost would be £10,000. In fact it exceeded
£15,000 and this sum was borrowed from the Consolidated Fund at
interest of 4%.³ A new tollgate, known as the Kingsbury Gate,
was set up.⁴ The interest and the principal of the loan were to
be repaid from the additional tolls levied at this gate. A

¹ MB., 23 April 1823.
² 4 Geo.IV c.74.
⁴ See map p. 308.
clause was inserted in the bill which allowed the Earl of Verulam to block off the part of the old road which lay between St Michaels and the Pondyards and a section of this road was later used as part of the private road to Gorhambury.

The Holyhead Commissioners printed the first of their reports on the state of the Holyhead Road in 1824. Thereafter the reports were made annually until 1851. Telford performed the same service for the Commissioners that he had done for the various Select Committees. ¹ His detailed account of the road's condition and of each trust's management of their own section formed the appendix to the Commissioners' reports. In his first report Telford criticized the St Albans trust at length. Referring to the road which he had built at Ridge Hill in 1820 he wrote:

This road was constructed according to a plan furnished by me; as the country afforded no stone for making a proper foundation a coating of chalk was laid over the clay sub-soil and upon that a strong body of well prepared broken flint pebbles. While the road remained under my care it stood perfectly well and worked hard and smooth and would have continued so had it been repaired with cleaned broken flint pebbles instead of very small earthy gravel, which has been constantly used; and the consequence is that part of the road surface has become very imperfect and heavy. It is proper to observe that it is the only piece of road along the whole Holyhead Road in which the Parliamentary

¹ Six Select Committees sitting in 1810, 1814, 1817, 1819, 1820 and 1822 produced 23 reports on the conditions on the London to Holyhead road or of certain sections of it.
Commissioners have been at all concerned that has not uniformly continued in a complete state of repair. This I can therefore attribute to no other cause than the management not having been in their hands since it was opened to the public. 1

The trustees were incensed. Armed with a report from McAdam that the road was in "very good travelling condition" they printed a rejoinder blaming Telford's planning of the new road. 2 Undaunted Telford returned to the attack in the following year. He explained that

In order to protect my subsequent works upon the Holyhead Road from the effects of similar mismanagement and myself from similar erroneous imputations I procured the inclusion of clause 21 in the act of 1 & 2 Geo. IV c.30 by which each new work to be executed along the line was placed under the care of the Parliamentary Commissioners for two years after it was opened to the public. 3

A token effort was made to improve the road. McAdam told the trustees that he had obtained a "considerable quantity of bought flints" to coat the road. The trust's Gravel Book shows how disproportionate were the loads of gravel and flints put on the road. In 1826 6946 loads of gravel and 175 loads of flints were used. 4

3 Commrs. Rep., 1825, (492) xv. 68.
4 St Albans and South Mimms Turnpike Trust, Gravel Book, 1819-29.
In 1828 the trust again came under censure. "The defect of this road" wrote Telford, "namely its weakness arises from what seems to be a wish to keep it so, for there is a sufficiency of strong materials for making a much harder road and also a sufficiency of funds."¹ In the same year a Select Committee of the House of Commons held an inquiry into the conditions on the St Albans trust and its neighbour, the Whetstone trust. Parnell, giving evidence, said that "the main cause of these roads being in an imperfect state is Mr. McAdam being the surveyor of them."² The Committee was severely critical of both trusts and concluded by recommending that the roads which they controlled should be vested in the Holyhead Commissioners for three years.

The trustees' protest revealed how they had been temporarily outmanoeuvred in the Commons, and they declared: had not the House of Commons been taken (as they humbly conceive) by surprize...at the moment it was breaking up, and when many of its members were absent not only from that cause, but from their attendance being required at the General Quarter Sessions of the Peace in their several counties at this period a very different result would have been produced.

A bill was introduced into Parliament to give effect to the Committee's recommendations. The clerk of the trust was ordered

3 MB., 30 Oct. 1828.
to obtain a pledge from Parnell that the Commissioners would only use their powers with the trustees' concurrence. Parnell refused to give such a pledge and the clerk "took the necessary measures for opposing the progress of the bill."\(^1\) Once more all the objectionable clauses were withdrawn. Oddly enough, the trustees were so preoccupied with their battle with Parnell and Telford they did not use their influence in Parliament to oppose the greatest threat to the continued enjoyment of their powers. They shelved a request from the clerk of another trust to support an opposition to a bill for a railway from London to Birmingham.\(^2\)

At this time the trust to all intents and purposes was being run by five men. James Walter, 1st Earl of Verulam, was the treasurer. By marriage to Charlotte Jenkinson he became the brother-in-law of the 2nd Earl of Liverpool, Prime Minister from 1812 to 1827. The influence that Lord Verulam was able to exert in the Lords was such that on the St Albans trust the Holyhead Commissioners could only operate with the trustees' agreement. John Samuel Story, the clerk, was also the clerk of the peace to the Liberty magistrates and Lord Verulam's solicitor and political agent. The chairman of the trustees was Peter Martineau, a partner with Story in the St Albans

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1 Ibid., 3 June 1828.
banking firm of Martineau and Story. Until 1831 Alderman John Newball Bacon was the trust's principal share holder, but in that year McAdam took another £1000 of the trust's bonds and thereafter he became the most important shareholder. Lord Verulam and Martineau and Story also held shares in the trust.\(^1\) The conflict between this group of trustees and the Commissioners continued until 1832,\(^2\) when additional trustees took the oath under a renewal act obtained in September 1831.\(^3\) The name was changed to the St Albans and Barnet Turnpike Trust. Also, in 1831 Parliament passed the first of the annual Turnpike Acts Continuance Acts, which renewed for one year the powers of those trusts due to expire. After 1831 only those trusts that required an alteration in their powers went to the expense of obtaining a local act.

Among the new trustees was Francis Searancke, an alderman of the borough. His father, Francis Carter Searancke, alderman from 1801 to 1817, had been a brewer and had owned property in the borough which the trustees had acquired to improve the road. Searancke had been forced to sell his property at a price which the trustees had decided upon in 1794. At the Parliamentary election of 1796, Searancke, who had supported

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1 St Albans and South Mimms TT., Treasurer's Account Book, 1822-71.
2 In 1831 Telford said there was "evidence of wilful neglect or total want of judgment" on the road from South Mimms to St Albans. Commrs. Rep., 1831 (280) xii. 29.
3 2 Will.IV c.74.
the popular candidate Samuel Waddington, had tendered the bribery oath to the Earl's father. The Searanckes were not on the best of terms with the more important of the members of the trust. Francis Searancke, with John Wellingham and Peter Martineau was appointed to a committee to inquire into the depressed state of the trust's finances. The committee's report, which appears to have been mainly Searancke's work, sharply criticized the trust's officers, particularly the surveyor and clerk. They noted that when Mr. McAdam was appointed surveyor he led the trustees to believe by his plan that one third the expense in management would be saved, that he never continued a sub-surveyor on any trust for a longer period than three or four years as he said they got into bad habits...Your committee need not observe that these advantages have not taken place.

The committee investigated the accounts of the sub-surveyor which were so complicated that they were unable to elucidate some points, but they found that due care had not been taken in the payment of labour. The committee were of the opinion that with so large a consumption of gravel and flints the road ought to have been in better order. The heaviest censures fell upon

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1 Gorhambury MSS. Lord Verulam to F. Searancke, 24 Mar. 1796.
2 Wellingham had made an adverse report of the trust's surveyor once before. MB., 5 July 1819.
3 After the report Martineau was replaced by the Reverend William Mogg Bowen as the trust's usual chairman.
4 MB., 28 Mar. 1832.
The office of clerk in 1823 was filled by the late Mr. Piggott with a salary of £31.10.0d which was increased to £52.10.0d. At this period the books were kept clear and distinct. At his death Mr. Story was appointed and in 1829 his salary was increased to £80. We must observe that the books are not kept in such good order. Your committee beg particularly to recommend that the duties of this office be defined, as all professional charges are extras, and we must call the attention of the Trustees to the great increase in the charge for transferring bonds. We observe in 1824 Mr. Piggott charged for each bond exclusive of the stamp 10% these same bonds since have been charged 25% each and we consider the charge made at the last meeting for borrowing £1000 as excessive being exclusive of the stamp £3.3.10d. on each £100 bond.¹

In conclusion the committee pointed out that expenditure on gravel between 1828 and 1831 had exceed the trust's receipts by over £1800

This will sufficiently show the trustees the actual necessity to curtail these expenses as much as possible consistent with the good state of the road they are obliged to maintain particularly with the prospect of the railway from Birmingham to London being accomplished which will reduce the tolls one half... We look forward to the office of auditor being a check against any wasteful expenditure.

Story, who had been unable to attend the meeting of the trust at which the report was read was "surprized and mortified". McAdam offered to take a reduction in salary and wrote, "I cannot forget that the trustees of the St Albans road were the second public body who were pleased in the infancy of my father's system of road making to honour me with their confidence

¹ Ibid.
and the charge of their roads and it has been principally owing to their countenance and support for the last twelve years that I have been so extensively employed." The committee did not retract any of its remarks and Searancke was appointed auditor. After 1832 the auditor's report became the most important part of the minutes of the trust.

A determined effort was made to liquidate the loan debts of the trust. The easiest to repay were those to private creditors. By 1833 £6600 had been loaned to the trust at 5% interest, chiefly by the trustees. Fairly regular annual repayments of £500 were made until his debt was cleared. The debts incurred on behalf of the Holyhead Road Commissioners had risen to remarkable proportions.

The trustees were mislead by Parnell and Telford about the costs of the improvements that the Commissioners wished to carry out on the St Albans trust. Telford had first estimated the cost of improving Ridge Hill at £3600. The trustees borrowed from the Exchequer Bill Commissioners £5000 in 1818 and £1000 in 1819 for this work. Parnell told the trustees in 1822 that it would cost about £7000 to build the new road through St Albans.

1 MB., 27 April 1832.
2 Ibid. 26 Aug. 1817
3 Loans advanced by Comrs. Exch. Bills to trusts on Holyhead Road, 1850-1 (392) xiv. 25.
4 MB., 5 July 1822.
The trustees asked for an assurance that the road would not cost more than £10,000 before they gave their consent to the enabling bill. In fact, the road cost £15,000\(^1\), which the trustees borrowed at 4\% interest from the Consolidated Fund.\(^2\)

Although the interest rate on the first loans were reduced to 3\%, repayment of the 1818 and 1819 loans was delayed while payments were made on the loan for the road through St Albans. The auditor's report of 1836 showed that £10,117 principal and interest had been paid on the £6000 loan, but that £20,812 principal and arrears of interest still remained to be paid.\(^3\) £12,812 of principal and interest had been paid on the £15,000 loan and £9000 principal remained to be paid. Thus, for undertaking improvements which they had been led to believe would cost £10,600, the trustees had paid by 1836 about £23,000 and their debt to government agencies, regardless of further interest was about £29,000.

The trustees themselves were partly to blame for this state of affairs. They had done little to check the wasteful expenditure and peculation of their surveyors. On the other hand they had been under pressure to accept the loan from the Consolidated Fund which made them, among the trusts on the Holyhead Road, the biggest debtors of the government. The auditor suggested in

\(^2\) Commrs. Rep., 1836 (437) xxxvi. app. 6
\(^3\) MB., 7 Nov. 1836.
1836 that from an income of £6960 a year £3000 could be used to pay off the government debt. The Lords of the Treasury were asked to relieve the trustees of interest payments, but this request was refused.¹

The opening of the London to Birmingham railway in 1838 bore out the committee's prophecy of 1832. The toll collector claimed that he lost £651 on the local tolls in the first year.² In 1839 the local tolls brought in £2041. A committee recommended that the salaries of the clerk and surveyor be reduced. Story protested strongly at any reduction in his own or McAdam's salary. He maintained that the trust was rich in comparison to other trusts on the road, and he regarded the attempt to pay off the debt as eccentric.³

The income of the trust continued to decline rapidly. In 1840 the local tolls were let at £1760 and the Holyhead tolls, i.e. those collected at the Kingsbury gate and used to repay the government loans, were let at £640. Comparative figures for 1845 were £1100 and £340. In 1852 the auditor announced that the Kingsbury gate was not collecting sufficient tolls to pay the interest charges on the loan.⁴ By 1860 the trust's

¹ Ibid., 26 July 1837.
² Ibid., 29 Oct. 1838.
³ Ibid., 17 April 1839. The salaries of the clerk and surveyor were not changed until 1850 when they were reduced to £40 and £50 respectively.
⁴ Ibid., 24 Nov. 1852.
revenue had dwindled to £265 from the local tolls and £176 from the Holyhead.

The Holyhead Road Relief Act of 1861 was designed to put an end to what appeared to be an interminable imposition. The trust's debt, which was still £2230, was allowed to be repaid in fifteen years at £150 a year. But the trustees were able to do better than that, for in 1871 with a balance of £1252 in the treasurer's hands, they resolved to pay off the £750 owing to the Treasury. The balance of £379.10.11d. was distributed between St Albans Highway Board, South Mimms and the corporation of St Albans. On the 20th of August 1871 the tolls were discontinued.

One week previously James Maddox wrote to the trustees that in consequence of the bad state of the turnpike road in St Albans he and his horse and vehicle had been overthrown and his shoulder had been dislocated for which he claimed damages of £100.

It seems a fitting comment on the activities of that select company who for 157 years had promised to repair the road that "is become so very ruinous that it is dangerous to all persons horses and other cattle that pass."

1 24 & 25 Vic. c. 28
2 The St Albans and Barnet Turnpike Act was repealed 1 Nov 1871, 34 & 35 Vic. c. 115, schedule 1.
3 MB., 14 Aug. 1871.
The Court of Requests

Over one hundred of these courts, modelled on the Court of Requests established in London by act of Common Council in the reign of Henry VIII, were created in England in the 18th century. They provided a cheap and easy means of recovering debts of forty shillings or less. Their unique procedure differed from that followed in the Common Law courts in that there was no jury, the plaintiff and defendant were examined in person, and there was no appeal from a court of requests to the central courts.

Blackstone disapproved of their summary jurisdiction, and they did not find favour with the attorneys who were deprived of the fees that they would have received had the cases for debt been tried in the orthodox courts. For these reasons the courts were very popular with shopkeepers and other small tradespeople.

The petition of the mayor, aldermen, principal inhabitants of the borough and some of the Justices of the Peace for the Liberty of St Albans presented to the House of Commons on 16 January 1752, alleged that the fees, expenses and delays of prosecuting a case for debt in the borough court of record were so great that creditors were discouraged from attempting to recover such debts and that ill-disposed persons "though able

3 Clerks' fees in the court of request at St Albans varied from 2d to 1.0d.
to pay refuse to do so and set their creditors at defiance."¹

Evidence was given before the Committee on the Petition that to recover £1 in the court of record had cost one creditor £3.4.8d.²

The bill, a very useful measure for a borough representative to gain for his constituents, was piloted rapidly through the Commons by James West.

By this act³ the mayor, aldermen, recorder and Liberty magistrates, or any seven of them, could appoint 216 "fit able and substantial inhabitants" to be commissioners of the court of requests. In the West papers, there is a list of the persons who with the mayor, aldermen and recorder made up the 96 commissioners for the borough. Two of them are listed as esquires, 17 as gentlemen, and the remainder, with the exception of two surgeons and a schodmaster, are tradesmen.⁴ Serving by rota, 96 of the commissioners were to act for the borough and 120 for the Liberty. Two courts, one at St Albans and one at Watford, were held every week.⁵ A clerk for each court was nominated in the act. The commissioners could imprison a debtor for a maximum of 42 days or distrain on his goods and chattels.⁶ All the inhabitants of the borough and Liberty were able to have actions for debt of

¹ CJ, xxvi. 368.
² Ibid. 403.
³ 25 Geo.II c.38.
⁴ Add. MSS., 34735 f. 371
⁵ In the 19th century the Watford court was held fortnightly.
⁶ 26 Geo.III c.38 prohibited process against the body and goods.
forty shillings or less removed to their local court of requests, except those debts which were the concern of the ecclesiastical courts or debts of rent upon any lease of lands or tenements or any real contract.

Business in the borough court of record was greatly reduced. In 1752 there were eight actions for debt in progress in this court, six of them for two pounds or less. After 1752 the court, which by charter should have been held weekly, sat at ever lengthening intervals, the last action entered in this court being on 12 October 1789.¹

Although five aldermen were active commissioners between 1776 and 1783² they had difficulty in co-opting new members to their ranks. In 1776 and 1777 they were unable to raise the quorum of seven necessary to make such appointments. When they did make an election some of their nominees refused to serve. The court had not lost its popularity, but it had fallen into disrepute with the "substantial inhabitants" of the borough and district. An act passed in 1786³ required commissioners to be in possession of real estate to the annual value of £20 or to have a personal estate of £500. From Watford Daniel Munn wrote approvingly:

¹ See p. 34.
² St AM. 316 is the only book of the court of requests in the borough muniments: it covers the period 1776-1783.
³ 26 Geo.III c. 38.
I have conversed with the greatest part of the respectable inhabitants of this place on the subject who are unanimously of the opinion that the regulations will be beneficial, particularly that which fixes the qualifications of Commissioners, since by operating as a restriction it will tend to increase the respectability of the court.  

Thomas Kinder of St Albans also thought that the act would help to make the courts more respectable. Both correspondents suggested that cases of debts up to £5 should be tried in these courts, but the £2 limit was not raised for any court of requests in the 18th century.

The act of 1786 relieved debtors from liability to the gaolers' fees, which in the borough and Liberty gaols during the 18th century were 13.4d. Kinder pointed out that as there was no provision in the act for the keep of debtors their fate might be worsened. The conditions under which the debtors lived were better than those of the felons and vagrants. Howard noted that the debtors in the borough gaol had the use of the town hall in the day time, and in the Liberty gaol they had "two spacious day rooms and three lodging rooms; all upstairs and airy." But debtors did not receive the county allowance of one pound of bread a day given to other prisoners.

1 Gorhambury MSS., Munn to James Bucknall, 3rd Visc. Grimston, 16 March 1786.
2 Ibid., Kinder to same, 13 Mar 1786.
3 Winder, op. cit., 388.
4 Howard, op. cit., 218-9.
5 Ibid.
The court continued to be well used in the 19th century. When the new town hall was completed in 1831 the corporation excluded the court of requests on the grounds that the constant traffic would wear out the matting. Resort to the court and others of its kind became a little too easy. James McAdam complained to the St Albans turnpike trustees that day labourers used "Tommy Credit Shops...where in consequence of the length of credit and the risk run they were charged much higher for the necessaries of life and being unable to keep a correct account of every article received for so long a period were compelled to pay such demands as were made upon them at the periods at which they received their wages." The commissioner investigating St Albans corporation noted:

Of 387 suits commenced in the last year, process against the person was issued in 56; against the goods only in one. It is said that this easy remedy against the debtor's person, enables the labourer to obtain a pernicious credit at the shop and ale house, producing habits of imprudence and dissipation.

The court of requests was primarily a tradesmen's court. The class of inhabitant that underpinned the aristocratic interest in St Albans was not expected to appear in the court either as

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1 HCR., iv. 239, 243. The commissioners were eventually given the Grand Jury Room.
2 MB., 9 Oct. 1833.
3 MCR., 2924.
plaintiff or defendant. Before the General Election of 1835
the agents of Edward Grimston were alleged to have paid the
election debts of William Turner, an unsuccessful Tory candidate
at the election of 1832, provided the creditor agreed to vote
for Grimston.1 Hewitt, formerly landlord of the Cross Keys
inn, had no vote and therefore was unable to get his debts paid.
Hewitt's application to the court of requests was the subject
of ballads from the opposing political parties. The following
appeared in The Radical Reformer and Hertford and Ware Patriot.2

A Court of Requests is a very fine thing
When Commissioners act as they ought, Sir,
So the Court of Requests of St Albans we sing
And the Tories who pay for their Port, Sir.
Poor Hewitt, in vain,
Again and again,
Had most humbly applied for his dues, Sir,
The answer was No!
To France you must go
Mr. Turner will pay for the Blues, Sir.

Now a journey to France
Was a wearisome dance
and Hewitt he could not afford, Sir,
His money to lose
To pamper the Blues
And make Lomax as drunk as a Lord, Sir.

So one morning the matter he brought into Court
He made out his Bill for his Sherry and Port
And the Court soon decided twas clear as the day
That those who eat dinners, for dinners must pay!

1 The Reformer, 16 Dec. 1834.
2 No. lxxiii. The Ware Patriot was established in Feb. 1833.
The issues which were usually published weekly were undated.
The paper was later called Hertford and Ware Patriot, and
then The Radical Reformer and Hertford and Ware Patriot.
Last issue Feb. 1835.
Then great was the wrath which the Faircloths displayed, 
And loud the complaints which the young Biddles made! 
Mr. Piggott declared the Conservative clan 
Have always got drunk at the cost of their man! 
Mr. Thomas Ward Blagg in his anger protests 
He will shut up henceforth the Court of Requests; 
And fire-eating Lomax called out Mr. Gibbs 
For sending to Hertford a parcel of Fibs, 
Which in spite of all reason and justice, he said 
The "Reformer" had printed—the Public had read!

Oh never was seen 
So merry a scene 
In a Court of Requests, before I wean!

The Tories published their version of the incident in a handbill entitled

The Devil's Court of Requests

At St Albans was held by commission a Court 
(Below called a Court of Requests,) 
The Commissioners were of the very top sort 
Of the Swell Mob, dressed out in their bests!!

These worthy Commissioners all were pick'd men, 
As likewise the Plaintiff to sue; 
To describe the whole job would weary a pen 
Worked by steam—behold then a few!

There's one a pig-sticker, is wont to stick bills 
Though "charged out not paid" they must be; 
For breaches of confidence, harrassing ills, 
Are wrought by such Gemmen as he!!

There's another, fish sauce with his herring he takes, 
Of Commissioners far the most merry: 
Some say a Commission on Wine he oft makes 
On two dozen "a bottle of Sherry".

'Tis strange that a Poacher, who well knows the game 
Of the life where he's taken a part in, 
Should be caught on the bench with two Birds of Fame 
In their way a Peacock and Martin!

1 St AM. 1839, "A Collection of Election Literature".
At eleven o'clock they met upon tick
A case of no tick to decide;
(An hour before they'd been with Old Nick
By whose will they were paid to abide.)
Although it would appear to have been outside his terms of
The Plaintiff, a man well known in the world,
For Honesty (of course) and the rest;
Whose banner of truth was ever unfurl'd
Or may perjury never be blest.

This gem of a mortal, though "poor" he is called
Is rich in his love when he doats;
As his Brother will vouch, who has been sadly maul'd
For selling him all his Wild Oats.

He came, and he stated his case like a man
Ashamed of each vile lying word;
And whispered the witnesses "Do what you can
And remember that dirty Re-WARD."

A pause then ensued, an awfull one too,
(As it must be when learned men think,)
"Gemmum", said one, "We all think that you
Must pay twice for your wittles and drink."

"For lookee, we very respeckable men,
An hour before we did meet;
As now agin you, why so we were then,
Beacorse you can't show no receipt."

"So down with thee brads, no words can we hear
Though in truth each man be a stormer;
And, mind ye, next week your names shall appear
In the Mexican's darling Reformer!"

The "Mexican" was Henry George Ward, a member for St Albans
from 1832 to 1837. He had been sent to Mexico in October 1823
by Canning and was charge d'affairs there in 1827. Ward founded
the Weekly Chronicle, of which he was proprietor and editor
until May 1849, and he may have had some financial interest in

1 He published his experiences in Mexico in 1825-7 (1828).
The Reformer.¹ In the 1832 election Ward stood as a reform candidate.

Although it would appear to have been outside his terms of reference the commissioner investigating the corporation of St Albans in 1834 included an account of the court of requests in his report. He noted that the defendants in the court were seldom possessed of goods which would have satisfied the plaintiff's debt and costs. Also:

Permitting the defendant to give evidence for himself upon oath has led to a complete disregard of this sanction...Complaints are also made as to the incompetency of the commissioners to act as judges, both from their station in life and their ignorance of law. Upon the whole, however, the court appears to be generally considered as a useful institution.

All courts of requests were abolished in 1847,² and their functions were performed by the county courts.

The Paving and Lighting Commissioners

At a meeting of burgesses and inhabitants in Common Hall on 25 January 1803 it was resolved that it would be desirable to obtain an act of Parliament for paving, lighting and watching

¹ The Reformer; & Herts, Beds, Bucks, Essex & Huntingdon Advertiser was a Liberal weekly newspaper, established 25 Nov. 1834 by Stephen Austin at Hertford.
² NCR., 2924.
³ 9 & 10 Vic. c. 95.
the borough. A committee of the mayor and aldermen and thirty-one others was formed to consider the clauses of the bill, which was probably prepared by John Boys, the town clerk, later clerk to the commissioners. The petition for the bill was presented to the Commons by James Grimston and William Poyntz, the borough representatives, and the bill received the royal assent on 23 March 1804.

One hundred and twenty-five commissioners were nominated in the act. They included the mayor, aldermen, high steward, recorder, town clerk, assistants to the corporation, the rectors of the parishes within the borough, most of the non-conformist ministers, attorneys, innkeepers, shopkeepers and tradesmen. The qualification was to have an income of £10 from the rents or profits from land or to be heir to £20 of such income or to have a personal estate of £250. It was the only statutory authority in the borough on which the assistants served by virtue of their office. Replacements were co-opted. There was no trace of popular election in any of the statutory bodies in the borough, nor that as a principal it aroused much interest until the 1830's. The Webbs admitted that except for some

1 MCB., 10 Mar. 1803.
2 HCJ., lix. 12, 14 Dec. 1803, 13, 17 Feb., 2, 5, 12, 23 Mar. 1804.
3 44 Geo. III. c. 8.
vestries the principle of self election was usual in all local and statutory authorities. Yet they concluded somewhat illogically that it was not administrative inefficiency that brought down local oligarchies, but above all their exclusiveness.¹ The paving and lighting, and court of requests commissioners were drawn from a wider, and on the whole, lower social class than the members of the corporation, but as bodies they were as exclusive as the corporation. On the other hand the commissioners were less easily identified with one political party and one form of religious worship.

Some of the commissioners' powers, such as the erecting of name boards on streets and the numbering of houses, were very useful; others, if one believes that in the 18th and early 19th centuries private property was treated as sacrosanct, were remarkable. The property of all streets, lamps, and lampirons were vested in the commissioners. The few lamps that there were in St Albans had been provided by the turnpike trust. The waste of the borough, which included the streets, had been given to the corporation by charter. But no mention was made of compensation to the owners of this property. The commissioners were the arbiters of the shape and composition of new buildings. They could order that the front of any new building not erected perpendicularly should be pulled down—and charge its owner

with the expense of so doing. They could impose a fine of ten shillings a day on the owner of any new house or building who failed to roof it with lead, copper, iron plate, slate or tile. Inn and shop signs, posts and rails, penthouses, spoutings, steps and shop windows which projected into the street could be removed or altered at the commissioners' order.

Two factors ensured that the general appearance of the town was not drastically changed after 1804. Firstly, the commissioners' powers over architectural style did not apply to old buildings. Consequently to this day many of the houses in Fishpool Street and Sopwell Lane retain their overhanging fronts, and the streets something of their 18th century character. The rerouting of the turnpike road in 1794 and 1824 also helped to preserve the picturesque quality of these streets. Secondly, the paving and lighting commissioners were no more free from factions and preference for the demands of friends than were the corporation. In November 1804 Lady Spencer wrote to her son, "There is much ill humour still subsisting in the town about the pavement, however, I hear they now say they did not know I wished to have the part near me done first, but they will begin coming down the hill tomorrow."¹

The commissioners appear to have done little about cleaning

¹ Althorp MSS., Lady Spencer to George John, 2nd Earl Spencer, 11 Nov 1804.
the borough, apart from securing a clause in their act enabling them to fine inhabitants who failed to sweep the pavements in front of their houses before 10.0 a.m. During the cholera epidemic which spread south from Sunderland in 1831 the town's inhabitants found it necessary to appoint inspectors of the wards who should have the streets, courts and alleys well cleaned with water. In the following year the County Press thought it amazing that cholera was not more prevalent in the town.

Neither do the commissioners appear to have done much about keeping the footpaths clear and unobstructed. To the contrary; it was reported in the Mayors Court that "frequent encroachments are made by persons in bringing out their windows and fronts of houses over the footpaths in this borough and that such persons state that leave is given to them for such purposes by the Commissioners for paving and lighting the town." 

Before 1804 the surveyors of the highways and the stone-wardens of the parishes within the borough had been responsible for keeping the streets and sidewalks in some sort of repair. There was a borough by-law that one load of gravel or stones was to be brought into the town for every five loads of dung taken out. And unfortunately, there was another source of

1 County Press, 22 Nov. 1831
2 Ibid., 3 Nov. 1832
3 MCB., 2 Feb. 1831
road repairing material close to hand. William Stukeley, who
inspected the site of Verulamium in 1724 noted that
three year ago good part of the wall was standing, but
ever since out of wretched ignorance, even of their
own interest, they have been pulling it up all around,
to the very foundations, to mend the highway. And I
met hundreds of cartloads of roman bricks, etc, carry­
ing for that purpose, as I rode thro' the old city,
tho' they may have stone cheaper, because of the
prodigious strength of the mortar, so that they can­
not get up one whole brick in a thousand.¹

The commissioners engaged contractors to do the paving.²

Watchmen appointed by the commissioners were sworn as peace
officers by a magistrate. Their duties were to "apprehend all
malefactors, disturbers of the peace or other suspected persons
wandering or misbehaving themselves during the hours of keeping
watch." Suspects were put into a small lock-up called the Cage³
and on the following morning carried before a borough magistrate.
In 1833 the watchmen were ordered on duty at 8.0 p.m. instead
of 10.0 p.m. because of "the general complaint of the inhab­
itants of St Albans that the principle streets of that town,
particularly High Street, has become the scene of the most

¹ William Stukeley, Itinerarium Curiosum, (1724) 110.
² The first Treasurer's Account Book available, 1858-1873, lists
  payments for paving contracts.
³ The Cage stood at the corner of George St. and Verulam Rd. It
  had a square roof supported by oak posts and sides of vertical
  oak bars. C.H. Ashdown, St Albans Historical and Picturesque,
  (1893) 257. The Cage was sold in 1819 and a cell in the
  borough gaol was provided for offenders. Borough of St Albans
  Sessions Book, 23 Oct. 1819
profligate conduct on the part of women of the lowest description."\(^1\)

The Night Constables' Book for 1839 to 1841\(^2\) shows that the majority of offenders were drunk and disorderly or fighting in the streets and these were dismissed after their night's detention. The most serious crime was poaching which still carried a sentence of seven years transportation. After 1835 the duties of watching the borough were carried out by constables appointed by the watch committee of the new borough council.\(^3\)

The expenses incurred by the commissioners were financed by a rate, not to exceed one shilling and sixpence in the pound, on all inhabitants of houses charged with poor relief. Capital was raised from annuities, but in contrast to the turnpike trust, the maximum that could be borrowed, £4000, was limited by the act. Also, annuities were to be repaid as soon as the treasurer had sufficient money to discharge any one bond. However, interest was still being paid on two annuities fifty years after the act had been granted.\(^4\) Execution of the act was effected by magistrate's warrant. Nine of the commissioners were among the justices of the peace in the borough Commission of 1800.

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1 County Press, 7 Sep. 1833.
3 5 & 6 Will.IV c.76, clause 76.
4 Treasurer's Account Book, 1858-1873.
The New Town Hall and Sessions House, 1829-1831.

For 278 years the corporation of St Albans used as their town hall the medieval building which stood at the corner of Market Street and Dagnal Lane and which had been granted to them by Edward VI. Before the Dissolution it had been used as the charnel or town house of the Abbey. For some time during the 19th century the building had been considered inadequate to house the Quarter Sessions of the borough and Liberty magistrates, the borough's prisoners and the borough's fire engines. It compared very unfavourably with Hertford's shire hall built in 1768 by James Adam. In 1825 the borough and Liberty magistrates came to an arrangement whereby the borough's prisoners were kept in the Liberty gaol in the Abbey gateway, the borough contributing the whole cost of maintaining their own prisoners and one third of the cost of maintaining the building. In the same year the corporation examined their charter of Edward VI with the object of selling the old hall and erecting a new one on a more suitable site. On market days sheep and pigs were penned in the street immediately beneath the court's windows, and as there was only one entrance to the upper room, the magistrates were obliged to push their

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1 The Oldfied Drawings in Hertford County Record Office contain a water colour of the town hall of St Albans as it appeared in 1790.

2 MCB., 28 Mar. 1825.
The corporation, partly because it was easier to the centre of the town and it dominated St Peter's Street, a broad tree lined street flanked by the houses of property whose frontage and entry into a new building would have been available should extension be necessary, and they hoped that the corporation would give the site a part of their share towards the cost of building.

Permission was obtained from the Office of Woods and Forests, which was amalgamated with the Land Revenue Office in 1810 and was responsible for crown lands and grants, to break the relevant clause in the charter in order that an act of Parliament might be obtained to build a new town hall.

George Smith was engaged to dispose of the possibility that anything more could be done with the old hall. This was a formality for a committee of borough and Liberty magistrates had come to this conclusion before Smith had submitted his report. Smith estimated that essential repairs would cost £500-600, and produced a plan for rebuilding on the old site at a cost of £4000. However, he suggested that the site was unsuitable as it had only two fronts and "public buildings ought to be insulated for security and freedom of access", and he recommended two alternative sites. One site was at the end of St Peter's Street almost opposite the old town hall; the other was on Romeland opposite the Abbey gateway.

The Liberty magistrates favoured the Romeland site. More

1 George Smith (1783-1869) FIBA, FSA. In addition to the town hall at St Albans he built St Paul's School, London, the New Corn Exchange, London Colney Church and Medburn Bridge, Herts. H.M. Colvin, Biographical Dictionary of Architects, 1660-1840, (1954).

2 HCR. iv. 197.

3 Ibid., 198-199.
land would have been available should extensions have become necessary, and they hoped that the corporation would give the site freely as part of their share towards the cost of building the new hall. Lord Verulam, the chairman of the Liberty magistrates wrote to the clerk of the peace on 23 August 1827, "Expence will weigh considerably in any estimation as to the choice (of site)." As most of the active Liberty magistrates were local landowners a rate levied upon the Liberty was levied primarily upon themselves.

The corporation favoured the St. Peter's site, partly because it was nearer to the centre of the town and it dominated St Peter's Street, a broad tree lined street flanked by the houses of St Albans notables, and partly because they had no wish to relinquish a piece of property whose freehold had come into their possession only recently. The corporation had decided to let their land on Romeland on 99 year building leases. They had asked George Smith to draw up plans of houses costing not less than £300 for their approval. Having embarked upon this modest piece of town planning the corporation were not anxious to surrender it or the increased revenue which it was hoped it would provide.

1 HCRO: L/Misc., 64.
2 See p. 61.
3 MCB., 27 Sept. 1823; 4 May 1825.
A committee of the Liberty magistrates wrote to the mayor and aldermen in August 1827 that Romeland was best suited for the purposes of building the new hall and that they understood that the corporation had agreed that the site should be made available. Before an answer to their letter had been received, the Liberty magistrates told Smith to prepare an elevation and estimates for a town hall to be built upon Romeland. When news of this action became known in the town a petition of protest was organized and presented to the corporation on 15 August. The corporation was not united in its opposition to the Liberty magistrates. J.S. Story, the clerk of the peace to the Liberty, was an alderman; so too was the Reverend William Bowen, who owed his position as master of the grammar school to Lord Verulam. They could be relied upon to support the Liberty magistrates' proposals. But faced with the opposition of some of the corporation and some of the inhabitants the magistrates agreed to give up the idea of the Romeland site provided that the alternative one was not expensive.

The St Peter's site was occupied by Clark's Almshouses, of which the Reverend John Kentish was the principal trustee, and a barn and other property owned by Alderman Thomas Kinder and Robert Nichols. It was believed that £500 would cover the

1 HCRO: L/Misc., 37.
cost of building the almshouses elsewhere. Nichols asked £300 for his property. Kinder who owned the largest area of the site left the price to arbitration. Even at the most conservative estimate the whole site was likely to cost £1500—sufficient in the magistrates' opinion to exclude it from serious consideration.

As a way out of the impasse the Reverend John Kentish offered a plot of ground from his garden which had been opened up by the new road built by the Holyhead Road Commissioners in 1824. The Liberty magistrates were enthusiastic because the price was to be £300. They were so sure that this new plot would be acceptable to the corporation and to the town that they ordered Smith to draw up another set of plans and elevations. These he submitted to the magistrates at their Epiphany Sessions in 1828 with an estimate of the cost amounting to £6250. The magistrates directed their clerk to obtain the necessary act of Parliament and to close up the public right of way which crossed the new site.

Once again the action of the magistrates was premature. At a public vestry in St Albans parish it was decided to appeal

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1 HCRO: 512-519 and 540-571 are elevations, plans and designs drawn by Smith for the four sites proposed for the town hall. 540-548 a & b apply to the Romeland site; 563-570 apply to the site on the Verulam Road.
2 HCR., iv. 206.
against the closure of the footpath. A public subscription enabled an action to be brought in the borough court of Quarter Sessions against the surveyors of the highways of the parish, who were nominally responsible for the footpath. The action was unsuccessful, but the corporation now proceeded with great caution. Owing to lack of a quorum it became increasingly difficult for the mayor to hold a court. At the fourth attempt, a court held on 4 January 1828 agreed that the new hall should be built on the site provided by Kentish if the freehold of the hall were vested in the corporation. The opponents of this site within the corporation and the town held a meeting on 5 February under the chairmanship of Alderman John Thomas Lipscomb. The meeting resolved that Kentish's site was injurious to the commercial interests of the town, and it was urged that the site in St Peter's Street be adopted.

The exasperated Liberty magistrates wrote to the corporation asking for a definite acknowledgement of the proportions of the expenses that the borough was prepared to pay. They also insisted that the freehold of the building should be held on the same terms as those adopted by the county magistrates and the corporation of Hertford in relation to their shire hall.

1 Borough Sessions Rolls, Epiphany Sessions, 1828.
2 No courts were held between March and August 1828, and in the mayoralty of J.N. Bacon, 1828-9, only two courts were held.
4 HCR., iv. 208.
However, they agreed to accept the St Peter's site if it were offered for the same price as the site owned by the Reverend John Kentish. Once again they asked their clerk to present a petition to Parliament for a bill to build a new hall at St Albans, and the architect was asked to attend the next Sessions with a fourth set of drawings, should the terms for the site in St Peter's Street be agreeable to the corporation.¹

The Corporation were so divided they were on the point of giving up the whole idea of building a new hall. Alderman John Wilde wrote to the clerk of the magistrates:

> It may be irregular in me writing to you upon a subject connected with the corporation but for once I shall venture to say that as we almost decided today upon keeping our Town Hall for our own purposes and as it is likely that the magistrates may at no distant period build a Sessions House—I do not see any objection to our granting to them a 99 year lease of Romeland at a low rent or to sell it to them at as reasonable a sum as the Corporation may think fit to name—the question of the eligibility or ineligibility of the site is now as far as we are concerned at rest. To either plan I will give my assent at the proper time and place.²

To some extent the matter was now taken out of the corporation's hands. A committee of inhabitants, headed by the Reverend Mr. Raban, Thomas Kent, Henry Cosier, William Langley and Samuel Ward, all members of the Abbey parish vestry or inhabitants of that ward, engaged to raise a subscription to

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¹ Ibid.
² HCRO: L/Misc., 78, 6 Feb. 1828.
enable them to offer the St Peter's site to the magistrates for £300.¹

Stalemate threatened when a committee of another group of inhabitants who opposed the St Peter's site raised a counter subscription of £300 and offered Kentish's site freely to the Liberty magistrates. Their offer was not accepted. Lord Verulam wrote to Thomas Wilkins, the head of the committee, that the magistrates had been induced by a very large majority of the inhabitants of the town to fix on the site in St Peter's Street.²

On 8 March 1828 two representatives of the corporation and two of the Liberty magistrates agreed that the expenses of the act of Parliament and of the new hall's construction should be born in the proportions of two thirds by the Liberty and one third by the borough. The corporation also agreed to give the profit arising from the sale of the old town hall and site towards its share and to raise the remainder by levying a borough rate.³ The freehold of the site was to be held jointly by the corporation and Liberty magistrates.

There were special Standing Orders which had to be complied

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1 MCB., 29 Feb. 1828.
2 HCRO: L/Misc., 121, 28 Feb. 1828.
3 HCR., iv. 208-210. It had been calculated that a rate of 1d. in the £ would bring in annually £533.6.8d. from the Liberty and £34.13.0d. from the borough. MCB., 4 Jan. 1828.
with before a bill for building a town hall could be accepted by the Commons. Story, the clerk of the peace, failed to observe them and Dorington, the Parliamentary agent, told Story:

> you will produce the three newspapers containing the notice (of the magistrates intention to apply for a bill) and some person who saw the notice affixed three Sundays on the Church Door, the Commons have repealed the Sessions House door notice but as the Lords have not you will please to give that--this with the knowledge you have of the necessity of executing the work will be sufficient in the Commons.¹

The Commons refused leave to introduce the bill in the 1828 session. The delay in obtaining the act enabled Alderman Kinder to protract the negotiations for the purchase of his property on the site. The county surveyor had valued Kinder's property at £550. Kinder refused to accept this figure.² On 10 January 1829 the magistrates issued an ultimatum that unless the site was placed in their hands within two weeks they would look elsewhere. This appears to have had the desired effect, for a site for Clark's Almshouses was found in Catherine Lane, and a new petition for a town hall and Sessions House at St Albans was presented to the Commons 11 February 1829.³

Estimates of the cost of the building had been based on the assumption that capital could be borrowed at 4% interest. An enquiry at the Exchequer Bill Loan Office elicited the reply

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¹ HCRO: L/Misc., 81.
² Ibid., 125.
³ HCJ., lxxxiv. 21.
that the Commissioners were unable to comply for want of funds.\(^1\) Advertisements in the national and local press brought offers of capital at 5% interest, and the offer of the Reverend Charles Porter, who agreed to provide all the capital required, was accepted.\(^2\) On 29 August 1829 the mayor laid the foundation stone of the new hall.\(^3\) It was sufficiently completed by 2 July 1831 for the corporation to sell the old town hall by auction for £914. 10. 0d.\(^4\) All the contractors exceeded their estimates.

The principal bills were:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>R. Dean, builder</td>
<td>£7406</td>
</tr>
<tr>
<td>Newport, plasterer</td>
<td>915</td>
</tr>
<tr>
<td>J. S. Story, clerk of the peace</td>
<td>855</td>
</tr>
<tr>
<td>G. Smith, architect</td>
<td>717</td>
</tr>
<tr>
<td>J. Smalley, ironwork</td>
<td>558</td>
</tr>
<tr>
<td>Dorington and Jones, Parliamentary agents</td>
<td>352</td>
</tr>
<tr>
<td>J. Wharton, painter</td>
<td>238</td>
</tr>
<tr>
<td>Site</td>
<td>300</td>
</tr>
</tbody>
</table>

The total cost was £12,147.\(^5\)

The new hall was grander than the magistrates had envisaged in 1827. Their basic requirements had been noted then as a small building having "a Bench, small retiring room, Grand Jury room with lobby for witnesses and a means of quitting the house without interfering with the court when on business."\(^6\) As well

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1 HCRO: L/Misc., 149, 150.
2 Ibid., 178
3 Herts., Mercury, 29 Aug. 1829.
4 MCB., 2 July 1831. The old hall was later converted into five tenements. County Press, 13 Dec. 1831.
5 St AM. 361, St Albans Court House Treasurer's Account.
6 HCRO: L/Misc., 37.
as a court room, Grand Jury room, council chamber and assembly room, the new building contained a wine cellar and pantry.

Smalley, who provided the railings around the court house, was paid an additional £200 for fixing grates, range spits and jack chains.¹

The County Press on 2 August 1831 reported that

On Saturday a dinner was given at the new Town Hall, St Albans, by Sir Francis Vincent, Bart., M.P. for the borough, to a large party of electors who voted in his interest at the last General Election. The dinner was served in that superior style of excellence for which Mr. Mitchell of the Bell Inn, St Albans has for years past been celebrated. There was a profusion of venison, turbot and all the delicacies of the season.

Apart from a recurring tendency to dampness, all appeared to be set fair for the uninterrupted enjoyment of St Albans most imposing example of municipal improvement.

When the act regulating municipal corporations was passed in 1835 the corporation magistrates still owed £2641.5.0d. of the £3350 which they had borrowed from the Reverend Charles Porter.

The act abolished the power of the borough justices to hold Quarter Sessions at St Albans and their ability to levy a rate in the nature of a county rate.² Repayments on their loan ceased. At their Easter Sessions 1837, the Liberty magistrates, faced with a demand to pay the borough magistrates' portion of the loan,

¹ HCR., iv. 250.
² 5 & 6 Will.IV c. 74, section 101.
invited Porter to take his case to the Court of King’s Bench for a ruling. That Court issued a writ of mandamus which obliged the Liberty magistrates to levy a rate of sixpence in the £ on the Liberty to repay their own and the borough’s portion of the loan.

On 17 July 1837 An Act to amend an Act for the Regulation of Municipal Corporations in England and Wales was passed which contained a section alleged by the town clerk to have been prepared with specific reference to the case of Porter v. the Justices of the Liberty of St Albans. Section 50 enacted:

in all boroughs and places where general or Quarter Sessions of the Peace have been discontinued to be holden, all things which, under or by virtue of any general or local act of Parliament, or by any usage or custom ought or were usually heard at such general or Quarter Sessions by the Justices of the Peace shall or may hereafter be heard by the general or Quarter Sessions of the Peace for the Counties, Ridings or Divisions, or Liberties or jurisdictions in which such boroughs are situate.

Blagg, the town clerk, who had pointed out the local difficulties that were likely to ensue from the passing of the act regulating municipal corporations, prepared a case for the opinion of the Attorney General. The town clerk contended that the borough magistrates had all the powers of the Liberty and county magistrates, except for those specifically excluded by section 101

1 HCR., iv. 291, 293.
2 1 Vic. c. 78
3 See p. 269-270.
of 5 & 6 Will. IV c. 74. The Attorney General was of the opinion that the borough magistrates had all the powers contended for, which in effect, nullified 1 Vic. c. 78 in so far as St Albans was concerned.

At their Epiphany Sessions 1838 the Liberty magistrates decided to petition the Home Secretary. They set out in their memorial the history of their case and concluded that the government "could never have contemplated such an act of injustice being inflicted on the inhabitants of the Liberty as obliging them to pay the debts due from the borough." They suggested that the debt might be equitably distributed over the whole county. The Home Secretary, Lord John Russell, replied that he could not "conceive that such a burthen can be referred to any defect in the provisions of the act", and that there was no ground for charging the debt on the county. The Liberty magistrates appear to have resolved the difficulty by including all the parishes within the borough in their parochial assessments.

1 St AM., 2098.
2 Ibid.
3 HCR., iv. 300
4 Ibid.
5 Ibid., 303.
THE MANAGEMENT OF THE BOROUGH

Sir Lewis Namier has remarked:

corruption in populous boroughs was the effect of citizen status in an electorate not fully awake to national interests; even so, it was a mark of English freedom and independence, for no one bribes where he can bully.¹

Nor could bribery unaided secure the return of a member to Parliament for such a borough constituency even in the 18th century. The managers or agents employed by the members of Parliament or their patrons bribed, entertained and flattered their supporters, threatened and ridiculed their opponents, and maintained in every way their patron's prestige in the borough. They performed what might be described as welfare services which were supplementary to those of the parish officer. They kept their patrons informed of every occurrence in the borough which might have some political significance. They were the factotums who kept the borough quiet in the long interval between septennial elections.

An ability to arrange fictitious conveyances and to split burgages gave attorneys who were also estate agents a natural advantage as election agents.² But in St Albans, where the franchise did not rest on burgage tenure, many 18th century election agents were not attorneys. James West's principal

agent, Thomas Rudd, was a grocer; his assistant, Joseph Handley, was a surgeon. After Rudd died, West relied upon a joint agency of Thomas Shield and Matthew Iremonger, both shopkeepers. When Lord Grimston advised John Radcliffe to "Appoint some person of prudence and activity as an Agent in your neighbourhood" ¹ Radcliffe appointed Thomas Benniworth, a clockmaker of St Albans.

Before election agency became the domain of the attorney, professionalism had appeared. Rudd had been an agent for Lord Grimston before he joined West. Handley had been an agent for Hans Stanley. On the death of Radcliffe in 1783 Benniworth transferred his services to Lord Grimston. Lord Spencer did not object when one of his agents, Richard Mason, worked for Thomas Brand, M.P. for Hertfordshire, 1807-19. ² Lord Verulam went further and came to an agreement with John Boys, who was an attorney, that "on his becoming my steward...he should consider himself as my friend at St Albans in Election Business and that in the County he should continue perfectly free to act in such matters as he thought proper." ³

Although they might employ other agents, the aristocracy always used their estate agents at St Albans elections. The 1st Earl Spencer's commissioner of estates, Thomas Parker, was too

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¹ Radcliffe MSS., Lord Grimston to John Radcliffe, 30 Sept. 1774.
² Althorp MSS., Lady Spencer to 2nd Earl Spencer, 5 Feb. 1805.
³ Gorhambury MSS., Memorandum, 22 July, 1805.
grand a person to be suited to the rough and tumble of such work
and in February 1768 he wrote to Lord Spencer, "I must beg leave
to decline all concerns with St Albans, as I have been so ill
used in the affairs, that nothing but what I thought of Ldship's
interest wo'd have induced me to suffer it."¹ The 2nd Earl, in
addition to using his estate agent, John Harrison, paid Mason,
a watchmaker and distributor of stamps in St Albans, £50 a year
for his assistance at canvassing and for preparing voting lists.²

Undoubtedly, the best agent the 2nd Earl Spencer had in St
Albans was his mother, Georgiana, the dowager Countess Spencer.
Lady Spencer had assisted the 1st Earl at elections at North-
hampton.³ After her husband died in 1783, Lady Spencer lived
at Holywell House, the early home of Sarah, 1st Duchess of
Marlborough. Lady Spencer's letters to her son show a similarity
to those of Sarah's in their forthright style, but they are lack­
ing in malice. It was said of her that "She, somehow or another
has the Art of leading, drawing or seducing people into right
ways."⁴ She was a very capable woman, the sort of person who,
when a crisis threatened, wanted to be up and doing. On 12
October 1803 she wrote to the 2nd Earl:

¹ Althorp MSS., Parker to John, 1st Earl Spencer, 24 Feb. 1768.
² Ibid., Harrison to 2nd Earl Spencer, 14 Aug. 1801.
³ V.B. Ponsonby, Georgiana, (1955), 15.

Unfortunately, this art, if ever used, failed on her daughter,
Georgiana, whose enormous gambling debts were a sore trial to
her husband, the Duke of Devonshire. Ponsonby, op. cit., 5-10.
We have had a melancholy hurry here today. I was waked soon after 5 by a noise under my windows and Jenny who looked out of window saw 8 or 10 men—they came down for the fire engine as the White Hart Inn was all in flames—they dragged it up directly and the precaution I have had of ordering it to be worked the first Monday in every month made it ready for use which that belonging to the town was not for sometime... A perfect chain was established from the inn to the river in which I assisted for near three hours getting all the women I could by my example and authority to hand the empty pails down while the men on the other side handed them up. I did not leave off till I was assured all was safe—and the proof that I had been of use was that as soon as I left off not a woman could be prevailed upon to touch another bucket.

The delays of bumbledom annoyed her. In 1790 when St Albans was swept by one of its periodic outbreaks of small pox, she fumed:

The small pox rages in this place the whole town is like a pest house. All the people who can afford to inoculate do—but the children of the very poor are left to catch it and do as well as they can which is quite shocking. I have been to Kinder and shall go today to Spooner and the Church wardens to know if nothing can be done at least to keep them that have not had it, by some public order within their houses—or to find someplace out of the Town where to inoculate those that are desirous of it. But I despair of ever doing any good with such a wooden man as Spooner is.

At St Albans, where the franchise extended far beyond the confines of the borough, the fund of information of the whereabouts of the voters made the agents indispensable to patrons. Itinerant tradesmen were useful in this respect. John Long,

1 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 12 Oct. 1803.
2 Ibid., Same to same, 9 April 1790.
tripeman, was paid 5 guineas by Benniworth in 1780 for rounding up country voters on his outride. It was equally important that an agent should know how a voter could be influenced. Shield instructed West that "Mr. Baskerfield, Attorney at Law...should if possible be applied to in order to write to Mr. Rodgers to exert himself... wether Dr. Chandler may not be of great service to the cause if spoke to. Mr. George Grimston should be looked after and desired to fix Mr. Boyce, the Parson... Lord Halifax can fix Treslow the Grocer."  

In a hard fought election such as that of 1761 where every vote was valued West was told:  

I cannot omit one moment to let you know that I have got a vote in Lord Newnham's and your interest but he is a soldier and expects to go abroad every hour... he is very near sixty years of age. I gave him half a crown to drink Lord Newnham's and Mr. West's success but not before I was convinced he had a vote and promised me faithfully to serve you both, and tomorrow morning I will put a cockade in his hat. I was afraid Mr. Corbett's agents would have secured him first but I believe now I have him very safe for he seems very hearty in the Cause only will be impatient for your answer for he does not like going abroad. I will leave the rest to your much superior discretion.  

The correspondent, William Warner, knew that it was not an insuperable task for West to secure the release of a soldier, for  

1 Radcliffe MSS., 2762.  
2 Add. MSS., 34735 f. 209, Shield to West, 12 March 1761.  
3 Ibid., f. 231, William Warner to West, 15 March 1761.
Warner himself had taken the King's shilling while drunk, and West had obtained his release from the army at the insistence of his father, Jacob Warner, one of the Society of Friends in St Albans.  

An alert agent did his best to prevent his opponents from getting reliable lists of possible voters. During the 1747 election Handley wrote to West, "I stopt our Town Clerk whom I accidentally catch'd in writing out a list of all the honorary freemen that are not sworne. I severely reprimanded him and made him glad to get home with whole bones for he was at the Lyon sent for by Bayly and Galbraith."  

By the 19th century it was becoming necessary to employ an attorney as agent. John Cowper, a clerk of the peace of the Liberty, John Boys, town clerk of St Albans, and J.S. Story, who succeeded Cowper as clerk of the peace, all served as election agents for Lord Grimston after 1800. They were useful because the corporation began to restrict the franchise by investigating every freeman's claim to vote. William Hart, an attorney who was agent for Daniel Giles, prepared two notebooks prefaced with "The right of election in St Albans as determined by the Commons in 1714" which contained a list of all those receiving alms in the borough.  

The entertainment and payment of voters was also being closely

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1 Ibid., 34734 f. 327.  
2 Ibid., f. 41, Handley to West, 13 June 1747. Galbraith was the mayor, Bayley, an alderman.  
3 Giles MSS.
watched by each side and by a "Society of the Borough of St Albans instituted to support the Rights, Liberties, and Independence of their Fellow Freemen and Voters." The Society appealed to their fellow freemen not to sell their votes or to be the "dupes of great men." They printed part of 2 Geo. II c. 24 passed to prevent bribery and corruption at elections, and the resolution of the House of Commons in 1701 against the interference of Lords of Parliament and Lord Lieutenants of the counties in the elections of members to serve in the Commons.

Harrison wrote to Lord Spencer in 1802, "I am all caution from Head to Foot, but I do not know how it is possible to steer absolutely clear of the Act of 7 W 3-C4. I am afraid the act of bringing down the voters and giving them a breakfast on the road comes within it, but we must do as well as we can." The London voters were of especial value as they were not brought down to St Albans until the day of the poll, and their entertainment in London could not be so easily observed as it could have been at St Albans. During the 1784 election Lady Spencer complained, "We are not in Spirits my Dearest George-- there never was anything like the Violence of the other side and they have got off so many of our town votes that if the Out Votes fail us we shall lose it."

1 St AM., 1839.
2 Althorp MSS., Harrison to Lord Spencer, 4 July 1802.
3 Ibid., Lady Spencer to 2nd Earl Spencer, 8 April 1784.
The situation had worsened by 1806 when Harrison wrote:

I wish the retaining of Council by Mr. Poyntz could be avoided but I fear it cannot. Mr. Halsey's Council if he has one will attack all our votes that are in the smallest degree doubtful if they are Mr. Grimston's friends too, and there are several of that description from irregularity of eating.

Thomas Benniworth was certainly the most efficient of the agents in St Albans, if his bookkeeping is a guide. His account and poll books are models of their kind. The poll book for 1780 is divided into three sections of London, St Albans and Country voters. Each vote is recorded and, if it were for Radcliffe, the amount paid for it. London and Country voters giving both their votes to Radcliffe, a "plumper" were paid £1.11.6d. For a single vote they were paid £1.1.0d. St Albans voters received a guinea for a "plumper" and half a guinea for a single vote. £242.0.6d. brought Radcliffe 361 votes. Appended to this book are the additional election expenses from 1 September to 1 December 1780. These are the day by day payments for cockades, entertainments, coach hire and bell ringing, all amounting to £268.17.8d. so that the total of election expenses was £510.18.2d.

Benniworth also kept a record of "The Persons who received the Gift of John Radcliffe to St Albans." The gift was of meat and bread; of those who received the meat only one did not vote for Radcliffe in 1780. "The Running Expenses of the Borough" contains

1 Ibid., Harrison to Lord Spencer, 26 Oct. 1806.
2 Radcliffe MSS., 2762.
3 Radcliffe MSS., 2761 for 1777, and 2767 for 1780.
4 Ibid., 4421.
a detailed account of every penny expended between 4 April and
29 December 1780. Five shillings was paid for wives "lying-in",
ten shillings and eight pence was spent on repairs to the pump,
two guineas for the dissenting charity school, one guinea to help
apprentice a boy to a tailor, five shilling to setting a broken leg,
a half to two guineas to men to take up their freedom, numerous
half crowns were handed out and beer was provided for the political
clubs in the town.

The earliest reference in the West papers to a political club
meeting in St Albans is 30 July 1756. Rudd wrote to West, "at
last night's Club a Fire broke out that I forsook from the disap­
pointments of Mr. Niccoll who wants to be in the Comm. of the
Peace."¹ Before 1760 the clubs took their names from the inns
where the meetings were held. Those attended by the aldermen
were usually at inns which held one of the corporation's wine
licenses. The White Hart had a wine license almost continuously
from 1753 to 1824, The Bull from 1765 to 1793 and The Woolpack
from 1765 to 1827. At first only the regularity of the fort­
nightly meetings distinguished them from the political dinners
and entertainments provided by the borough patrons and their sup­
porters. But by December 1757 Handley was able to inform West:

¹ Add. MSS., 34734 f. 116. No mention is made of clubs in a four
page letter by Rudd on 11 Sept. 1755 (f. 101-4) in answer to
West's request for an account of St Albans politics.
Last night being Mr. Spencer's Birthday our High Priest invited about thirty chosen ones to drink his health at the Bull. The White Hart Club being the same night, about eleven of us met as usual without any other design but on hearing the trumpets and French horns so near us enlivened ours and my landlady's spirits, we immediately ordered the house to be illuminated a handsome supper was provided our table set in the middle of the room and we jovially supped in public—Spent the evening in claret all which was insisted on by Mrs. Langford to be at her expense—This affair has gained Mr. Justice a great many enemies and willed Mr. Spencer no good, our Clubbs are now become absolute Partys.

The Duke of Newcastle's arrangements with patrons resulted in fewer borough seats than usual being contested in the general election of 1761. The compact made between West and Lord Spencer at St Albans did not stop Lord Grimston from entering the lists. As a result West and Spencer joined forces and a "Union Society" was formed. The contest with Lord Grimston's nominee, Mr. Corbett, was bitterly fought and had as one of its consequences the more rapid development of political clubs in the borough.

Shortly after the election West was told:

Mr. Corbett met his friends at the Angel last night and we hear the society is to be kept up; and that a contribution from its members was then made to support—something we have not yet heard. Lord Grimston it is said sent ten guineas, Corbett 5 guineas, Lomax, Gape and others a sum we have not heard, the inferior members of the Club deposited some 5 shillings and some half a crown.

1 Add. MSS., 34734 f. 134, Handley to West. The "High Priest" was the Rev. Benjamin Preedy.
2 Ibid., 34735 f. 310, Shield and others to West, 28 April 1761.
Alderman Handley, the special object of the wrath of Lord Grimston's followers, was able to acquaint West more fully with the purpose of the subscription.

It is impossible to think with what a malicious spirit they carry things on... You will laugh at one use the Subscription is designed for. My housekeeper is a midwife, who ever employs her and she wants assistance I always attend for a guinea—there is two other midwives and if I am called in after them I charge three guineas. Therefore they have ordered that whoever of the Club employs those midwives—if a man midwife is wanting and they will employ Mr. Knowlton, the other Surgeon here, the Club will pay him. Here is resentment with a witness.

The mayor, Thomas Shield, another of West's supporters also felt the pinch of discrimination.

Lord Grimston, Mr. Gape, Mr. Lomax who were my most Particular Friends besides above twenty other Families in the Opposition have left my shop and declare they will never employ me more, and only because I would not be of their opinion, and they still keep up the Club to oppose the Corporation and hurt the Opponents in their Business. I am sure that if anyone is entitled to the Duke of Newcastle's favour I am.

The distribution of money was not restricted to club members who suffered by the retaliation of the opposition. For a time the Blue Club performed the functions of a Friendly Society.

The town clerk in 1767 submitted a case to Fletcher Norton for his opinion of the validity of votes cast by freemen who had received alms. He alleged that the Blue Club composed of

gentlemen of distinction and fortune others very reputable trades-

1 Ibid., f. 271, Handley to West.
2 Ibid., f. 320, Shield to West, 26 May 1761.
men and a third sort of a lower class" was held regularly every
fortnight, and a contribution was made for the relief of dis­
tressed members. A weekly allowance was made by the Club out of
their "Box Money" to members who suffered through sickness or
decay of trade.  
Norton was of opinion that as the fund was one
to which all contributed, the money received was not alms and
therefore the recipients were entitled to vote.

The declining economic condition of the town, and an outbreak
of smallpox placed a severe strain on the Club's resources.
Benniworth asked Radcliffe to attend a meeting of the Society of
True Blues in October 1776 because:

our stock is quite exhausted and a good deal the
society is in debt; the calls upon the Club have been
very large from the fatal distemper being so much and
so long in the town. We have every fourteenth night
at the Club given four or five pounds, the distress
hath been very great amongst the poor and the season
of the year in which it happened most sore was in
Harvest wich many poor families used to make a good
advantage off.

The clubs gained financially when this aspect of their activities
was taken over by the Friendly Societies.  
Amended rules for a
society of good fellowship at The Windmill were approved by the
borough magistrates at their Epiphany Sessions, 1822 and for
similar societies held at the Flower de Luce, The King's Head and

1 St AM., 1176.
2 Radcliffe MSS., Benniworth to Radcliffe, 8 Oct.1776.
3 Friendly Societies appear to have developed rather late in St
Albans. P.H.J.H. Gosden, The Friendly Societies in England, 1815-
1875, (1961), 2-5.
The Blue Boar at their Easter Sessions, 1825.\(^1\)

Lord Spencer's supporters appear to have reorganized their clubs after West left the borough in 1768, though they retained the name of the Union Society. On 11 December 1768 Sir Richard Sutton, member for the borough from 1768 to 1780, wrote to Lord Spencer, "We had a pretty great meeting at Meachams on Wednesday. Praedy, Niccoll, Borrodale, Boys and Kentish came up from St Albans. They have instituted a club on the same plan to meet at George Aldens every fortnight."\(^2\) The following February he wrote again to Lord Spencer, "I met the Union Society last night at George Aldens. They were somewhat out of humour at first but were brought about afterwards by the half guineas."\(^3\)

The rank and file of the parties were accommodated in more humble style with bread and cheese and beer at the public houses in the borough. A record book of the Blue Club for 1787 to 1791\(^4\) shows that the fortnightly meetings were held at thirteen inns and alehouses in rotation. When George John, 2nd Earl Spencer, succeeded his father he was introduced to his supporters in St Albans in one of these clubs, and he wrote to Lady Spencer:

I am just returned with Sloper from passing a very curious evening in a little alehouse in the town with a great many of the worthy electors; Tom Kinder, Partridge, Langford and Baskerville were the only aldermen who attended. There were besides John and

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1 *St AM.*, 367, Borough of St Albans Sessions Book, 1819-1831.
2 Althorp MSS., Sutton to 1st Earl Spencer, 11 December 1768.
3 Ibid., Same to same, 2 Feb. 1769.
4 HCRO: Gorhambury, xi. 49.
William Kentish, Mason, House, Poulton the Baker, Breech and a great many of the lower sort of people; there was nothing but bread and cheese to eat and ale to drink of which we partook and they all seemed in very good humour. We staid till near Eleven o'clock. 1

The corporation were able to exercise some restraint on the indiscriminate growth of clubs by restricting the issue of alehouse licenses to their own supporters. Benniworth complained to Radcliffe that

we are under many difficulties for want of two or three gentlemen in the Commission for the Borough. Wish you could get a list who are named in the last Commission... and when we know the names try to prevail on two or three of our friends to qualify. Two parts out of three of the Publicans of this Town belong to their Club, for fear of their licenses, I believe and I know several would belong to ours. 2

By 1776 the Blue Club had a collector and a committee room. It also had a "constitution" but this caused dissention. When Lord Salisbury and Lord Fairford were proposed as members in January 1785 some of the club's members objected that "this Society was established on true constitutional principals that formerly Lord Spencer was proposed and many of the Society upon that left it and therefore the committee think it is foreign from their constitution to admit any Peer of the realm into it." 3 Lord Spencer had been proposed after he had reached an agreement with Lord Grimston in 1770 that each should return one member. 4

1 Althorp MSS., 2nd Earl Spencer to Lady Spencer, 28 June 1784.
2 Radcliffe MSS., Benniworth to Radcliffe, 17 Sept. 1776.
3 Gorhambury MSS., John Kent to Lord Grimston, 5 Jan. 1785.
4 See p. 231.
Members left the Club because of their attachment to Lord Grimston, and not because of an objection to the admission of peers, for in May 1785 Lady Spencer told her son:

There was a fine riot last night at the Blue Club where Cooper undertook to have Lord Salisbury chose--Gape, Gold, Kent and some other of Lord Grimston's friends objected warmly to it, they were very abusive on both sides--and it ended with Lord Salisbury and Lord Fairfaxes having been chose and those I have named striking their names out of the Club--we certainly have gained ground and these dissensions must weaken them.

St Albans gained great notoriety for the venality of its electorate in the 19th century. It is notable that bribery reached its highest point after the aristocratic patrons had abandoned the borough. For long periods in the 18th century direct bribery accounted for the smaller part of the money spent by a patron or candidate at borough elections.

At the beginning of the 18th century there was some bribery of voters on a small scale. Joshua Lomax produced evidence before the Commons Committee of Privileges and Elections that John Gape had distributed money from Gawen's charity to get himself returned in 1701. The sums of money were small, varying from one shilling to ten shillings. The "noats for money borrowed of Mr. Grimston by the Freemen of St Albans" for the elections of 1710, 1713 and 1715 are for forty shillings or less.

1 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 10 May 1785.
2 HCJ., xiii. 395-6, 10 March 1701.
3 HCRO: Gorhambury ix. A.197. One note is endorsed "if the within mentioned Joseph Harrap gives Mr. Grimston a single voat at the next election this noat is discharged."
The Act against Corrupt Elections of 1696\(^1\) disabled a person from sitting in Parliament if it were proved that the candidate or his agent had made any present, gift, reward or entertainment in return for a vote. This may have had some effect in restricting bribery in the borough, but about this time the Marlboroughs found it cheaper to browbeat and bully the inhabitants. The mayor threatened the innkeepers and alehousekeepers in 1685 "that if they would not give their voices for the Lord Churchill their licenses should be taken from them and the Lord Churchill should bring his dragooners to St Albans and quarter upon them, and only allow them, as he had done eight pence per diem for a man and a horse until they were ruined."\(^2\) This was no idle threat. On 1 September 1696 the innkeepers of St Albans petitioned to be reimbursed £340 which they had advanced for the subsistence of a Dutch troop.\(^3\)

The correspondence of James West, the Grimstons, and the Spencers provides many examples of the unpopularity of troops in the borough. The enforcement of the Militia Act in 1758 caused riots in St Albans. Rudd asked West to send sailors to the town to impress the ringleaders of the mob because:

\[1\] 7 & 8 Will. III c.4.
\[2\] HMC. Verulam, 100
\[3\] CSPD. 1696, 1 Sept. 1696.
only a temporary relief, if they fire it's too much. The honest Tarrs may serve a happy medium, and carry home a good number of recruits for America where these fellows may be good sailors or soldiers while the war lasts and should God give us an honorable peace they may beat their swords into ploughshares and learn the Indies Hertfordshire Agriculture.

In the next American war Lord Grimston wrote:

I have not been in the house five minutes without hearing twenty complaints of the soldiers we have quartered at St Albans. Some of them have beat Clark and all his family; others have robbed two or three women on the road; ... and I much fear they are not ignorant of the art of poaching. They are destined to America in the Spring, and therefore they mean to prey upon old England till that time.

The credit for having removed, reduced or for having changed troops for others less obnoxious was worth claiming. When two troops of the Blues were stationed at St Albans, Handley wrote to West, "As we must have them better these than any others, for both these troops are but equal to one of Dragoons. Pray inform whose doing this is for L.(ord) G.(rimston) has been at several houses this day making a great merit of it."

The Marlborough candidates in the election of 1705 were Admiral George Churchill and Admiral Henry Killegrew. At the poll the Duchess of Marlborough told one voter who insisted on voting for John Gape that "she had no prejudice to Mr. Gape but it was the Queen's desire that no such men should be chose, for

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1 Add. MSS., 34734 f. 211, 1 Oct. 1758.
2 HMC. Verulam, 126.
3 Add. MSS., 34734 f. 128, 3 Nov. 1757.
such men would unhinge the government and the Papists' horses stood saddled day and night whipping and spurring." To another she said she had nothing against Mr. Gape but "Tackers would be injurious to the government and were for the French Interest and upon that occasion she read over to him King Charles II's speech against tacking." To a third voter, apparently unshaken by these predictions of international repercussions from the election of a representative for the borough of St Albans, she threatened that if "he would not be willing, his goods should be taken out of his shop and tore." In spite of the Duchess's efforts Gape was elected. Killegrew successfully petitioned the Commons and Gape was unseated, and Killegrew was declared duly elected. Sir Thomas Cave wrote to Lord Fermanagh, "at home the Wigg Party strengthens every day. This inst. the Commtee. was to report the St Albans Election; wherein the Whigs have revokt King James' Charter; otherwise to bring in Killegrew, tho' the Duke of Marlborough procured the grant of this Charter, was by it made High Constable of the Tower, and his brother made a Freeman of St Albans by the same Charter. I fear we must expect little mercy at their hands."  

1 HCJ., xv. 38, 24 Nov. 1705.  
2 Ibid.  
3 Ibid.  
4 M.M. Verney, Verney Letters of the 18th Century from the MSS. at Claydon House, (1930) i. 229, 24 Nov. 1705. The Duke of Marlborough was made High Steward of the town, not High Constable of the Tower by the charter of James II.
Upon her fall from grace, the Duchess was forced to rely more upon bribery to influence the electorate. She was well able, though little inclined, to enter this field. Immediately before her dismissal in 1711 from the offices of Groom of the Stole, Keeper of the Privy Purse and Mistress of the Robes the combined income of the Duke and Duchess of Marlborough was £62,325 a year.¹

By 1714 elections at St Albans had become expensive. William Hale, whom the Commons declared not duly elected in April 1714, was said to have boasted that "If his Hat crown full of guineas would not procure him the election he would fill it brimfull and try what that would do, that he supposed bribery would be proved on both sides; and if it were made a void election he would try who would be tired first."² The electors rewarded Hale for his perseverance by returning him at the General Election of the following year.

The Duchess contributed over £1000 in support of her candidate, William Clayton, in the election of 1722³ but it went very much against the grain. At the next election for the borough in 1727

¹ GEC., Complete Peerage, viii. 495 a.
² HCJ., xvii. 597, 27 April 1714.
³ Blenheim MSS., F.1.24. Edmund Ayleward, town clerk of St Albans, to Charles Hodges, 7 June 1724 verified that Clayton and Gore spent over £2000 at the 1722 election. The cover is endorsed in the Duchess' hand "this letter shews how much one election cost at St Albans which and I paid the better half of it for Mr. Clayton tho Mr. Gore by agreement was to have paid half."
she protested to Lord Grimston that "your Lordship and my grand­son cannot be chose without spending and bribing to the amount of £1000... and therefore I am determined to have no more to do with this election. I think it better to keep the money to pay the taxes that a single member cant prevent." 1

The Bribery Act of 1729 2 required a voter on the demand of the candidate or two electors to swear on oath that he had received no bribe. A penalty of £500 and permanent disfranchisement could be imposed on offenders. The act was not effective in curtailing bribery because it was construed narrowly by the courts. It was held that "a distribution of money after the election, unless coupled with an act done or a promise made before however it may induce suspicion, will not raise a presumption in a court of justice." 3 Evasions were simple, and witnesses for the defence, eager for a day or two in London, were legion. The costs of defending counsel and the expenses of witnesses attending the Commons on top of a costly election were enough to deter a petitioner however good his case. The town clerk of St Albans told the Marlborough's steward that the cost of defending the petition of William Luckyn, Lord Viscount Grimston against the

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1 HMC. Verulam, 121.
2 2 Geo.II c.24.
return of Gore and Clayton in 1722 came to more than £150 "and I am credibly informed and well assured that the charges and expenses of Mr. Clayton and Mr. Gore were not so great as the charges and expenses of Lord Grimston and Mr. Lomax for that it cost them above £2500 which they have since paid."\(^1\) The petitions of John Gape in 1715\(^2\), and of Lord Grimston in 1722\(^3\) and in 1734\(^4\) were all withdrawn. Ample evidence of Hans Stanley's bribery in the election of 1743 did not induce Lord Grimston to petition the Commons.

Bribery in the borough in the 18th century reached a high point in 1743 when Hans Stanley stood in the Spencer interest. The price of a vote rose to six guineas. Perhaps in deference to 2 Geo.II c. 24 some attempt was made to camouflage the bribery. A shoemaker was given six guineas for a pair of shoes worth five shillings; a butcher was paid seven guineas for thirty stones of beef; two bakers received ten guineas for fifty half-peck loaves and another voter had five guineas for powdering Mr. Stanley's wig.\(^5\)

James West sat for St Albans for twenty-seven years, longer

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1 Blenheim MSS., F.1.24. Edmund Ayleward to Charles Hodges, 7 June 1724.
2 HCJ., xviii. 24, 75. 26 March and 7 May 1715.
3 HCJ., xx. 17, 63. 18 Oct. and 26 Nov. 1722.
4 HCJ., xxii. 332, 425. 28 Jan. and 20 March 1734.
5 Add. MSS. 34735 f. 387.
than any other member for the borough elected between 1685 and 1835. From 1741 to 1761 he held the borough in the government interest. His agents' management of the borough was greatly facilitated by the patronage that West was able to tap as joint Secretary of the Treasury. The principal source of government jobs that West had at his disposal were in the Customs and Excise service. But the most important job that West ever got for a constituent was a Paymaster of Exchequer Bills for Lord Grimston's son George. Lord Grimston thought it "a very genteel employ and the salary sufficient."1

Sir Lewis Namier has noted that the two volumes of West's St Albans correspondence in the British Museum are full of applications for government jobs and that matters of public interest are discussed only three times.2 It is small wonder. On one of the few occasions when West did write to his agents about national affairs he was quickly brought down to earth by Rudd. "By yours I see you are so intent on the country's business to forget your own. Mr. Handley and I and I think Mr. Iremonger have for this three months solicited you to get one Charnock an

1 Add. MSS. 34734 f. 50, Lord Grimston to West, 14 Feb. 1747.
2 L.B. Namier, The Structure of Politics at the accession of George III, (1957), 118.
Exciseman removed for insulting Mr. Alderman Stirling."¹

West's strength in St Albans did not stem wholly from patronage. When William Poyntz, John Spencer's brother-in-law, boasted in 1755 that Mr. Spencer would return two members for the borough at the next election Rudd assured him:

there were many gentlemen of quite independent fortunes upon whom Mr. Spencer could have no sort of influence... he said but would not Mr. Spencer's vast Fortune do for us, I told him no, and appealed to past facts, that we chose you and Mr. Asby in opposition to both the Dutchess and Mr. Spencer, when you was a Stranger and Mr. Asby not able to spend £5 and therefore not so venal a boro as twas once, because of these gentlemen of good fortunes who keep the meener class in awe by their getting their bread under them for 7 years together.²

Septennial Parliaments were a great grievance to a hungry electorate. The agents of the six candidates for the Hertford election of 1774 agreed to provide "reasonable refreshment...at the following houses in the following proportions. 100 stone of meat at the Bell, Angel, Half Moon, 80 at the Falcon, Bull, Maidenhead, 60 at the Vine, White Swan, Cross Keys, total 720 stone. Liquors to each stone of meat 1 Galln of wine 1 Galln of punch. Beer as wanted."³ 8480 pounds of meat for 570 voters was a

¹ Add. MSS., 34734 f. 154, Rudd to West, 12 Feb. 1758. Handley had written, "Everytime he (Charnock) or any of the officers meet him, they set their elbows up look very big and take the wall of him, which greatly shagreens his Scotch spirit." Ibid. f. 128.
² Ibid., f. 109, Rudd to West, 28 Oct. 1755.
³ Radcliffe MSS., 4964. Agreement of the Hertford Election Committee at the Bell at Hertford, 16 Oct. 1774.
standard to rival anything provided at St Albans. Nevertheless, so heartily did the voters eat and drink, "treating" rather than bribery formed the greater part of the expense at elections in St Albans from about 1750 to 1810.

The ticket system was occasionally used as a means of equitably distributing food and drink.¹ West's agent issued three tickets to each voter in 1741. "1 Ticket for 1 Gallon of the best strong beer at 14d pr Gallon. 1 Ticket for ½ peck loaf of 14d. and 1 Ticket for a Stone of the best Beef at 2/0 pr stone it being against Xmas they will not take under and we would not dispute it with 'em."²

Normally the patron or candidate opened several inns and alehouses where his supporters were entertained in tremendous style.³ It was expected that uncontested elections would be accompanied by some entertainment. The return of West and Sir Peter Thompson was not opposed in 1747; yet Archibald Finney, landlord of the Red Lyon, provided West's friends with sirloin of beef, shoulders of veal, legs of mutton, hams, sucking pigs, ducks, chickens, wine, punch, beer and cyder.⁴ John Harrison, who was always

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¹ At Cambridge in 1747 the expenses of the electors were paid by the ticket system. Yorke, Life of Hardwicke, ii. 161, quoted by W.C. Costin & J.S. Watson, The Law and Working of the Constitution, (1952), i.378.
² Add. MSS., 34734 f. 2, Thomas Kettle to West, 17 Feb. 1741.
³ James Walter Grimston opened 13 alehouses in St Albans in 1806. HCRO: Gorhambury ix. A.197.
⁴ Add MSS., 34734 f. 63.
worried about the illegal aspects of treating, was quite concerned by the unopposed return of William Stephen Poyntz in 1800, and wrote to Lord Spencer:

We are much puzzled about treating after the election. It must be done I fear—indeed it is unavoidable, or they will remember what will be deemed neglect as long as they live—but how to do it is most difficult. There never has been an instance in the Memory of Man (In this Interest) of a single Election, and it is worse than a double one, as we shall have the whole town to take some care of... Every article of Victuals and Drink is so very enormous just now that I am almost frightened at the thoughts of treating such a body of people.

Some attempts were made to control the expenses of treating.

The agents of West and Lord Spencer at the 1761 election proposed that

there should be one entertainment on the Canvass and
that to be made at the town hall where is room and convenience to accommodate the whole town--We purpose to have the wine from the Three Taverns equally proportioned and to buy all the provisions we possibly can of the Tradesmen in the town at the best hand and to conduct the entertainment in the manner it is done at the public Halls in the City of London by appointing proper people to take care of the Liquor and deliver it out by tickets by which means we purpose that there shall be plenty of everything and no waste made... We are likewise of the opinion that the money should be circulated only by means of the two principal Agents.

All attempts at economy were abandoned at the election of 1796 when the two patrons joined forces to exclude Samuel Waddington. Lady Spencer, who was not easily shaken by an election, took the

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1 Althorp MSS., Harrison to 2nd Earl Spencer, 20 June 1800.
2 Add. MSS., 34735 f. 136, Matthew Iremonger and Thomas Kinder to James West and John Spencer, 26 Jan. 1761.
3 St Albans Bribery Commiss., 1832 (1831) xxvii, 10.
4 Add. MSS., 34735 f. 26a.
waters at Tunbridge Wells while the fever was at its height, so that Holywell House could be used more freely. The defeated candidate complained:

no delineation--the very pencil of Hogarth must have fallen, if he attempted an outline of Dowager S------
bear garden. Miserable electors were conveyed to the hustings in pairs, under the most bestial inebriety;
and where libations of Baccanalian poison were most profound, twenty five guineas or pounds was the happy bonus to the Macheaths of that day. It must be obvious that the combination against the popular candidate for the security of this darling influence, cost at least £16,000.

Although no figures are available of Lord Spencer's expenditure Waddington's estimate appears to be wildly inaccurate. It cost Lord Grimston £3101.0.4d. to return his candidate, Thomas Bucknall. The largest item of this account was £683 paid to Ralph Page at The Woolpack. £253 was spent on ribbons, £130 was paid to country voters and £35 was "lent to different persons on their notes."

It is probable that this was the highest sum paid to return a single member for St Albans before 1835. James West and Lord Spencer shared equally £3363.4.9½d. spent in 1761. Lord Grimston's payments amounting to £3942.18.5½d. for St Albans borough and the Hertfordshire county elections of 1784 cannot be completely separated, but the borough election cannot have cost

2 ECRO: Gorhambury IX. A.197.
3 Alexander Raphael was said to have paid £3500 in 1847. Rep. St Albans Bribery Commn., 1852 (1431) xxvii. 10.
4 Add. MSS., 34735 f. 265.
much more than £1000. John Calvert was called on by Lord Grimston to pay £451.5.9d. "the total of the bills due for Entertainment and Ribbons given by us on the Day of Election" in 1790. In 1802 when there was no contest, and in 1806 and in 1807 Lord Grimston paid £924.7.0d., £1732.12.8d. and £1610.9.2d. respectively to return his son, James Walter, for the borough.

When Lord Spencer told his mother that he should give up the borough after his defeat in 1807 she replied, "with regard to expense I am not clear you can ever get a cheaper borough and I have no doubt it might be easily secured in future but I am sure not without more trouble than perhaps it is worth." Compared to Northampton, Lord Spencer's other borough, St Albans was cheap.

The most expensive borough contest of the 18th century took place at Northampton in 1768. At that ruinous contest between Earls Spencer, Northampton and Halifax, the electors drained Lord Halifax's cellars of port and on being offered his lordship's best claret declared, "they would never vote for a man who gave them sour port" and flocked over to Castle Ashby.

It is ironic that the one who objected most strongly to bribery

1 HCRO: Gorhambury xi. 71.
2 Gorhambury MSS., Lord Grimston to John Calvert, 18 July 1790.
3 HCRO: Gorhambury xi. 71.
4 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 8 May 1807.
in the borough was obliged to contribute greatly to it. H.G. Ward, the reform candidate returned at St Albans in 1832, who spoke on bribery, corruption and intimidation at Hertford, spent £2500 in 1832 and £2400 in 1835, three times the amount spent by the Tory candidate, Edward Harbottle Grimston.

The percipient borough patron kept the town contented by performing many small services. Lord Spencer quickly responded when Lady Spencer informed him:

> The Ladies Evening Card Assemblies in this town are begun—and their principal conveyance in bad weather was a Sedan Chair which with a pair of Chairman's coats Mr. Pelham formerly gave them but he is dead the great coats worn out and the chair in a miserable condition—if you like to show some Galanterie to the town in your Mayoralty you would not I fancy do it more acceptably than by furnishing them with another.

The oldest service paid for by the patrons or the members for the borough was the provision of the town water supply. The corporation by an indenture dated 1696 allowed William Yarnold of New Woodstock to supply the borough with water. Yarnold was unable to find a suitable site on the river which ran alongside the grounds of Holywell House and chose a site belonging to Sir Samuel Grimston on Sopwell River. In 1697 Yarnold assigned his indenture to James Bennett to whom Sir Samuel sold the plot of

1 Parl. Debates, 3rd ser. xviii. 88-9, 24 May 1833.
3 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 26 Oct. 1790.
ground. The lease shows that previous attempts to supply a
cistern in the town had not been successful because the pipes
had been broken by the force of water necessary to overcome the
ascent into the town. ¹ Bennett built a tumbling bay which
operated until about 1728² when, according to Joseph Handley, the
Duchess of Marlborough "took it in her head on the Town having
disoblige[d] her to cut down a Tumbling Bay which carry'd all the
water from the water works not that I apprehend she had any more
right so to do than you no part of it being on her ground."³

The waterworks were restarted some time after 1746 by Alexander
Stirling.⁴ They were not a profitable concern and for several
years after 1754 Stirling attempted to dispose of them to John
Spencer. Lord Spencer chose another way to provide the town
with water. In 1765 he applied to the corporation for permission
to erect a pump at the Market Cross.⁵ An improved pump of rotary
design was installed in 1781. The pump at the Cross was main-

¹ St AM.961.
² N. Salmon, The History of Hertfordshire, (1728), 86. "Water
is thrown up from the river for the use of the town, every
inhabitant paying for it as at London."
³ Add. MSS., 34734 f. 173, Handley to West, 29 Feb. 1758. For a
time the mill wheel which had operated the pump was used to
work a diamond polishing wheel. The Agreeable Historian or the
Compleat English Traveller, (1746), 259.
⁴ Add. MSS., 34734 f. 113 is a list of 102 persons who took
water from the waterworks and their yearly payments. The
waterworks are shown on Wren and Andrew's map of the town dated
1766. See p. 307.
⁵ MCB., 6 May 1765.
tained by the Spencer family until 1807.

The Tories maintained a pump, too. In 1733 the corporation leased a well in St Peters parish to John Gape for 99 years at a peppercorn rent. The pump erected over this well became known as the Blue Pump. The Whig Pump appeared to have been superior to the Tory pump. Thomas Kinder was able to inform Lady Spencer in 1781 that "Mr. Braithwaite has completed the engine at the Cross--agreeable to the plan and can safely add that the performance is such as gives general satisfaction to the inhabitants." However, when Lord Grimston asked Kinder's son about the pump that he had had repaired in 1805 he was told that "the pump works as well as may be expected for one of that construction."

This situation was intolerable for Shaw who wrote:

The upper part of the town is badly supplied with water and that at a dear rate. Most of the families are served from the pump near the Clock House, which was put down for the use of the town at the expense of the Spencer family, and was many years kept in repair by them; since which the inhabitants, for want of a better sense of independence lay the burthen of this expense upon the purses of their representatives, although a trifling annual subscription of those who benefit by it might constantly keep it in good repair...There is another pump at the bottom of St Peters Street, called the Blue Pump, seldom in repair, therefore of little service.

1 Ibid., 12 Feb. 1733.
2 Althorp MSS., Thomas Kinder to Lady Spencer, 10 June 1781.
3 Gorhambury MSS., Thomas Kinder to Lord Grimston, 6 June 1805.
4 Shaw, op.cit. 159.
A petition to the corporation in 1817 to repair the pump at the Cross brought no response. But in 1822 the corporation were able to rid themselves of criticism and of the Companies, whose freemen they had been unable to disfranchise for arrears of quarter-ridges. The corporation decided that the money held by the Wardens of the Companies should be used to repair the pump at the Cross. The new works cost £146.2.0d. £67.12.0d. was raised by subscription; the balance was paid by the Wardens. By 1835 the pump was again out of repair, but by this time the new waterworks had appeared to the north of the town on the Luton road.

The borough's patrons did not often exhibit their rivalry in so obvious a form. However, they were sure to be concerned in all matters that touched upon the borough. The proposed canal to St Albans is an example of the way both patrons became involved in one such matter.

In the first quarter of the 19th century the Grand Junction Canal Company was the greatest canal company south of Birmingham. Its success was due to two factors. Firstly, by connecting the Oxford Canal at Braunston to the Thames at Brentford it by-passed the narrow and winding Oxford loop. Secondly, the Grand Junction

1 MCB, 5 Nov. 1817.
2 See p. 93.
3 See map p. 308.
was designed to carry barges of between fifty and seventy tons which were capable of navigating the Thames, Trent and Mersey. Its chief purpose was to carry coal and manufactured goods from the Midlands rapidly and economically to London. In the founding act of the company it was promised that coal should be carried at 3d. per ton per mile and manufactured goods at ld. per ton per mile.

The importance of the canal as a cheap means of transporting bulky loads was quickly appreciated by the agricultural and trading interests en route, especially in those towns through which the canal was not intended to pass. Before the first turf had been cut for the main canal, applications for collateral cuts came from Aylesbury, Wendover, Buckingham, Hemel Hempstead, Dunstable and Newport Pagnell. At Watford public meetings were held at which the inhabitants expressed concern that the canal should pass through Rickmansworth and not through Watford. The Earls of Clarendon and Essex, the two principal landowners in the neighbourhood, supported and signed resolutions asking for a collateral cut to be made to Watford.

2 33 Geo. III c. 80.
3 Printed handbill dated 20 Oct. 1792 noted in HMC. Verulam, 146.
A similar pattern was followed at St Albans. A public meeting was held in the town hall and the inhabitants showed their apprehension that St Albans might be left high and dry, as it were. These fears were repeated in letters which Lord Grimston and the mayor, Francis Kingston, wrote to William Praed, the chairman of the Grand Junction Canal Company. Praed replied to Lord Grimston on 26 November 1792 that he could see no objection to a cut being made to St Albans and that he would raise the matter at the next meeting of the General Committee. It was perhaps a little unfortunate that the first approach to the canal company was made by Lord Grimston, for the 2nd Earl Spencer was a member of the General Committee of the Grand Junction Canal Company and he sometimes acted as chairman of the Lower District Committee. This committee operated on the northern half of the canal, in Northamptonshire, where Lord Spencer had extensive land holdings. It was the company's policy to offer shares to landowners through whose land the canal passed on the basis of one £100 share to every eight of a mile of canal cut.

1 Lord Grimston wrote to Clarendon to enquire the proper procedure to get the canal continued to St Albans. Ibid.
2 Ibid. William Mackworth-Praed, (1749-1833); M.P. for St Ives, 1774-75, 1780-1806; Banbury, 1806-8.
3 Ibid., 147
5 Ibid., 275.
No mention of a collateral cut to St Albans appeared in the company's first act of Parliament obtained in April 1793. In the following June Lord Grimston wrote again to Praed asking if it was the company's intention to apply for further powers, for, he wrote, "perhaps you do not know how materially we imagine this neighbourhood will be injured by that canal unless we can participate in its benefits." Praed replied that at a General Committee meeting it had been agreed to ask for an extension of powers and Mr. Barnes, the company's engineer, had been ordered to make surveys of the proposed extensions.

In August 1793 Lord Grimston began to force the pace. He invited the engineer to attend a public meeting at St Albans after he had finished his survey, and he added:

I shall take the liberty of mentioning how extremely anxious we are in St Albans and its neighbourhood to be in possession of your ideas on this subject together with the draft of the plan that it may be lay'd before a meeting at St Albans previous to the general meeting of the Commissioners of the Grand Junction.

The meeting at the town hall on 26 August approved Barnes' plan and John Cowper, Lord Grimston's political agent, was appointed to act as solicitor on the borough's behalf. A deputation was

1 Gorhambury MSS., 3rd Visc. Grimston to Praed, 28 June 1793.
3 Gorhambury MSS., Lord Grimston to Barnes, 11 Aug. 1793.
chosen to attend the next General Committee meeting of the company and a subscription was put on foot to defray expenses. ¹

In less than a week a second public meeting was held at which a resolution was passed that the engineer reconsider the intended line of the cut from Sopwell Mill to St Albans to avoid doing injury to the property belonging to Holywell House. ² Barns' plan had been to terminate the canal almost at the gates of Holywell House at the foot of Holywell Hill. Lady Spencer had been trapped in Italy by the outbreak of the Napoleonic wars.

From Bagni she wrote to Lord Spencer:

if not withstanding the objection of Holywell Hill and the additional length of the canal they still carry it through those fields I hope you will make a point to have the bargeman's path on the further side of the Canal from me. ³

On the 5th of September 1793 Barnes submitted his plans and surveys for all the collateral cuts to the General Committee of the Grand Junction. All except the cut to Chesham and the termination of the canal to St Albans were approved. ⁴ On 16 September the General Committee passed a vote of thanks to Lord Spencer "for the constant and indefatigable attention which he hath given to the concern of this company and that he be earnest-

¹ Ibid., Loose memorandum 26 Aug. 1793.
² Ibid., Memorandum 31 Aug. 1793.
³ Althorp MSS., Lady Spencer to 2nd Earl Spencer, 21 Sept. 1793.
ly requested to continue his exertions in a cause that so ma-
terially concerns the commercial interests of this Kingdom."

Lord Spencer carried his point and on informing his mother she replied, "I still think it would be pleasant to have the wharf in the hands of somebody in some way a little dependent upon us—however it is less material than if it had been at my gate." 

The canal promoters had scarcely surmounted this obstacle when opposition began to materialize from another quarter. The turnpike trustees, anxious to protect their toll revenues, asked that their tolls should be levied on the road between the wharf and the town. More persistent opposition came from the landowners along the line of the intended cut. In February 1794, Praed reported to the General Committee of his company that St Albans would have to have a separate bill "on account of some expected opposition thereto."

When this bill was introduced into the Commons the landowners petitioned that a good road was already in existence between Watford and St Albans and that the River Lea was navigable to Hertford, only twelve miles from St Albans. They alleged that the market of St Albans would benefit at the expense of those

1 Ibid., 16 Sept. 1793. Lord Spencer disappears from the General Committee after 22 May 1794.
2 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 21 Sept. 1793.
3 St Albans & South Mimms TT., Minute Book, 6 Nov. 1793.
of neighbouring towns, and, referring to the preamble of the act which created the Grand Junction Canal Company, "it was obvious that a partial and not a national object was in view."\(^1\) The opposition was well organised. It printed a map of the projected canal and its objections to it and circulated this among members of Parliament.\(^2\) On the second reading in the Commons the question was put that the bill be committed and was lost by one vote.\(^3\)

The matter was not allowed to rest there. Cowper, the chief advocate for the canal, busied himself organising support in much the same way as he organised support in an election campaign. He wrote to Lord Grimston to marshall his friends in the House to support a renewed application for a bill. When a new bill was introduced into the Commons in February 1795 it was backed by petitions from the farmers and inhabitants of Luton and district and by the mayor and corporation of St Albans.\(^4\) The opposition, too, had rallied its friends. The mayor and the corporation of Hertford petitioned that their market and the navigation of the River Lea would suffer if a canal were built to St Albans.\(^5\)

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1 HCJ., xlix. 14 Feb. 1794.
2 Add. MSS. 32351 f. 4.
3 HCJ., xlix. 20 Feb. 1794.
4 HCJ., I. 17 March 1795.
5 Ibid., 18 March 1795.
The bill was all but undermined by its own supporters. The costs of making two applications to Parliament totalled £2809.2.6d., of which £1850 went to solicitors and the clerks of Parliament. In an attempt to recoup some of these costs the company had inserted a clause in the bill which would have allowed them to levy an additional duty of 2d. per ton on goods carried on the St Albans section of their canal. Cowper secured the rejection of this clause by the Commons committee which was considering the bill. Chaplin, the company's solicitor, told Cowper that the proprietors of the Grand Junction Canal Company were much displeased at the rejection of it when the Committee sat, that I had no right to interfere in the affairs of the Company and that it was very unhandsome in me in so doing, and that he had lately attended a meeting of the proprietors and I might rest assured, that if it was not included in the report and made part of the bill that a motion would be made in the House of Lords for that purpose and then it would be lost.

A new clause was inserted in the bill. As before the question that the bill be committed was put to the vote, but this time the company were prepared—their clerks had been ordered to circularize members of Parliament to support the bill—and the question was affirmed by 72 votes to 38. The bill received royal assent on 3 June 1795.

1 GJC Co., Cttee. Bk.1, 24 June 1795.
2 Gorhambury MSS. Cowper to 3rd Vis. Grimston, 28 April 1795.
3 GJC Co., Cttee. Bk.1, 4 Nov. 1794.
4 HCJ., 1. 25 March 1795.
the royal assent on 2 June 1795.  

The canal was never cut to St Albans. The additional duty discouraged many potential users. In an estimate of the probable traffic on the canal made in 1793 it was alleged that the mealmen of the borough were not enthusiastic because they could at that time get flour delivered to the bakers at eighteen pence a sack and the increased handling charges in transferring the sacks from barge to wagon would prevent them from reducing the price of flour further. The millers were, if anything, against the canal. They feared that the canal would draw too much water from their mill streams and deprive them of power. The surveyor reported to the General Committee of the canal company that the millers would not draw their shuttles to enable him to make an accurate measurement of the flow of water in their rivers.  

Until 1805 the Grand Junction could not carry coal nearer to London than Cassiobury Park on the Earl of Clarendon's estate north of Watford.  

On 7 June 1796 the General Committee of the Grand Junction resolved that collateral cuts should be begun.

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1 35 Geo. III c. 85.  
2 Gorhambury MSS. "Observations on the advantages that will arise from a Collateral Cut from Watford to St Albans."  
3 GJC.Co., Cttee. Bk.1, 4 Nov. 1794.  
4 Hadfield, op.cit. 50,000 tons of coal were allowed through the canal in 1805 on payment of duty to the City of London.
Provided that persons can be found who will advance money for the execution thereof upon the bonds of the company bearing 5% interest...and that no part of the company's present stock be applied towards it, except the sum of £5000 to be applied towards the deep cutting and embankment upon the Paddington line.

The time when Pitt was considering introducing a new tax upon incomes was not the best moment for such loans, particularly for a development that had received luke-warm support from all but the most partisan interests in the borough. When he was mayor in 1808 Lord Grimston wrote again to Praed on the subject of the canal and was told, "the Grand Junction Canal Company have no inclination to avail themselves of the power given them by Parliament."²

Humiliations such as Cowper suffered were the common lot of political agents in St Albans. Agents, unlike their patrons, could not disentangle themselves from the rancour that the borough contests engendered. After the accession of George III, when it became apparent that West's influence was beginning to fail, Handley appealed desperately to West to save him from the enemies that he had created during the twenty years that he had been West's agent:

About Twelve o'Clock, Lomax, old Edwin, with about a

1 GJC. Co., Cttee. Bk., 1, 7 June 1796.
2 Gorhambury MSS., Praed to Grimston, 25 July 1808.
Score of them came roaring up the Street. No W. No W. and when they came to the Cross (where Handley lived) they were very noisy indeed. And then it was No W. No Handley—In short their Malice is beyond Imagination and what I cannot support myself under without your assistance and effectual support the hope of which only keeps me alive. I have no friend to fly to for relief but you. My trust is wholey in you, dont let their Evil devises prevail over me.

It was not financial inducements alone that made a man an agent. By the end of the 18th century fairly substantial payments were made by the candidate to his agent at election times. Estcourt, Lord Grimston's agent in the county election of 1785, received £162. Benniworth had £100 in 1784, and Cowper £75. Handley owed his pension to West's influence. But Thomas Rudd made very little out of it and at his death his farm was mortgaged to West. Thomas Kettle, West's first agent in St Albans, left a family of nine almost destitute when he died, and a petition was presented to West for a place for his eldest son.

The chief attraction was to appear the confidant and ambassador of the great man. Nothing in the life of the borough matched the bustle and excitement of an election. The entry of the member into the borough was heralded as the approach of the conquering hero. "Some miles before you arrive" wrote Handley to West, "pray let a messenger give us notice because we propose

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1 Add. MSS. 34735 f.322, Handley to West, 7 June 1761.
3 Ibid.
4 Ibid.
5 Add. MSS.34734 f.325.
to come as far as Colney. We also desire you would have a pair of as good French horns with you as you can get. We will procure two exceeding good Trumpets from here. We all think Musick enlivens—and Damps."¹ In 1761 West and George Harcourt, Viscount Newnham, were chaired round the borough as their supporters crowed:

They come, they come, the Members come,
Sound, sound the Trumpet, Beat the Drum;
From street to street, let Echo say,
We're glad to hear, they've got the Day.

Behold West's loyal looks declare
An honest heart, void of Despair;
His Friends, from foes, he'll now survey,
We're glad to hear, he's got the Day.

See worthy Newnham's virtue shine,
Our Joys, to His, we each resign;
For Newnham, now, hath born the sway,
We're glad to hear, he's got the Day.

We all rejoice, ye worthy two,
Well knowing that, you'll both be true
To us, our Country, and our King;
With joy, your Noble deeds, we'll sing.²

What could have equalled the pomp of the arrival of Lord Grimston's London voters in 1830? Proceeded by a carriage and four, which contained the London committee and their solicitor, a cavalcade of six open barouches and a stage coach, carrying a banner with the inscription "Lord Grimston and Independence" was escorted into the town by a band. "The whole formed a very

¹ Ibid., Handley to West, 13 June 1747, f.41.
² Add.MSS. 34735 f. 295.
imposing and gratifying spectacle." reported the Herts. Mercury.

"They left town in the afternoon, having previously dined at the Blue Boar: the cavalcade was conducted in the same imposing manner, and passed in front of the hustings, and each carriage made a halt opposite the window at which Lady Verulam and her family, and a numerous assemblage of elegant females, were stationed, and mutual recognitions passed between her Ladyship and her son's London friends." 1

To be kingpin of these proceedings for a day--or with luck two days--was very gratifying. For the rest of the time an air of intrigue was cultivated. If West sent a special messenger, his agents, too, would have their special messenger. The agents suspected the secrecy of the mails and asked West to write under a sealed cover, or have his letters addressed by a different hand. The catchwords of an earlier generation were transferred to the parish pump politics of St Albans. There were Junctos and Cabals; there was even the Old Cause--the return of West once more to Parliament. Puffed with circumstance in the midst of these affairs it gave the agents no small pleasure to appear as men of business.

1 Herts. Mercury, 7 Aug. 1830.
POLITICAL INFLUENCE IN THE BOROUGH

The political history of St Albans from 1688 to 1835 was dominated by three families, the Marlboroughs, Spencers and Grimstons. The families were the inheritors of part of the former Abbey estates. Ralph Rowlat had been granted the Abbey estates of Gorham, Westwick, Pre, Sandridge, Newnham, Caldecot, Radwell and Napsbury in 1541. His daughters were co-heiresses. One married Sir Samuel Grimston, who sold his lands to Nicholas Bacon. This portion became part of the inheritance of the Grimstons. The second daughter married Ralph Jennings. The influence of the Marlboroughs was the inheritance of Sarah, 1st Duchess of Marlborough. Sir John Jennings had been returned for the borough in 1628 and 1640, and Richard Jennings, Sarah's father, in 1659 and 1661. The manor of Sandridge and the mansion of Holywell were left by Richard Jennings to his three daughters, Frances, Sarah, and Barbara. Sarah married John Churchill in 1678. In 1684 Lord Churchill paid one sister, Frances Hamilton, £11,100 for a moiety of the manor of Sandridge with the rectory and tithes, and of Holywell House with lands in the parishes of St Michael and St Peter. The Jennings' lands and property of the other co-heiress, Barbara, were purchased in 1685.

1 Newcombe, op. cit., 480.
2 HCRO. 40857.
Soon after the Churchills had acquired Holywell, the house was rebuilt. The roadway on Holywell Hill was diverted in 1686, to allow the grounds of the house to be extended. The row of cottages between Sopwell Lane and Holywell House was removed and the gardens greatly enlarged. The house was the largest within the borough's boundaries, and with its ownership went a tradition to return one of the members for the borough. The Churchills attempted to return two, and thus antagonized Sir Samuel Grimston.

Sir Samuel, the second and only surviving son of Sir Harbottle Grimston, had been a member of Parliament for St Albans almost continuously from 1668 to 1685. He had not been returned to the Parliament of 1678, but had been reelected in 1679. To the family estates which he had inherited from his father, Sir Samuel had added the manor of Windridge. If land ownership were the criterion by which one judged a man's fitness to be returned a member of Parliament, then the Grimstons had a better claim than that of the Churchills, for they owned more land in the vicinity

1 HCRO. 40865 is a copy of the writ "ad quod damnum" dated 4 Sept. 1686 issued against Lord Churchill for diverting the highway and of the reply made by the inquisition.

2 Cf. map p. 306 and 307. Chauncy's History of Hertfordshire was published in 1700, but the map of St Albans was drawn before 1686.

3 Sir Harbottle Grimston (1603-1685); recorder of Harwich, 1634; of Colchester, 1638-49; M.P. for Harwich, 1628; for Colchester, 1640 and in the Long Parliament; excluded by Pride in 1648; appointed to Council of State, 1659; Speaker of Convention Parliament, 1660; Master of the Rolls, 1660-1685; high steward of St Albans, 1664-1685.
of St Albans. Like his father, Sir Samuel was a Presbyterian and commanded the votes of the large number of Dissenters in the borough. His wealth, following and tradition of service to the House of Commons was such that he could not be set aside by the Churchills by normal practices.

The Churchills' entry into the borough under the aegis of a Roman Catholic monarch did not enhance their standing with many of the electorate. It was also a great disadvantage to be in command of troops in the town. The quartering of soldiers was always unwelcome to the numerous and vociferous inn and alehouse keepers. In 1684 the mayor, Thomas Crosfield, issued a warrant for the arrest of soldiers belonging to Lord Churchill's regiment.¹

To overcome these disadvantages the Churchills had to manipulate the franchise. In 1685 the old electorate was disfranchised and a new one was chosen by the mayor and aldermen, who were themselves hand-picked by Lord Churchill.² In 1701 the House of Commons disfranchised the householders who did not pay scot and lot, and thus unseated Joshua Lomax in favour of John Gape. The electorate was redefined in 1705 to unseat Gape in favour of Admiral Henry Killegrew, whom the Marlboroughs supported. In 1722 the Marlboroughs succeeded in returning their own nominees

¹ CSPD. 1684-5, p.115. Crosfield was not elected alderman under the charter obtained by Churchill from James II.
² See p.85-6.
by swamping the resident electorate by the creation of scores of honorary freemen. These high-handed tactics were not conducive to good relations between the Marlboroughs and the residents of the town; nor did generous benefactions, such as the Marlborough Almshouses, which were occupied chiefly by former servants of the Marlboroughs or workers from their estates, offset the damage that was done at election times. For her part the Duchess thought the inhabitants ungrateful, the corporation disloyal and towards the end of her life regarded her birthplace as a "vile town" which she resolved never to see again.

The return of George Churchill and Sir Samuel Grimston to the Convention Parliament was a compromise between the two families. It probably did not represent the sympathies of the majority of the electorate, but it was the outcome of a custom of voting by which each voter split his votes between those candidates who had some claim upon his interest and loyalty. Only partisans gave both their votes to one candidate.

George Churchill, who was very unpopular in the country as a whole,\(^1\) retained his Jacobite sympathies longer than his brother John.\(^2\) His supporters were not as numerous as those of Sir Samuel Grimston. They included the local clergy, and for a time,

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2 He was finally asked to resign all his offices by Marlborough. W.S. Churchill, *Marlborough, His Life and Times*, iii. 542.
the Gape family of St Michael's parish. The Gapes were the oldest established of the more important families of the borough. They had provided mayors and aldermen for the borough since the time of its incorporation. During the 17th century the Gapes had been royalists. By the early 18th century they were pigtail Tories of the old school. It was John Gape, Jr., who in 1722, "with his drawn sword, begun the riot on election day, and caused the music to play 'The King shall enjoy his own again!' and the word was given out "Down with the Rumps! Down with the Roundheads! No King George's Justices!"

Sir Samuel Grimston was much disliked by the Jacobites and was expressly excluded from the pardon that James II intended to issue had he landed in 1692. Sir Samuel's death in 1700 upset the balance of representation in the borough. He was not survived by an heir and was succeeded by his great nephew, William Luckyn, who assumed the name of Grimston. Family loyalties were broken and a bid for the voters formerly commanded by the Grimstons was made by the brothers, Joshua and Thomas Lomax.

3. VCH. Herts., ii. 35 n.6.n.s, 9 July 1703.
5. HMC. xiii. 395, 10 March 1701.
6. John Pothergill, (1667-1728); vicar of St Stephen's; master of St Albans Grammar School, 1695-1728.
Lomax of Childwickbury, had been indicted by the archidiaconal court in 1683 for being a non-conformist, and had been "always accounted a friend and assistant to the fanatical party." Joshua, the younger, had been one of the founders of the Chapel for Protestant Dissenters in Dagnal Lane in 1698. Like his father, he entered Lincoln's Inn.

At the election in January 1701 George Churchill, John Gape, and Joshua and Thomas Lomax stood as candidates for the borough. Churchill and Joshua Lomax were returned. Gape petitioned the Commons against the return of Lomax and alleged that Lomax had been returned by the votes of those who had no right to vote. The size of Lomax's following was referred to by Edmund Ayleward, the town clerk, who said in evidence that during the thirty years that he had known St Albans the householders who did not pay scot and lot had always voted because "they were so tumultuous there was no opposing them and they had always been marked with a Quaere: But the same had never been contested because of the great majority of one side." The Reverend John Fothergill, a

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1 Sheriff of Herts. 1674.
2 HCRO: Archidiaconal Records, 194. Joshua Lomax and William Pembroke were presented by the rector of Abbey Church for not receiving the sacrament.
3 HMC. Verulam, 102.
5 Lincoln's Inn Admissions, 9 July 1705.
6 HCJ. xiii. 327, 13 Feb. 1701.
7 HCJ. xiii. 395, 10 March 1701.
8 John Fothergill, (1667-1728); vicar of St Stephen's; master of St Albans Grammar School, 1695-1728.
nephew of John Gape, for whom he had solicited votes, said that
the mob were so unruly they were ready to pull off his gown, and
that they had threatened the mayor:

If you return Lomax we'll be still as a mouse. 1
If you return Gape then down comes your house.

The Commons restricted the vote to the freemen and householders
paying scot and lot. The election was declared void and a new
writ was issued. At the subsequent election held in March 1701
John Gape was returned. He was also returned, with George
Churchill, at the elections of November 1701 and July 1702.
After each election Lomax petitioned the Commons about the illegal
practices used by Gape to secure his return. 2

For the election of 1705 the Marlboroughs dropped Gape and
put forward Henry Killegrew, 3 a fellow admiral of George Churchill.
Gape, who lacked the political agility of the Marlboroughs, was
accused by the Duchess of being against the Queen's interest. 4
Accusations of disloyalty would have been better applied to the
other candidates. Burnet ascribed the loss of the Smyrna fleet
in 1693 to Killegrew's treachery, and Churchill's failure to

1 HCJ. xiii. 396.
2 Ibid., 476, 8 April 1701; 670, 13 Jan. 1702; xiv. 10, 27 Oct. 1702.
3 He bought the former Abbey estates of St German's Chapel and
St Julian's Hospital. N. Salmon, The History of Hertfordshire,
(1728), 81.
4 HCJ. xv. 38.
5 G. Burnet, History of My Own Time, iv. 180.
provide convoys for merchantmen caused great loss of shipping.¹ Gape was returned but unseated on a petition to the Commons by Killegrew. The Commons restricted the franchise to exclude the votes of honorary freemen.² The voting had been 233 for Killegrew, and 236 for Gape.

The Marlboroughs had been successful in returning their men in four elections since 1700 but only by defining the electorate to a limited number of the residents of the borough. Such an electorate required local and constant attentions if it were to respond gratefully at elections. While the queen was at Windsor, the Marlboroughs found it more convenient to stay at Windsor Lodge, which was part of the emoluments of the Duchess's office of Ranger of Windsor Great and Little Parks. After Blenheim Palace had been built, the Marlboroughs had little time to spend at Holywell House.

From 1708 to 1715 local members were returned for St Albans; John Gape and Joshua Lomax were elected in 1708, and Gape and William Grimston in 1710 and 1713. The Marlboroughs still commanded some votes in the borough. The Duke wrote to Grimston in 1713 that he had given orders to his agent, Charles Middleton,

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¹ Clark, loc. cit.
² HCJ. xv. 37, 24 Nov. 1705.
that Grimston should be supported at the forthcoming election. 1 Referring to the help he had received from the Marlboroughs, Grimston wrote:

the Duke sent me word...that he took a great deal of paines to chuse me, when my interest was very little. I am extremely at a loss to know when that time was. All the favour and support I have ever received was only promises which I shall not easily forget as long as my elections bills, upwards of £2000, are fresh in my thoughts.

Bribery and treating at elections had risen sharply in the borough after 1705. The Marlboroughs were no longer able to threaten the electorate and the limited number of voters began to appreciate the value of their vote. Gape's return by the borough in 1714 was confirmed by a Tory House of Commons 3 although the evidence given before the Committee of Privileges and Elections made it clear that both Gape and William Hale, whom he unseated, had bribed the voters. 4 The Commons resolved that the electorate at St Albans should be the mayor, aldermen, freemen, and those householders paying scot and lot; 5 and this was the franchise from 1714 until 1832. This ruling of the House opened the way to the creation of large numbers of honorary freemen.

1 HMC. Verulam, 114.
2 Ibid., 114-5, William Grimston to Mr. Bothomley, 5 Nov. 1717.
3 Verney, op. cit., 247, Sir Thomas Cave to Lord Fermanagh, 27 April 1714, "we likewise confirm'd Mr. Pope (Gape) at St Albans this day, the Division was 194 Yeas, Noes 138."
4 HCJ., xvii. 596-8, 27 April 1714.
5 Ibid., 597.
The by-election of 1717, caused by the death of Hale, proved to the Marlboroughs the necessity of making freemen if they were to return their candidates. They fought the election with a relative of the Duchess and had the support of the corporation; yet Joshua Lomax was returned. William Grimston had been alienated by the Marlboroughs' behaviour. To a request for his support of their nominee he replied:

Sir, I am satisfied the mayor and aldermen have promised their interest for Mr. Jennens; if they alone can bring him in they deserve to be rewarded with something more than promises but I doubt their expectations will not be easily satisfied. I freely and readily declare there is no gentleman I have a greater value for than Mr. Jennens...But when I reflect on the treatment I have met with from Windsor Lodge it raises a spirit of indignation in me as I have not been used with that regard that is due to me.

The Marlboroughs made no mistake in 1722. The Duchess told the mayor it would be a Tory Parliament which "in her interest would bring him off," for she had resolved to distress the court. In this she had the support of John Gape, Jr. The corporation set to work, and created 173 honorary freemen in the three months before the election, and William Gore and William Clayton were elected. Lord Grimston and Joshua Lomax's petition to the House

1 HMC. Verulam, 115.
2 Ibid., 117.
3 William Luckyn Grimston had been created an Irish peer with the titles of Baron Dunboyne and Viscount Grimston in 1719 for his attachment to the court during the rebellion of 1715.
was withdrawn, possibly because of the expense they had already incurred over the election. Lord Grimston chose another way to improve his influence with the corporation.

The outcome of the Commission of Charitable Uses greatly improved the stock of Lord Grimston with the corporation, and at the same time reduced that of the Duchess. However, Lord Grimston did not wish to exclude the Duchess from the borough completely. He wanted to restore the balance, and to have his interest acknowledged by more than words. He was content to return one member, and recognized that it would be less expensive for him to join with the Duchess than with one of the smaller families who contended for the borough. But the Duchess was an awkward ally. She opposed the court. Lord Grimston was a firm adherent of the court. In fact from 1714 to the end of our period the Grimstons supported the Hanovarian monarchy and the administrations which were backed by the court. At the general election of 1727 Lord Grimston offered to share the expense with the Duchess and to exclude Caleb Lomax from the borough, but she declined. The Duchess thought that Lomax was so strong that her candidate, who would have been John Spencer, could not have been chosen without heavy bribing and treating.

1 HCJ., xx. 17, 18 Oct. 1722; 63, 26 Nov. 1722.
2 See p. 179.
3 HMC. Verulam, 121.
In her letter announcing this to Lord Grimston she wrote:

I really think a man of your fortune, who inherits such a place from your ancestors, and that live so near St Albans, ought to be chose in that borough without bribing or doing more than is proper for a man of birth in treating. And since I give it up entirely, if you manage it right, I should think you must be chose without trouble.

Lord Grimston replied, "whatever success I meet with will be entirely owing to your Grace's generous interposition...The Mayor and Aldermen at present do not show any inclination to recommend another."\(^2\)

Lord Grimston's influence over the corporation rankled the Duchess, for she had no intentions of giving up the borough completely. When Caleb Lomax died in 1730, Lord Grimston contemplated putting forward his son. The Duchess strongly resented this, and wrote to Thomas Gape asking him to support her grandson, John Spencer. She added, "I can assure you upon my certain knowledge that my Lord Grimston has never failed in contributing his vote in all those grievous things which this nation is now oppressed with."\(^3\) A compromise was reached.

Thomas Gape stood with the concurrence of Lord Grimston and of the corporation. A letter from the corporation illustrates the ascendancy that Lord Grimston had acquired:

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1 Ibid.
2 Blenheim MSS., E.43, Lord Grimston to Duchess of Marlborough, 6 Aug. 1727.
3 HMC. Verulam, 121, 27 Feb. 1730.
Wee having a great regard to your Lordship’s recommenda-
tion and Mr. Gape's merritt, have unanimously agreed
upon him to be our representative, therefore beg your
Lordship to forward the writ as soon as possible,
which will very much oblige your Lordship's most
obedient and very humble servants.

Although Lord Grimston supported Gape wholeheartedly, the election
was contested. The London Evening Post of 21-24 March 1730
carried a report that

Ld. Visc. Grimston gave a very elegant breakfast at
his seat of Gorhambury in St Albans to Mr. Gape's
Friends; after which his Lordship...with the prinici-
pal gentlemen of the county, rode, attended by about
300 voters all on Horseback to St Albans to order to
poll, which was continued for about three hours and
a half and about Four Mr. Brassey flung up the same
when the numbers stood thus,
Thos. Gape 396. Mr. Brassey 136. 2

At the general election of 1734, the Duchess scored a final
success over Lord Grimston. In order to obtain the maximum
promises for her candidate, she announced that she should put
forward John Spencer. In September 1733 she wrote to her grand-
daughter, Diana, Duchess of Bedford:

I will set John up at St Albans too, where I have a
natural right to recommend, and when I see I can
(nominate?) him in both places, I can just before
the election at St Albans recofmend a proper man to
that town instead of him. 3

1 HCRO: Gorhambury viii. B. 189, 12 Mar. 1729/30.
2 St Albans & Herts. Architectural & Archaeological Society,
3 G.S. Thomson, Letters of a Grandmother, 1732-1735, (1943), 95.
To the Duchess's request for support for John Spencer, the corporation replied:

We are extremely obliged to your Grace for the favour of your kind letter but are very sorry that it is not in our power to be represented by Mr. Spencer, whose behaviour in public trust has distinguished his merit and who is no less deserving in private life.

Lord Grimston delayed declaring that he would stand for the borough until the Duchess let it be known that she would support Sir Thomas Aston. His apology for opposing her candidate brought a typical rebuke from the Duchess:

As to your saying you did it in compliance with the request of the electors, I am very well assured that no great number have asked it of you; nay, I know further, that several, even of them who wish you well, think you have been ill advised to declare such a particular opposition to me at a time when the town of St Albans hath great inclinations as well as some reason to oblige me.

One week before the poll the Duchess had given up all hope of success for she complained prematurely to the Duchess of Bedford:

And St Albans is lost, where I had so natural a demand, by putting a stranger to stand there, which will cost a very great sum of money, because people could excuse themselves better against the recommendation of a stranger than against my grandson, if he had made his appearance upon the place.

Sir Thomas Aston and Thomas Ashby were elected. Ashby also

1 Blenheim MSS., F.1.24, mayor and aldermen to Duchess of Marlborough, 16 Mar. 1733/4.
2 HMC. Verulam, 122. The Marlborough Almshouses were completed in 1736.
3 Thomson, op. cit., 113.
4 Ashby provided the punch bowl and loving cup which is still part of the corporation plate.
acknowledged that "my Election was secured to me by your Grace's favour."\textsuperscript{1} Lord Grimston's petition to the Commons accusing the mayor of arbitrary proceedings at the poll, and Ashby of corrupt practices,\textsuperscript{2} was later withdrawn.\textsuperscript{3}

After the election the Duchess humiliated Lord Grimston by reprinting a rather insipid comedy that he had written in his youth.\textsuperscript{4} His lordship had attempted to buy all the existing copies. Unfortunately the Duchess had one, and her reprints\textsuperscript{5} dedicated "To the Right Sensible the Lord Flame," which were widely circulated through the borough, inspired Pope's couplet:

Shades that to Bacon did retreat afford
Are now the portion of a booby Lord.

The 1st Viscount Grimston did not again contest the borough.

St Albans was no pocket borough. It was always expensive and troublesome to contest. No patron could be absolutely sure of returning his nominee if the election had to be decided by a poll, and more than half the forty-six elections for the borough between 1688 and 1835 were contested.\textsuperscript{6} The refusal of the electors to recognize the patron's natural right to return a member

\begin{itemize}
\item \textsuperscript{1} Blenheim MSS., F.1.24, Ashby to Duchess of Marlborough, 27 April 1734.
\item \textsuperscript{2} HCJ., xxii. 332, 28 Jan. 1735.
\item \textsuperscript{3} Ibid., 425, 20 Mar. 1735.
\item \textsuperscript{4} W. Grimston, The Lawyer's Fortune or Love in a Hollow Tree, (1705)
\item \textsuperscript{5} Ibid., (1736).
\item \textsuperscript{6} From 1688 to 1835 there were 36 general elections for the borough, 21 of which were contested, and 10 by-elections, 5 of which were contested.
\end{itemize}
seems to have annoyed the Marlboroughs and the Grimstons more than the expense and trouble of the elections. On the death of Ashby in 1743, when John Spencer asked the Duchess about filling the vacancy, she replied:

As I have taken leave of that place, and told them I will never see St Albans more, I am determined never to be at any expense and trouble about the Corporation. You know the chief man I had any dependence on is dead, and 'tis not to be hop'd that I can do any service there, unless the Corporation are convinced of the wrong things they have done. And in that case with the assistance of the Dissenters, who are a great many, any person would be easily chose.

One of the "wrong things" done by the corporation was to allow James West into the borough in 1741. West admitted to Lord Grimston's son, George, "You know my first appearance at St Albans was in opposition to that interest and the Duchess; at that time I received that support and assistance from the Gorhambury family which everyone who knows me...will testify my sense of."

West also was aware of the strength of the non-conformists in St Albans. One of his election ballads began:

Dissenting Brethren, Babes of Grace
To you this is address't
For you must never show your face
Except you bring in West.
...
Remember this is Forty-one
and we'll repeal the Test

1 Althorp MSS., Duchess of Marlborough to John Spencer, 12 Jan. 1743.
2 George Grimston (1714-1782); 5th son of William, 1st Visc. Grimston.
3 Add. MSS., 34734 f. 72, 20 Dec. 1753.
4 Add. MSS., 34735 f. 305.
After the minister of the first Independent Congregation had been evicted from the Abbey in 1662, and during the operation of the Conventicle and Five Mile Acts, the non-conformists in the town had been reduced to four meeting places. The Presbyterians at a house in the Abbey parish, the Independents in St Peter's parish, and there was one house for the Friends and one for the Anabaptists. By 1715 the congregation of the Chapel for Protestant Dissenters in Dagnal Lane numbered 400, of which 99 were voters for the borough and 48 were voters for the county. The Baptists built their chapel in Dagnal Lane in 1720. The Methodists had a chapel in St Peter's Street. The Friends may not have been very numerous.  

While the non-conformists gained strength, at least in the early part of the 18th century, the established church, if not in decline, was stagnant. Some of its clergy were pluralists and non-residents; others were more interested in the care of the constituency than in the cure of souls. The vast and decaying

1 W. Urwick, Centenary Memorial, (1894), 17-20.
2 The Friends had their own burial ground at their Meeting House in Dagnal Lane. There are only 13 burials recorded in the digest register of deaths of the Quarterly Meeting of Beds. & Herts. between 1704 and 1800. A similar register for Bucks. has been proved inaccurate.
3 By 1750 the Congregationalists had splintered. F.A.J. Harding, Three Hundred Years of Christian Witness in St Albans. In 1815 the Independents numbered 28 members. Church Book, Independent Chapel, Spicer Street, 1814-1817.
fabric of the Abbey Church would have taxed the resources of a dedicated corporation and clergy, but those at St Albans were lax. Most travellers passing through the town commented upon the fine proportions of the church, and upon its condition. ¹

Divided by a public passage way, its Lady Chapel reserved as a schoolroom for which there were rarely scholars, the Abbey Church was a white elephant. By the beginning of the 19th century it was said that, the only diminutive part of the whole fitted up for religious worship, is contained within the circumference of the tower, excepting a small gallery for the use of the boys of the Blue Coat School, in the south transept, and two large pews appropriated to the use of the corporation, which are so injudiciously planned, as to place the mayor and the aldermen sitting near him, with their backs to the minister. ²

Many of West's supporters were Dissenters, or came from families which were of dissenting stock. William Pembroke had been one of the founders of the Chapel for Protestant Dissenters. His son, Joshua, was a Receiver General of the Land Tax for St Albans and Hertfordshire. Joseph Pembroke, one of Joshua's sons, was town clerk of St Albans from 1766 to 1792. His brother, George, was twice mayor in 1754 and 1776, and was appointed deputy recorder by West.³ The Iremongers were prosperous.

¹ Celia Fiennes, Through England on a Side-Saddle in the time of William and Mary, (1888), 98.
² Shaw, op. cit., 164.
³ Arms were confirmed by patent 7 Feb. 1771 to George Pembroke of St Albans and the descendents of his father Joshua, of Lincoln's Inn. Sir B. Burke, The General Armory, (1884).
Matthew Iremonger, elected alderman in 1763, acted as an election agent for West. The Tombes, who provided a Clerk of the Peace and a treasurer for the borough, and the Kentishers, who were honorary gaolers of the Abbey gaol, and who had possessed property in St Albans since the 17th century, also supported West.

West owed his long tenure in the borough to other circumstances. A Paymaster of Exchequer Bills place for Lord Grimston's son, George, helped to reinforce the 1st Viscount's allegiance to the administration and to West. The Duchess of Marlborough died in 1744. Her grandson, John Spencer, died two years later, aged 38 because said Horace Walpole, "he would not be abridged of those invaluable blessings of an English subject, brandy, small beer, and tobacco." His heir, the future 1st Earl, was twelve when his father died. The Spencer interest in the borough reverted to Charles, 3rd Duke of Marlborough, a friend to the Pelham administration. While the 1st Viscount Grimston lived and John Spencer was under age, West was secure at St Albans.

For the general election of 1747 West found a more congenial

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1 John Iremonger was made the recipient of the fines decreed by the commission of charitable uses, and was described as a "very substantial unquestionable person." St AM., 1429.
2 Clutterbuck, op.cit., ii. 307
3 GEC., The Complete Peerage, xii. 153 d.
colleague than Hans Stanley, who had been returned with John Spencer's support at a by-election in 1743. Sir Peter Thompson, a Hamburg merchant, received his knighthood for forming a loyal association in Surrey during the rebellion of 1745. Lord Grimston wrote to West, "I am very glad you have found a gentleman agreeable to the Duke of Marlborough and Mr. Pelham you may depend upon the utmost of my interest in support of you and Sir Peter Thomson." 

Lord Grimston's views on the representation of the borough were not shared by his heir, James, who had fought the expensive by-election against Hans Stanley in 1743. While he had no wish to fight an election against a Spencer candidate again, he did not like to have his interest in the borough taken for granted. At the general election of 1754 John Spencer was within eighteen months of coming of age. The Duke of Marlborough thought it safer to secure the seat at St Albans for John Spencer with his cousin, Lord Bateman. Henry Pelham, believing that James Grimston had no aspirations in the borough, asked for Lord Grimston's support of West and Lord Bateman. In December 1753 George Grimston informed West:

1 He is described in the DNB. as "awkward, ungracious and eccentric."
2 Like West, Thompson had a large collection of books, manuscripts, fossils and antiquarian curiosities.
3 Add. MSS., 34734 f. 31, 11 June 1747.
4 John, 2nd Visc. Bateman (1721-1802); MP. for Leominster, 1768-1784.
this morning my brother made us a visit, is much dis-
pleased that any person should have taken on him to
give Mr. Pelham such an information, before he had
declared his intentions to any, and looks on it as
calculated to establish the Marlborough Interest on
the ruins of his--I am likewise sorry to find that in
conducting this affair Lord Bateman should have given
some umbrage by talking a very high strain of preserv-
ing Mr. Spencer's interest for him till he came of age
by weight of money against all opposers; he might have
considered that there is another interest perhaps
thought worth supporting at least too good to make a
mere compliment of to the Marlborough family--what
turn this may give to affairs I cannot at present for-
see, but doubt whether your interest will be bettered
by it...You very well know the decline and infirmities
of age in my father, and must be sensible under such
circumstances what sway my Brother bears here.¹

West saw the danger and replied with a carefully worded
letter in which he acknowledged the interest of the Grimston
family and hoped that it could be united with that of the
Marlboroughs.² A few days later James Grimston announced that
he would stand as a candidate for the borough.³ The Duke was
undetered, and wrote to Althorp:

as I began this affair on Mr. Spencer's account (for
whom you say everybody declares when of age) that
declaration induces me to give Mr. Grimston no farther
trouble provided he and his father will promise me in
writing to be for Mr. Spencer or if Mr. Spencer should
happen to be chose elsewhere for the person he should
recommend, but this must be done immediatly for I have
already suffered too much by loss of time at St Albans,
if I therefore have not an answer by the time I may
reasonably expect one, I shall set off for St Albans

¹ Add. MSS., 34734 f. 68, 16 Dec. 1753.
² Ibid., f. 72.
³ Althorp MSS., James Grimston to John Spencer, 25 Dec. 1753.
and try what can be done by pains and expense. An assurance was given to the Duke; it seems very unlikely that it was in writing, and West and James Grimston were returned unopposed to Parliament.

Nevertheless, West could not feel secure. Replies from members of the local gentry and clergy indicated that had there been an election, Grimston would have had their support. Also, the Grimstons had a long standing grievance against West. In 1743 the mayor, Joseph Handley, had created 459 honorary freemen in the Hans Stanley-Spencer interest. Had all these persons taken up their freedom it would have doubled the borough's electorate. At the time, Handley's action had annoyed the West party as much as the Grimstons, and West had blocked John Spencer's application to have Handley put on the commission of the peace. After John Spencer died, Handley saw that the power in the borough would centre around West. In 1746 Handley successfully applied to West to have his pension of retired naval surgeon restored. For the next twenty years Handley was

1 Ibid., Charles, 3rd Duke of Marlborough to ?, 29 Dec. 1753.
2 Add. MSS., 34734 f. 78, 80.
3 See p. 89.
4 See p. 45.
5 Add. MSS., 34734 f. 19, Handley to West, 11 Sept. 1746.
one of West's strongest supporters in St Albans. With Handley went many of the voters he had created in 1743. These voters were chiefly from London and the country. Therefore, it was Handley, and whatever interest he clung to, that was the particular object of the Grimston's dislike; for had there been no out-town voters the Grimston's influence in the borough would have been much stronger than it was.

A little of the immediate pressure upon West was relieved in 1756, when John Spencer was returned for Warwick. But as the time for a general election drew near, West decided that it was necessary to join one or other of the patrons or he would be excluded from the borough. There was no question of siding with one family because it was more loyal to the Duke of Newcastle, for both Spencer and Lord Grimston supported his administration. West opted for the greater landowner and wrote to his agent, "if our Friends are wise there will be no opposition to a Commoner of the greatest property in England joined to a tried and experienced servant."  

The 1st Viscount Grimston died in 1756. Writing in September 1760 to James, the 2nd Viscount, West asked for his vote and interest at the coming general election, and reminded him of "the

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1 See p. 261.
2 Add MSS., 34735 f. 36, West to Rudd, 17 Sept. 1760.
declaration given by the late Ld. Grimston and yr Lordship previous to the last general election." Before he had received a reply, George II had died. The accession of a new monarch unsettled the borough. James Ibbetson, archdeacon of St Albans, made his condolences to West and noted that there was a spirit of opposition abroad. West's party were surprised and concerned. It had been rumoured that West was to be created Baron West of Alscott. When this favour failed to materialize, Handley inquired if West and George III were good friends. The favours that were available went elsewhere. John Spencer informed the Duke of Newcastle:

As I am now the representative of the Sunderland family and as my particular circumstances are such, (from the Duchess of Marlborough's will) that I cannot receive any favours from the King except a Title, I should hope that if his Majesty thinks me worthy of a Peerage he will not confer upon me a less dignity than that of a Viscount... I hope your Grace has observ'd that ever since I sat in Parliament I have never failed in supporting the King and his ministers to the best of my ability.

Newcastle, anxious to conclude arrangements with as many borough

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1 Ibid., f. 38, 18 Sept. 1760.
2 James Ibbetson, D.D. (1718-1781); Rector of Merton, 1747; Rector of Bushey, Herts., 1748; archdeacon of St Albans, 1754; prebend of Lincoln, 1757.
3 Add. MSS., 34735 f. 63, 28 Oct. 1760.
4 Add. MSS., 32915 f. 115, 27 Nov. 1760. The Duchess of Marlborough had willed that if John Spencer or his son accepted any office or employment under the crown, other than the Rangership of Windsor Great and Little Parks, they would forfeit all interest in her estate.
patrons as possible in order to avoid contests at the general election, passed on Spencer's request to the king. On 3 April 1761 John Spencer was created Baron Spencer and Viscount Spencer of Althorp.\footnote{On 1 Nov. 1765 he was created Viscount Althorp and Earl Spencer.}

West was thoroughly unnerved by events. He was reminded by Caleb Lomax, a local landowner, "Your confidence has been placed in such of the electors whose property may be contained in a nutshell."\footnote{Add. MSS., 34734 f. 174.} His most trustworthy agent, Thomas Rudd, had died, and those that bickered over his place wrote only of the strength of the other parties and of the need to spend more money and to find more places if the borough was to be secured. Little more than one week before the election West asked Newcastle to find him another seat. He wrote:

\begin{quote}
It is impossible for any man to guard against deceit and I now find every artifice practiced and My Lord Grimston publickly declaring against me...I would willingly defray any expense. If Bramber is open I should be as agreeable to Lord Archer as any other person I believe, and I would pay double what is to be paid.\footnote{Add. MSS., 32920 f. 329. West to Newcastle, 19 Mar. 1761. Andrew Archer (1736-1778), the son of Thomas, Baron Archer of Umberslade, married West's first daughter, Sarah. He was chosen for Bramber in 1761, but sat for Coventry, 1761-1768.}
\end{quote}

However, a strenuous canvas of the out-votes strengthened West's confidence, and he determined to stand the poll, but he warned Newcastle, "A Secretary of the Treasury should not stand here-
after for a populous borough within 20 miles of London." Lord Newnham, who stood in John Spencer's interest, polled 344 votes, West polled 313 votes, and Corbett, Lord Grimston's nominee, 261 votes.  

In April 1762 West followed Newcastle out of office. Although West was the most faithful servant that Newcastle ever had, the Duke could not surmount his chronic anxiety about the loyalty of his friends and of West. He feared that his last orders disposing places had not been carried out, and he wrote to West:

it now appears that the warrant for my Lady Rockingham's Window Peeper, and all the late warrants have been stopt by my Lord Bute's order; and what surprizes me still more, that there is a letter found in the Treasury relating to this Affair, from you dated June 2, eight days after I had resigned my employment;...I beg you would send me the true state of the Case...I conclude you hear more news from London than I do.

A few months later the purge of the "Pelhamite Innocents" began, and Newcastle wrote to West, "I am sure your good nature makes you feel for the poor innocent unhappy men who are most cruelly and unjustly removed from their employments in the Customs Excise etc." Many that were purged were not so innocent. They expected to preserve the Duke's electoral influence while

1 Add. MSS., 32921 f. 16, 23 Mar 1761.  
2 Add. MSS., 34735 f. 263.  
3 Add. MSS., 32940 f. 92, 26 June 1762.  
4 Add. MSS., 32946 f. 218, 26 Jan. 1763.
enjoying the fruits of office. It is doubtful if West's friend, George Grimston, would have fitted that category, yet he was removed. West replied to Newcastle:

Mr. George Grimston came here to tell me he was turned out from being one of the Paymasters of Exchequer Bills, a place given him 14 years ago by Mr. Pelham, and that upon waiting on Lord B at his Levee and begging to know how or in what manner he had forfeited his lordship's favour, Lord B told him he was very sorry for it, but that when violent oppositions were formed, it was impossible to prevent hardships falling upon private persons: and I hear it is said "Leave the D of N any power or dependents and he will wriggle himself into play again."

Once before West had quitted office with the Duke, but that had been for eight months only, between November 1756 and July 1757. When Newcastle was made Privy Seal in Rockingham's administration in 1765 West expected some return for his loyalty, but none came. Newcastle repeatedly asked Rockingham for a place for West, and later confided to West that the Duke of Grafton had refused to allow West to be made Treasurer of the Navy.

Devoid of patronage and without a place for himself, West found his influence in the borough steadily declining. His former followers, taking advantage of the agreement between West and Lord Spencer, drew closer to the Spencer camp. At the general election of 1768 West refused to contest the borough again. "With

2 Add. MSS., 32946 f. 223, West to Newcastle, 27 Jan. 1763.
4 Add. MSS., 32983 f. 76, Newcastle to West, 26 Jan. 1768.
regard to St Albans," he wrote to Newcastle, "I believe I might have been chose even against the power of the Court and Lord Spencer but it must have been three or four months constant and vigorous attendance and an expence that would be boundless."¹ Newcastle replied, "I can't think of your being out of parliament, upon my Account, whatsoever, and therefore I shall certainly take care, to have you Chose, where I can't yet tell...In all Events you shall be safe."² In 1768 West was returned at Boroughbridge.

James Bucknall Grimston, the 2nd Viscount's heir, was two months short of his majority at the election of 1768. John Radcliffe of Hitchin Priory was returned for the borough with Lord Grimston's assistance. Richard Sutton, who had succeeded West as recorder of the borough in 1763, was nominated by Lord Spencer. Neither Radcliffe nor Sutton can be said to have followed closely their patron's political inclinations or line of conduct in Parliament.

As under secretary of state in the Southern Department, Sutton imbibed some of the Earl of Shelburne's understanding of the aims of the American colonists. Speaking in the debate on the bill to regulate the government of Massachusetts Bay, Sutton said, "If you ask an American who is his master, he will tell you he has none, nor any governor but Jesus Christ. I do believe it, and

¹ Add. MSS., 32985 f. 443, 11 Oct. 1767.
² Add. MSS., 32986 f. 126, 27 Oct. 1767.
it is my firm opinion that the opposition to the measures of the legislature of this country is a determined prepossession of the idea of total independence." But after he had been returned again for St Albans by Lord Spencer in October 1774, Sutton's views on American affairs diverged widely from those of his patron. While Lord Spencer supported the Earl of Chatham in the Lords, Sutton spoke for the government on the American Prohibitory bill.3

Radcliffe was aligned more nearly to Lord Spencer's political opinions than to those of Lord Grimston. He joined the minority which voted against the address of thanks in 1775.4 With the county members, William Plumer and Thomas Halsey, he opposed the resolutions for discharging the arrears of the civil list in 1777.5 Radcliffe supported Dunning's resolutions on the influence of the crown, and Sutton opposed them.6

When George III dismissed the Fox-North coalition, the matter of political allegiance was raised anew. The 2nd Earl Spencer was a Portland Whig, and a supporter of Fox. William Sloper, who had succeeded Sutton in 1780 at St Albans, was a lukewarm Foxite

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1 Parliamentary History, xviii. 128, 22 April 1774.
2 Ibid., xviii. 168, 216, 296.
3 Ibid., 8 Dec. 1775.
4 Ibid., 772.
5 Ibid., xix. 140.
6 Ibid., xxi. 769.
at best. Referring to Sloper's conduct in the Commons Lord Spencer wrote to his mother,

He went against us or away on all the questions and in many bye matters lately has appeared desirous of showing particular antipathy to the late administration; I hardly know how to speak to him on the subject but I think I may fairly ask him whether we are likely to agree in general or not, as it would really be a great joke to bring a man in who was to be plump against one on every question however I have really so good an opinion of his integrity that I do not think he can be very materially wrong, and his doctrines about government are such I believe that the odds are always for his being with opposition.

Unswerving loyalty to a patron's political views may not have been expected, but it was an unpardonable sin for a member to create an independent following in the borough. The two lords were agreed upon one thing— a third party in the borough would be injurious to them both. A memorandum of Lord Grimston's in 1770 records that at a meeting of Lord Spencer and Lord Grimston on the 6th of March of that year, Lord Spencer had said that he preferred Lord Grimston's interest in the borough to that of Radcliffe's, and that he intended to return one member for the borough, and would leave his friends free to dispose of their second vote as they wished. He also told Lord Grimston that Radcliffe had asked Sutton to unite with him to exclude Lord

1 Althorp MSS., 2nd Earl to Lady Spencer, 19 Dec. 1783.
2 Gorhambury MSS., Memorandum, 6 March 1770.
Grimston. Lord Spencer refused to do this. On the contrary, he would willingly join with Lord Grimston to turn Radcliffe out of St Albans.

Ten years later the position had changed a little, perhaps because of Radcliffe's voting in the Commons. In July 1780 Lord Spencer informed Lord Grimston that he intended to return one member for St Albans at the next general election, and would maintain a strict neutrality towards Lord Grimston and Radcliffe, unless either opposed Lord Spencer's candidate. In that case, Lord Spencer would join with the other interest.¹

Relations between Radcliffe and Lord Grimston had become strained by 1780. Radcliffe had been introduced to the borough by Lord Grimston. His lordship had written to Newcastle to ask West to use his influence in favour of Radcliffe.² At the general election of 1774 Lord Grimston had assured Radcliffe "you may depend on my utmost endeavours to make your election as secure and as easy as lies in (my) power."³ And Radcliffe supported Lord Grimston in his county contests of that year.⁴ But by 1776 Radcliffe had built up an independent following

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¹ Ibid., Memorandum, 19 July 1780.
² Add. MSS., 32985 f. 394.
³ HCR0: Radcliffe MSS., 4961, Lord Grimston to Radcliffe, 1 Oct 1774.
⁴ Radcliffe MSS., 4961, Lord Grimston to Radcliffe, 1 Oct. 1774.
which was prepared to support him against Lord Grimston and his brother William. Radcliffe's agent wrote, "Mr. Osborn, Gold, Kent, Jones, House and several others...all declared they never would desert your interest, but to their utmost of their power promote it, whenever it was atact with a view of dispossessing you of your seat in Parliament for this Borough."\(^1\)

With the exception of John Osborn, who was an attorney, the supporters of Radcliffe named by Benniworth were tradespeople,\(^2\) as such they could not show openly independence of both Lord Grimston and Lord Spencer. However, a third man in the borough might count on capturing one vote from the disgruntled. Many of the inhabitants, even nominal supporters, derived much entertainment from the discomfiture of the patrons.

In April 1776 Benniworth wrote to Radcliffe:

Our Law suit goeth on to our wish and we doubt not of carrying our point, wich if we should will make the greatest revolution in this Town that hath happened in the memory of man but desire you may have nothing to do therewith except it should hereafter be found to be a means of making you more friends.\(^3\)

The advowson of the Abbey Church had been granted to the mayor

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1 Ibid., 4978, Benniworth to Radcliffe, 9 April 1776.
2 Bailey's British Directory, (1784), 926-7. Kent was also vestry clerk of the Abbey parish. A brief sketch of him is contained in P.H. Ditchfield, The Parish Clerk, (1907), 87-89.
3 Radcliffe MSS., 4978, Benniworth to Radcliffe, 9 April 1776.
and burgesses by Edward VI. Invariably, the right of presentation had been interpreted as being in the mayor and aldermen only. The Reverend Benjamin Preedy resigned as rector of Abbey Church and master of the grammar school in 1775, and was given the living of Brington in Northamptonshire by the 1st Earl Spencer. In January 1776 the corporation, the majority of whom supported Lord Spencer, elected the Reverend Joseph Spooner to the places vacated by Preedy. The Blues decided to test the corporation's right of presentation. At his February court the mayor announced that he had received an order from the Court of King's Bench which required him to show cause why a writ of mandamus should not be issued directing him to hold an assembly of the mayor aldermen and burgesses for the purpose of electing a rector of Abbey Church.

It was agreed by the counsel that both sides engaged that the question of right whether the election of the rector was in the mayor and aldermen only or in the mayor, aldermen and burgesses at large should be tried in a feigned issue at Hertford Assizes by a special jury. Alderman Thomas Gape appeared as plaintiff; Alderman Joseph Handley as defendant. On 16 July 1776 Benniworth

1 Brington is the neighbour church to Althorp, and contains the Spencer tombs. In addition Preedy held the living of Dunton.
2 MCB., 12 Jan 1776.
3 Ibid., 26 Feb 1776; PRO: KB. 21.41, (King's Bench Orders, Easter Term, 1776)
4 PRO: 21.41, (Trinity Term, 1776)
told Radcliffe:

What now engages the whole conversation publick and private is our approaching trial at the Assizes and almost every hour affords us fresh matter, sometimes the Burgesses cause is clear beyond a doubt, next the mayor and aldn as clear, sometimes Ld Spencer will carry it up to the House of Lords and hath given orders for £500 to be paid into the hands of the mayor and aldn for bribing the Burgesses to vote for Mr. Spooner, and what is the last report I have heard is that Ld Spencer will not encourage any contest against the Burgesses but will provide for Mr. Spooner better elsewhere...The Jury to try our cause is struck and by the names which was handed to me there are several of our acquaintances. I dare say St Albans hath not been so thin of its inhabitants for an age as it will be on Tuesday next; at present it affords us much pleasure and I hope it will in the end.

The mayor and aldermen won their case and it was a disappointed Benniworth that reported, "The success of the Corporation in their Law suit hath much exalted their notions of Power, and in particular the Mayor talketh large what they are to do, all which I very little regard but some amongst us are rather dispirited."^2

On Radcliffe's death in 1783 Lord Grimston thought it prudent to secure the seat for the family by standing himself. He was unopposed. George John, 2nd Earl Spencer, who succeeded to the title on the death of his father in October 1783, maintained his father's policy with regard to the representation of the borough.

To his mother who had retired to Holywell House he wrote:

With respect to your information about Mr. Radcliffe I heard it the night before last from Geo. Byng. I

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1 Radcliffe MSS., 4981, Benniworth to Radcliffe, 16 July 1776.
2 Ibid., 4982, same to same, 17 Sept. 1776. The town clerk's bill of costs for defending the corporation amounted to £327.18.10d. MCB., 7 Jan. 1778.
think the only thing I can stick to is to bring in one member only and perhaps it may be much better for all of us that Lord Grimston should come in quietly and so have no disturbance.¹

Lady Spencer passed on this information to the Spencer party in the town, and replied, "Langford said that he supposed you would rather have Lord Grimston come in than have a third interest establish'd. I answered certainly."²

Fox wished to oppose Lord Grimston at the general election of 1784 but was told about the arrangement at St Albans. "I have seen Fox," Sloper wrote to Lord Spencer, "and explained to him that he must not flatter anybody that he sends down with the hope of open assistance from your interest, and that a known Friend of his would not be the best received."³ Sloper was a poor candidate for Lord Spencer. He was indifferent to being returned to Parliament, and was personally unpopular with several of the Spencer party in the borough. Instead of Fox challenging at St Albans it was Lord Spencer, the friend of Fox who was almost turned out.

The 3rd Viscount Grimston occasionally claimed, as had his father, that in Parliament he acted as an independent member.⁴ In fact, he was a supporter of Pitt.⁵

¹ Althorp MSS., 2nd Earl Spencer to Lady Spencer, 19 Dec. 1783.
² Ibid., Lady Spencer to 2nd Earl Spencer, 23 Dec. 1783.
³ Ibid., Sloper to 2nd Earl Spencer, 24 Mar. 1784.
⁴ Ibid., same to same, 23 Mar. 1784.
⁵ HMC. Verulam, 123
⁶ Ibid., 135.
shire the 3rd Viscount joined with Lord Salisbury\(^1\) in an attempt to break the long tenure of William Plumer and Thomas Halsey. At St Albans Lord Salisbury put forward Viscount Fairford as a candidate. Although Lord Grimston paid lip service to the arrangement to return one member for the borough, he did not deceive Lady Spencer. "Lady Salisbury's attack" she wrote, "is a formidable one and Lord Grimston's behaviour I must say to you tho I will not allow myself to do it to others, is, as it ever was equally unhandsome and absurd--he pretends to be neuter while all his nearest friends and connexions give their votes and canvas against us."\(^2\)

The election was notable in that its protagonists were women. Lady Salisbury, scattering half crowns, swept through the borough, charming the electors. To redress the balance Lady Spencer sent for her famous daughters, Georgiana, Duchess of Devonshire, and Harriet, Viscountess Duncannon, who both did great service for Fox in the Westminster election. Their arrival in St Albans was reported to Lord Spencer:

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\text{Lady Salisbury has canvassed the town with amazing success and she threw a sort of spirit upon their party that depressed ours--so last night I sent for your two sisters who set out an hour ago with Mr. Sloper and a very large body of friends to make a regular canvas--it is amazing what this has already}
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\(^1\) James Cecil, (1748-1823); 7th Earl and 1st Marquess of Salisbury.

\(^2\) Althorp MSS., Lady Spencer to 2nd Earl Spencer, 31 Mar. 1784.
Sloper might have been unsuccessful, had not Lord Grimston withdrawn his own candidature and proposed his brother William on the day of the poll. "Everything has taken a turn in our favour" wrote Lady Spencer, "Ld Grimston at the moment they were going to poll declar'd that he declined the poll and proposed his Br. Yr Sisters and our Friends began a warm canvas immed-
iatly carrying with them the note Lord Grimston had sent me intimating his intention. There was such a cry against him that I have this moment heard he does stand the Poll tho his note to me declaring he does not is walking about the Town." As a result the Grimstons could not afford to turn over any votes to Lord Fairford, and William Grimston and Sloper were elected. The sisters were indefatigable. As soon as they knew they had been successful at St Albans they were "wild to come to Northampton and nothing would hinder their setting out immediately but the impossibility of their being in time." 

The Salisburys' attempt to turn the Spencers out of St Albans was not sustained. The supporters of the Salisburys and the

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1 Ibid., Same to same, Thursday.
2 Ibid., same to same, 2 April 1784.
3 William Grimston polled 276 votes, Sloper 254 votes and Fairford 230. Lord Grimston was returned for the county.
4 Althorp MSS., Lady Spencer to 2nd Earl Spencer, Saturday. (3 April).
Grimstons in the Blue Club were not on the best of terms. By 1786 Lady Spencer was able to tell her son:

I staid till Monday for our Assembly which went off very well, Lady Salisbury was there for a little while but was out of spirits and seemed chagrined—Mason thinks their people are growing very slack and neither Ld Salisbury or Ld Fairford were at their last Londgn meeting—only Cooper attended and he gave no money.

No Salisbury candidate appeared at St Albans for the general election of 1790. Thomas Clutterbuck opposed the two lords, but was easily defeated. The election's chief interest was the promise given by John Calvert, Jr. to Lord Grimston. After his experience with Radcliffe, his Lordship wished to be quite sure that he had not introduced another cuckoo to the nest, and in another of his memorandums he recorded:

On this day in the presence of my brother Mr. William Grimston, Mr. John Calvert with the approbation of his Father having been recommended to the borough of St Albans by me as a fit Person to represent it in the ensuing Parliament did faithfully promise and assure me that he never would even attempt to make any independent Interest in the Borough, that he would court no popularity, nor that he would visit the borough at any time without my knowledge and approbation. That he would never canvass or offer his services to the borough without my consent and that he would resign any pretensions to his seat for that place whenever I should call upon him to do so.

Nor did Lord Grimston's control over his nominee end there. When

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1 See p. 172-3.
2 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 30 Aug. 1786.
3 Richard Bingham, Lord Spencer's nominee, 263 votes, John Calvert, 209 votes, Thomas Clutterbuck, 117 votes.
4 Gorhambury MSS., Memorandum, 13 June 1790.
Calvert received petitions from the inhabitants of the borough, Lord Grimston provided draft replies for Calvert to copy.¹

In spite of the care taken by the two patrons, a permanent independent interest was established in the borough at the election of 1796. Oldfield noted, "The opposition which shivered this aristocratic combination was made by Samuel Ferrand Waddington, esq, in 1796; and though unsuccessful at the time, it laid the foundation of the borough's independence."² To which must be added, that as a consequence of this independence St Albans became one of the most venal boroughs in the country.

Waddington's introduction to the borough came at a time of great distress among the poorer classes of the voters. In St Albans, as in other parts of the country, there were riots over the high price of corn and bread in 1795 and 1796. The women usually began the trouble on market day. There were more women than men at the market, for there was a women's market at which eggs, butter and similar provisions were sold, and there was also a straw plait market supplied from the local cottage industry. Arthur Young reckoned that the women of St Albans could earn about five shillings a day at straw plaiting, whereas the farm labourers could earn only ten shillings a week even in hay time.³

¹ Ibid., Lord Grimston to John Calvert, 29 Nov. 1795.
³ A. Young, General View of the Agriculture of Hertfordshire, (1804), 220-222.
The farmers disapproved of the industry which created such independent and boisterous viragos.¹

In July 1795 Lady Spencer wrote to her son:

Our difficulties seem to be beginning my Dear George.
We had a little riot in the market today. The farmers asked £3.15.0 a load for wheat and the mealmen would give but £3.7.0. They put Mr. J. Clarke of Sandridgebury into a passion and he talked rather imprudently and the women immediately flew upon him and would have used him very roughly if he had not made his escape they then laid hold of his sacks of wheat and dragged them out of the market place.²

Various schemes were set on foot to supply the poor with alternatives to their staple diet of bread, and agreements were signed by the corporation, the farmers and the gentry to curtail the consumption of white bread. Brown bread infuriated the poor and it was widely believed that it made one blind. Soup was accepted grudgingly as it was regarded as a poor alternative to bread.³ Even attorneys turned and bit the hand that once had fed them, and which they knew must feed them again. When Lady Spencer suggested to John Boys,⁴ the town clerk, a scheme she had devised for supplying the poor with soup he told her:

it was bread the poor wanted and bread they must have that you and Lord Grimston had lorded it over this borough for many years and that now was the time to show your regard for it that you ought instantly to

2 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 18 July 1795.
3 The correspondence of the two lords contains some remarkable recipes for making large quantities of soup.
4 John Boys (1757-1817); town clerk, 1792-1817; Liberty treasurer and clerk to the paving and lighting commissioners.
subscribe a thousand pounds a piece, that it was mockery to call together the middling ranks of people to supply the necessities of the poor—that the only difference between them was that one was quite ruined and the others on the brink of being so—in short he was violent to a degree foamed at the mouth when he talked of brown bread and seems ready primed for any mischief.

John Boys, Alderman Francis Kingston, a surgeon, and Dr. Stephen Pellet, organized a meeting at the town hall on 23 November 1795 to take into consideration the two bills then pending in Parliament designed to prevent seditious meetings and practices. The meeting was similar in form to one that had been held on 14 November at the Paul's Head Tavern, Cateaton Street, London at which Waddington had taken the chair. At St Albans the mayor, Dr. Thomas Baker, took the chair, and the meeting declared its firm attachment to the principles of the constitution as established at the Glorious Revolution and resolved that the bills, if carried into effect, would be destructive of those principles, and a direct violation of the Bill of Rights and would subvert the liberty of the press and the freedom of public discussion.

A petition, signed according to Lady Spencer by journeymen shoemakers, bricklayers, carpenters and all the riff raff of the town, was given by the town clerk to the borough members to

1 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 18 July 1795.
2 Pellet succeeded Dr. Nathaniel Cotton at the Collegium Insanorum in St Albans.
3 New Annual Register, 1795, 101-2.
4 The MSS. notes of one of the speakers at this meeting are contained in St AM. 1839.
5 Althorp MSS., 23 Nov. 1795.
be presented to the Commons. Bingham and Calvert refused the petition, and it was presented by the county members, Plumer and Halsey. A report of the meeting and a copy of the petition was printed in the County Chronicle. A counter petition in support of the bills was quickly drawn up and signed by a majority of the aldermen and all the local clergy, and this was presented to the House by the borough's representatives.

The hard winter of 1795-6 caused more disturbances over food prices. Lady Spencer was not easily unnerved, but in February 1796 she wrote to Lord Spencer, who was then First Lord of the Admiralty, for a troop of horse to be stationed near the town.

There was some disturbance here on Friday (she wrote)... the mob was composed of women chiefly and they were soon dispersed but tomorrow a very serious disturbance is threatened--they have sent to all the women of the neighbouring villages to be here early and if the wheat is raised to exert themselves not only to take that but to attack the Butchers' shops--we have not a soldier in the town.

A troop of horse was ordered to London Colney and the expected demonstration did not occur.

At the invitation of the mayor, town clerk, Alderman Kingston and "some other gentry of R--- principles" Waddington made his first appearance in St Albans in March 1796. He was soon dubbed a disciple of Tom Paine, possibly for his reply to Burke's

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1 County Chronicle, 23 Nov. 1795
2 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 27 Feb. 1796.
3 Gorhambury MSS., Cowper to Lord Grimston, 4 Mar. 1796.
Proposals for Peace with the Regicide Directory of France. In his election address, Waddington demanded an end to the war with France, the alleviation of taxes, and the support of trade and manufactures. He promised never to accept a place, pension or contract. His slogan was "Plenty of work and the big loaf." Not all of Waddington's following came from the poorer classes. Support from such families as the Kentishes and the Domvilles gave Lady Spencer some concern. She was confident of success, but wished to do it "with as high a hand as possible."

Much bitterness was engendered by the contest. The ballad writers pilloried the Spencers and Grimstons. Lady Spencer's efforts to relieve the poor by selling soup inspired "A New Song" sung to the tune of "Tis near the gates of Calais." It began

Tis near the bottom of this town I tell
Where insolence and pride do ever dwell
Affected piety and lady's asses,
And spying slaves who tell what in town passes;
Of these I sing for surely as I'm made,
My Lady has commenced the cooking trade.

"Beggars Broth and Barley Bread" continued the tale with

Ten pence a gallon was the price,
Short measure they did sell, Sir,
And certainly for such a vice
They must be doomed to hell, Sir;
Great lords they do agreements draw
And make their tenants sign them,
To feed the poor with beggars broth,
And barley bread to blind them.

1 S. F. Waddington, Remarks on Mr. Burke's Two Letters "on the proposals for peace with the Regicide Directory of France," (1796).
2 St AM., 1839.
3 Sir William Domville, Lord Mayor of London, 1814.
Every incident that could be turned against the patrons was seized. When a spectator had been wounded at an archery meeting at Gorhambury, Lord Verulam had proffered five shillings to pay for the doctor. "Precedents for Generosity" had a verse:

Now you know the full price of the life of a man,
Five shillings says Gotham! deny it who can;
But if one of us swine had let fly such an arrow
They'd have sworn he deserved to be hanged on the morrow.

The writers of broadsheets hammered away at the aristocratic influence in the borough.

The same corrupt motives that induced one to forsake his Principles for a Place, and another to barter you for a title will induce them again to deceive you. On the Day of Election you will find, when perhaps it is too late, that you have been deceived; that the Aristocratic Influence has been united, to crush the Independence of the Borough of St Albans.

Lord Verulam's heir, James Walter Grimston was a few months short of being of age at the election of 1796; Thomas Skip Dyot Bucknall, a cousin of James Walter, defended the seat for the Grimstons. Bucknall gave a similar promise to that given by Calvert in 1790.

If I am wanted, I will hold for one Session and do nothing that may in the least hurt Your Lordship's Interest, or Counteract your Politics; also will accept the Chiltern Hundreds, whenever called upon;...and I am ready to give security as the learned may deem proper for bringing in the Honble Person whom I am to hold for.

1 The 3rd Viscount Grimston was created Baron Verulam, 8 July 1790.
2 All the extracts are taken from St AM., 1839, "A Collection of Election Literature."
3 Gorhambury MSS., T.S.D. Bucknall to Lord Verulam, 28 April 1796.
The election was probably the most expensive held in the borough before 1835. Public houses were opened weeks before the poll, which lasted for two days. By the end of the second day, Lord Bingham, brother-in-law to Lord Spencer, had polled 378 votes, Bucknall, 308 votes, and Waddington, 208 votes.

"Thus, Mr. Printer," wrote Lord Verulam under the nom de plume of An Independent Voter Et Amator Verae Libertatis, "has loyalty, by a majority of more than three to one, completely triumphed over principles which threaten the destruction of every public and private blessing."¹ A few days later, his lordship wrote to Mr. Quanton of Tottenham to know if "he had discharged Draper from his service as coachman for having attended at the St Albans late Election."²

Undaunted, Waddington went on unsuccessfully to contest the county. The party which had been formed to support him did not disintegrate. Sometimes it was known as the "Independent Party" or the "Contest Party" or simply "The Party". Its existence threw doubt on the outcome of every election between 1802 and 1835. The "Republicans" Kingston and Boys soon became respectable. Kingston told Lord Spencer's agent in 1800 "that if Waddington started tomorrow he should not have a vote for him... and ended with a hearty Phillipic against all Jacobins."³ Lord

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¹ The Times, 28 May, 1796.
² Gorhambury MSS., Lord Verulam to Quanton, 3 July 1796.
³ Althorp MSS., John Harrison to 2nd Earl Spencer, 18 June 1800.
Verulam offered Boys the custody of the rolls of some of his manors in 1805. Boys accepted this offer and also agreed to assist Lord Verulam at elections in St Albans.\\footnote{1 Gorhambury MSS., Lord Verulam to Boys, 3 June 1805; Memo. 22 July 1805.}

At the election of 1802 "The Party" came into the hands of the first of St Albans notorious borough mongers, John Sharpless and Monkton Hale. Sharpless had been an officer of the Court of Requests in St Albans and keeper of the borough gaol.\\footnote{2 MCB., 5 May 1779.} In 1785 he had been taken on a judge's warrant for allowing a prisoner to be at liberty in the town. For resisting arrest and attempting to kill the borough constable he had been confined to the hulks. After an appeal to Lady Spencer,\\footnote{3 Sessions Rolls, 408, 25 Feb. 1785.} he had been freed. By 1802 Sharpless had returned to St Albans and was seeking a third man to oppose Lady Spencer's brother, William Stephen Poyntz, and James Walter Grimston.

Less is known of the origins of Monkton Hale, but in July 1802 Harrison wrote to Lord Spencer, "Monkton Hale is the man with whom Kingston has been negotiating...Mr. Hale represents himself as a cousin of Lord Gs (and he may be for ought I know) which was an offer too tempting to be refused--as it would have been Nuts to K to have battled Gorhambury with a relation."\\footnote{4 Althorp MSS., Lady Spencer to 2nd Earl Spencer, 27 July 1796.} Hale

\textsuperscript{5} \textit{Ibid.}, Harrison to 2nd Earl Spencer, 2 July 1802.
appears to have obtained possession of "The Party" by this ruse and to have sold their votes to Lord Verulam, for Daniel Giles was told, "Thomas Monkton Hale, no.47 Old Bailey is a prisoner in the rules of the Fleet. It is the same person who conducted the election for Ld Grimston in 1802, who sold that election."¹

The borough's patrons rarely fought an election on a political issue, and the outcome of the contest in St Albans in 1807 did not encourage repeated experiments. The Grimstons never made this mistake. In fact, the highest poll ever recorded for a candidate at a borough election before 1835 was for James Walter, Viscount Grimston, who in 1830 declared to the electors, "with respect to my political principles, it is more difficult for me to speak, having never as yet embarked in matters of that serious import."²

For much of the 18th century, candidates for St Albans made no specific promises about their future conduct in Parliament. James West in 1741 simply asked, "I humbly beg the favour of your vote and interest and assure you may always depend on my acting in such a manner as becomes your representative and a true lover of his country."³ Independence--of what was rarely specified--and an attention to the individual interests of each

¹ Giles MSS., Henry Bates to Daniel Giles, 23 Jan. 1812.
² Hertsh.Mercury, 3 July 1830.
³ Add. MSS., 34734 f. 7.
voter and to the general welfare of the borough was the best election manifesto that a candidate could offer. Sloper complained to Lord Spencer, "I never could feel myself in a more trying situation than when I have been told by some of the electors that my personal behaviour to them had given them offence and alledge that as a reason for voting against me."¹

The proposal of the Ministry of the Talents to open staff appointments in the army in England to Roman Catholics was not one to set St Albans alight, but neither was it one to receive any support from the Dissenters and the members of the Church of England in the borough. However, when the cry of "No Popery", which had been raised by the corporation of London,² was echoed by "The Party" in support of a candidate who stood in the "popular interest", Lord Spencer's candidate was defeated.

The popular candidate was Joseph Halsey, nephew to William Plumer, member for Hertfordshire from 1768 to 1807. Halsey had contested the 1806 election for the borough, and at that time had polled only 201 votes against James Walter Grimston's 243 votes and William Poyntz's 447 votes. In January 1807 Halsey wrote to Lord Spencer that he had heard that William Poyntz, who had represented the borough since 1800, would not stand again. Halsey offered himself as a candidate for Lord Spencer adding,

¹ Althorp MSS., Sloper to Lord Spencer, 12 April 1784.
"in opposition to which I shall certainly not listen to any overtures on the subject...I beg leave to assure you that you cannot give your support to any person more attached to the present government, or to your Lordship in particular than myself."¹ Lord Spencer declined Halsey's offer, and when Parliament was dissolved he nominated his nephew, John William, Viscount Duncannon.

The dissolution came as a great shock to one of the Spencers most fervent admirers in the borough. The Reverend James Preedy² was the personal chaplain of Lady Spencer; he was also a very good election agent.³ While the 2nd Earl Spencer was Home Secretary, Lady Spencer had applied to him to recommend Preedy to the first vacant cathedral stall in Grenville's gift. Nothing had been obtained by March 1807 when Lady Spencer wrote:

As to poor wretched Preedy he was thunderstruck when he heard you were all going out--of which he had not the least apprehension--that he quite shocked me. He turned as white as a sheet, leant his head against the window for a little time and then went into the garden without uttering a syllable.⁴

In spite of his assurance to Lord Spencer, Halsey, supported

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¹ Althorp MSS., Halsey to 2nd Earl Spencer, 1 Jan. 1807.
² James Preedy (1752-1836); B.A. (Oxon) 1775; M.A. Clare Coll., Camb. 1796; master of grammar school 1775-1776; vicar of Welton, Northants, 1783-5; rector of Haselton with Yarnworth, Gloucs., 1785-96; vicar of Brington, Northants., 1796-9; vicar of Winslow, Bucks., 1793-1809; rector of Hinton in the Hedges-cum-Steane, Northants., 1809-1836.
³ Althorp MSS., Lady Spencer to 2nd Earl Spencer, 24 Jan. 1806, "I could do nothing without Preedy who is an excellent assistant in such matters (as canvassing)."
⁴ Ibid., same to same, 24 Mar. 1807.
by "The Party", opposed Lord Duncannon and James Walter Grimston. At first, it was not thought that Lord Spencer's candidate would be the one to suffer. Grimston's agent, J.S. Story, wrote to Lord Verulam on 27 April 1807:

In consequence of the support given by the Spencer Family to the Catholic Bill their interest has suffered much, particularly in the borough, since the last Election, and it becomes of the highest consequence to Mr. Grimston's Cause to prevent those who leave that interest from joining Mr. Halsey, for the struggle will, notwithstanding, be between Mr. Grimston and Mr. Halsey.

Lord Verulam did not allow his agent to use the cry of "No Popery" against the Spencers. On 29 April Story replied to Lord Verulam, "I perfectly agree with you as to the impropriety of using any popular cry or endeavouring to gain a Majority by any other than Honorable means."  

Nevertheless, the letters of John Harrison to Lord Spencer show that great play was made with the Catholic issue during the election.

27 April 1807. Thursday night 10½ oclock.

When we commenced our canvass this morning the first hour things appeared more favourable than from the circumstances of the moment I could have expected...but when we came towards the middle of the town about the Market Place and more especially in St Michael's, the case was altered and I never experienced anything like so bad a canvas--The cry of No Popery is general and what is extraordinary that party which I supposed would not have cared about it has

1 Gorhambury MSS., Story to Lord Verulam, 27 April 1807.
2 Ibid., same to same, 29 April 1807.
availed itself of the cry in the greatest degree—and in every house almost we were dinned with the subject and in many with great violence though with no personal disrespect—Great pains must have been taken to instill into the minds of the lower orders these sentiments. Kingston has refused us his vote upon the ground of Conscience! nothing else would have induced him...In truth the Catholic question appears to be the sheet anchor of our opponents and it is astonishing to see that where we used to be received with open arms for a long series of years we are now rejected.

29 April 1807.

this is a very hazardous matter... a good deal will depend on the Londoners with whom great pains have been taken by Halsey's friends...all possible pains are taken to quiet the minds of the violent but they thank God they were bred Protestants and do not chuse to be burnt at the Stake. There are no doubt many who make this a mere pretence but there are also many others who, however mistaken are serious.

1 May 1807. 11½ oclock.

The Methodists to a man will be against us if they have had the Communication—for that there has been a general Communication thro the whole body I have scarce a doubt... My whole time or rather the greatest part of it, has been occupied today in discussing points of conscience and I was a whole hour with one person.

2 May 1807. Saturday, 2 oclock.

I think Mr. Plumer ought, if he has a spark of Gratitude to prevent his nephew from injuring us further than is absolutely necessary for his own interest.

Polling took place on the 5th and 6th of May. At the close of poll Halsey had 322 votes, Grimston 288 votes and Duncannon 275.

Lord Spencer decided at once to cut all political connections with the borough. Lady Spencer approved but added, "the giving

1 Althorp MSS., Harrison to 2nd Earl Spencer.
up all election views at St Albans will in my opinion double the value of Holywell...but yet I am strongly for not doing it immediately as if in a moment of irritation--whenever you chose to do it the withdrawing from the Corporation will sufficiently prove you are in earnest."¹ Lord Spencer and Lord Althorp resigned their positions as aldermen on the 29th of July, and Lord Spencer resigned the high stewardship of the borough on the 27th of August.² The Grimstons and their friends moved into the positions vacated by the Spencers. Lord Verulam was elected high steward and alderman, and the Reverend James Gape filled the other alderman's chair.

Lord Spencer did not again propose a candidate for the borough, or in any way give assistance to Whig candidates who contested St Albans after 1807. He wished Daniel Giles success in 1808, but refused to order his agents to support Giles.³ In 1812, when Giles was opposed by Christopher Smith, a wealthy wine merchant and an Alderman of the City of London, William Hart, Giles' agent, wrote, "In a case like the present so unexpected and unprecedented it is not half measures that will do or good wishes it must be the active and determined interposition of the Noble Family of Spencers that can alone save us from the

¹ Ibid., Lady Spencer to 2nd Earl Spencer, 8 May 1807.
² MCB., 29 July, 2 Sept. 1807.
³ Althorp MSS., Giles to 2nd Earl Spencer, 28 Dec. 1808.
grasp of the Minister, to whom I should suppose Smith would feel no hesitation in selling us." But, to an enquiry from Giles, Lord Spencer repeated that he would have nothing further to do with the borough.

The election at St Albans in 1807 exposed in a small way one of the weaknesses of the Whigs. Basically, the Whigs were a family alliance. In Hertfordshire, as Sir Lewis Namier has noted, many of its landowners were self-made men, who had made their fortunes from the brewing industry or from banking. There were not many old county families in Hertfordshire at the turn of the 18th century. Halsey and Giles were good examples of the new families. Joseph Thompson Whately had taken the name of Halsey on his marriage to Sarah, the heiress of Thomas Halsey of Great Gaddesden. Giles was the only son of a Huguenot weaver, who had left £170,000 at his death in 1800. Both Halsey and Giles called themselves Whigs: the Spencers would have said that they both voted Whig. It was inconceivable to Lord Spencer that he should hand over his election organisation to such men, though they expressed their admiration for him personally, and for the policies that he pursued. Lady Spencer assured her son that with a little trouble and expense St Albans could be recaptured,

1 Giles MSS., Hart to Giles, 6 March 1812.
and there is no doubt that it could have been after 1809, when the Grimston family were unable to supply a member as a candidate for the next twenty years. Lord Spencer preferred to wash his hands of the borough completely. It was a fine gesture, but it was not practical politics.

The abandonment of the borough by their patron left the Spencer party in confusion. The Kinders, who had been loyal for at least half a century, were "quite out of humour about it."\(^1\) James Preedy supported Giles in the elections of 1808 and 1812. The gain to the Grimstons was not as great as it might have been, because on the death of Lady Forrester in 1809, James Walter, 3rd Viscount Grimston became Baron Forrester and entered the peerage. His son and heir, James Walter, the future 2nd Earl Verulam, was also born in 1809. For a generation the Grimstons could not provide their own representative for the borough.

During this time "The Party" steadily gained strength. Between 1807 and 1835 there were nine general elections and three by-elections in St Albans, nine of which were contested. Whigs and Tories were returned to Parliament, but not by Whig and Tory voters, for as Alderman Carden confessed to the Commons Commission investigating bribery in the borough, "A man's politics in St Albans is his breeches pocket."\(^2\) The merchants

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1 Althorp MSS., Harrison to 2nd Earl Spencer, 25 July 1807.
2 Reports of Commrs., 1852, (1431), xxvii. 9.
and bankers who were introduced to the borough were sure to have one thing in common—plenty of cash. Daniel Giles wrote a ballad about Alderman Christopher Smith which began:

Introduc'd by Monkton Hale,
Who of old Boroughs makes a sale,
The City Hero ventur'd down
To Canvass brisk St Albans Town;
Plenty of cash but little wit
How vain the Hopes of simple Cit: 1

But at the poll in 1812 it was Smith who was successful.

An uncontested election was anathema to "The Party". It was the custom of "The Party" at all elections where there appeared no probability of a contest to hang up a key in different parts of the town as a sign to the electors that a candidate would be brought down to open the borough. 2 Only one general election was uncontested between 1807 and 1835 and it is probable that that was by arrangement with "The Party".

John Easthope, Alderman Christopher Smith and William Heygate were candidates for the election of 1826. One week before the poll Heygate stood down. "Pro Bono Publico", a correspondent of the Herts Mercury, upbraided Heygate for offering a "never-to-be-forgotten insult to the borough", and concluded that it had been done with the connivance of one of the other parties. 3

The Tories, or rather the supporters of Smith, held a public

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1 Giles MSS.
2 Reports of Commrs., 1852, (1431), xxvii. 9.
3 Herts Mercury, 26 July 1826.
dinner in Heygate's honour after the election. Smith had the support of "The Party" at this election. Dr. Richard Webster, a retired naval surgeon, had taken over its leadership from Monkton Hale and Sharpless. At the hustings Webster seconded the proposal of Smith as a member for the borough, and said that "Rather than accept a reward from Mr. Smith or anyone, he would starve in a workhouse (loud cheering) and he entreated the electors to reward the candidates by their unbought suffrages (much applause)."2

It would be wrong to contend that political issues did not arouse enthusiasm in the borough. Shaw complained that "Social intercourse (in St Albans) is very proscribed; which may be attributed to party—the bane of all neighbouring fellowship."3 Lord Verulam as Lord Lieutenant of the county banned all meetings and the formation of clubs for or against Roman Catholic emancipation in 1828, because they might "perhaps create amongst ourselves a feeling of political hostility, which it has been for many years the endeavour—thank God the successful endeavour--of the leading Gentlemen in this county to stifle and eradicate."4

Political beliefs, however, were not the deciding factors in the return of a member for St Albans. The elections between 1830

1 Ibid., 1 July 1826.
2 Ibid., 17 June 1826.
3 Shaw, op.cit., 164.
4 Herts Mercury, 8 Nov. 1828.
and 1835 prove this.

The election of 1830 was the first for which James Walter, 4th Viscount Grimston could contend. Although he was the nephew of Lord Liverpool, he could not define his political principles but told the electors that "the line adopted by my family has met with my perfect approbation." Charles Tennant admitted that he was a supporter of the Duke of Wellington's administration. H. Gally Knight was proposed by Lord Althorp, who complimented the electors for emancipating themselves from the thraldom which his family had formerly cast upon them. He recommended Knight as "no preserver of game,--no dancing man--but a man of business." The Tories were returned; Lord Grimston polled 495 votes, Tennant 511 votes, and Knight 280 votes.

At a public dinner to celebrate the victory of Lord Grimston, the Reverend William Mogg Bowen declared:

Doubtless the Noble Lord might have saved himself some trouble by suffering himself to be returned for some venal rotten borough, but, what can be a greater degradation than that of being a corrupt representative of a corrupt people (Cheers). The lofty and noble mind of Lord Grimston would not yield to such a course, and he now had to boast of being the independent representative of the free, the renowned, and ancient borough of St Albans and of being elected by the unanimous voice of the whole town (Cheers).

Nine months later Lord Grimston was as resoundingly defeated.

1 Ibid., 3 July 1830.
2 Ibid., 14 August 1830.
3 Ibid., 18 Sept. 1830.
There may have been some electors who were incensed by the loss of the first reform bill in the Commons. Sir Francis Vincent and Richard Godson, the successful candidates in 1831, both said in the Commons that they were pledged to their constituents to support the reform bill. But Lord Grimston polled almost 200 votes fewer in the election of 1831 than in the election of 1830.

Dr. Webster had transferred the support of "The Party" to the reformers. When the Lords rejected the reform bill in October 1831 it was Dr. Webster who called a meeting to express sorrow at this action.

"Reform! Reform! The Wonderful Effects of Morison's Pills, obtainable at Mrs. Bayley, London Road, St. Albans." With boisterous good humour, the inhabitants of the borough entered into the spirit of the times. An address signed by local Tories was sent to William IV expressing grave concern at the growth of Reform Associations in Hertfordshire. Alarmist reports appeared in the Tory press about desperate preparations in the borough. A meeting at the Bell Inn was told that a musket, bayonet, cartouche and bullet mould could be bought for a sovereign in Birmingham. Fortunately, the passage of the reform bill in

2 Vincent, 421, Godson, 406, and Grimston, 297.
3 County Press, 2 Aug. 1831. Webster claimed that he had introduced Godson to the borough.
4 The Reformer, 24 March 1835.
5 County Press, 24 Jan. 1832.
6 Ibid., 22 May 1832.
June 1832 precluded a resort to the barricades in St Albans. Gun powder was exploded in the town, but only to augment the joyous celebrations of the church bells and a band. St Peter's Street was blocked, but by tables where 1600 reformers sat down to a dinner of roast beef and plum pudding. After the dinner, a procession was formed which passed by the tower of St Peter's Church whence flew the tricolour, and marched out to Barnard's Heath where an effigy of the Duke of Wellington was burned.¹

The most obvious change in St Albans brought about by the Reform Act of 1832 was the disfranchisement of the non-resident freemen. A little more than three quarters of the freemen were non-residents. Yet, by the inclusion of the £10 householder the total number of the electorate did not change much. There were about 560 voters at the election of 1831, and 550 at the election of 1832. The change in the composition of the electorate favoured the Tories, though the effect was not apparent at once, and it did not last long. For the London votes had been, on balance, of greater value to the Whigs, and later to the reformers and Liberals, than to the Tories. The vintage years for the creation of out-town freemen had been during the first half of the 18th century. Referring to the rumour that the 1st Earl Spencer would attempt to return two members at the election of 1768,

¹ Ibid., 3 July 1832.
West had threatened, "I have still an interest that will make his monopoly shake and can send such a posse from London Citizens, respectable men in the cause of Liberty, as shall within twenty miles of London among 800 voters render his attempts truly hazardous." The Spencers had gathered in most of these votes when West left the borough. After the Spencers abandoned the borough, the London votes had been secured by Halsey and "The Party". The extension of the borough boundaries, recommended by the Boundary Commissioner in 1832, probably increased the number of Tory voters. All the houses in St Michael's parish were included, and this parish was owned by the Gapes and the Grimstons. Thus, the voting strength of the Grimstons and the Tories lay within the borough. The result was that although reformers were returned by the new electorate in 1832 their majorities were much reduced. And in 1835 Edward Harbottle Grimston was returned at the head of the poll.

The Reform Act changed the composition of the electorate, but its only effect upon the political character of the borough was to emphasize those features for which St Albans was becoming notorious. It marked the beginning of twenty years which were

1 Add. MSS., 32985 f. 443, West to Newcastle, 11 Oct. 1767.
2 Accts. and Papers, 1831-2, (141), xxxviii, 239-240.
3 See map p. 308.
4 1831 election: Vincent 421, Godson 406, Grimston 297.
   1832 election: Vincent 392, Ward 373, Turner (Tory) 345.
5 1835 election: Grimston 362, Ward 284, Beresford 237.
the heyday of political corruption in St Albans, when party loyalties for many, perhaps even for a majority of the electors, were indefinable except in terms of cash. The £10 householder regarded his qualification as a fair indication of the value of his vote. The agents of the Liberal and Tory parties were agreed that elections grew more expensive after 1832. The Bribery Commissioners commented:

not only did the new £10 voters introduced by the Reform Act claim to participate in head money, but, as was stated by the witness Edwards, "the new voters were more extravagant than the old voters;" in which he was confirmed by Mr. Blagg, who stated that "his experience led him to say, that the £10 voters who had been introduced by the Reform Act, have been more venal than the old."¹

Short of disfranchisement, the secret ballot, which was warmly advocated in the Commons by H.G.Ward,² was the only sure remedy for such a state of affairs.

¹ Reports of Commrs., 1852, (1431), xxvii. 10.
² Parl. Hist., xxviii. 422-5, 2 June 1835.
Demand for the reform of municipal corporations was not widespread before 1830. There was constant agitation on the subject from Francis Place. Merewether and Stephens published their History of the Boroughs too late to influence more than a small section of the country, before the act regulating corporations was passed. Criticism of the corporation of St Albans in the local press was of particular evils such as the administration of the charities and the market tolls. The constitution of the corporation did not come under attack. "Local Intelligence" occupied little space in the local newspaper's columns, which were largely taken up by reports from abroad, Parliamentary debates and news from other parts of the country. The editor found little point in printing information which was already common knowledge to his readers. The middle class dissenters, another quarter from which one might have expected to hear criticism, tended to regard the corporation less as an instrument of local government—the statutory authorities in which they participated—than as an exclusive dining club with pretensions to dignity.

Informed criticism of the corporation of St Albans and of
most other corporations was hindered by the secrecy surrounding
the conduct of corporate affairs. This was recognized by the
Commons Select Committee which investigated a number of corp-
orations between February and May 1833. A royal commission was
recommended to collect a reliable body of information. The
reports of the commissioners have been hailed as "unrivalled
for accuracy, lucidity and completeness", whereas the introductory
report of Joseph Parkes and John Blackburne, the secretary and
chairman of the commission, stands condemned for its partiality.
It has been maintained, no doubt correctly, that taking the
reports as a whole the bulk of the evidence in no way warrants
the conclusions drawn by Parkes and Blackburne, and that they
allowed their doctrinal views to prejudge the issue. In
mitigation of their offence, one might note that the terms of
reference of the commission implied a foregone conclusion. The
commissioners were "to collect information respecting the defects
in their constitutions".

There had been no general condemnation of the corporations,
and when they were under attack they found no general support.
The bill to regulate the corporations, introduced by Lord John
Russell, was received passively by the Commons and did not cause

3 Ibid., 718-20.
4 Rep. of Commrs., 1835 (116) xxiii. 3.
a division on any of its readings. In the main it had the support of Sir Robert Peel. The evidence produced by the commissioners seems to have been of secondary importance, for the issues debated in both houses of Parliament were chiefly concerned with the principles of representative self-government in the boroughs and of the sanctity of property. But not all the evidence provided by the commissioners was accurate. Some of the evidence from St Albans was inaccurate, some misleading.

Charles Austin¹ was the commissioner sent to investigate St Albans. He began and concluded his inquiry on 11 December 1833.² The town clerk, Thomas Ward Blagg, told Austin that as the corporation had nothing to conceal, they had instructed him to afford the commissioner every facility for investigating the public records of the corporation. Yet, the town clerk felt it his duty to state that the commission imposed no legal obligation on the corporation to co-operate in the investigation, for the commission assumed "an inquisitorial power hitherto unknown to the Laws" and "in no respect different from those commissions which the Bill of Rights expressly declared to be illegal and pernicious".³

¹ Charles Austin, (1799-1874), grad.B.A. Jesus Coll.Camb. 1824; adm. Middle Temple, 1823; called to Bar 1827. During the railway building boom he achieved great fame and even greater fortune at the Parliamentary Bar.
² A report of the inquiry appeared in the County Press, 14 Dec. 1833.
Blagg refused to take the oath. To do so would be to recognize the commission, he said, but the information he would give would be as comprehensive as if given under the obligation of an oath.

The evidence which the clerk gave about the courts and officers of the corporation was correct; but when he came to the sort of information which he felt might weigh heavily with a commissioner addicted to the principle of popular influence in the institutions of local and national government, the clerk allowed his imagination a free reign. He admitted that the mayor was chosen from two aldermen nominated by the remainder of the aldermen, but he claimed, every inhabitant had the privilege of voting for one or the other of the candidates, and sometimes there had been a sharp contest. Only once had a poll been taken and that was in 1831. To Austin's query whether Parliamentary candidates had paid £50 for their freedom, the clerk admitted that this had been so, but that it had been charged on one or two occasions only, and that had been before his acquaintance with the corporation. The first time that the charge of £50 had been made was in July 1830. Blagg had been chosen town clerk in 1827. The number of non-resident free men also appears to have embarrassed the clerk. He stated that there were about one hundred non-resident freemen not on the register of voters. The "Freemens Roll of the Borough of

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1 MCB., 7 July 1830.
St Alban's, which Blagg signed on 30 November 1835, shows that 342 out of the total of 448 freemen of the borough were non-residents.

Most of the information given by the clerk was in reply to the sixteen questions circularized by Parkes to all corporations. Austin appears to have asked only two questions; the second of these concerned the mayor's salary. The clerk said the mayor received an allowance of £10 to provide for an entertainment. It was true the mayor was allowed £10 for one entertainment, the court leet dinner; he also received £30 for his mayor's feast on St Matthew's Day, £8 for Quarter Sessions Dinners, £8 for the clerk of the markets dinner, £3 for drinking the king's health, £2 for the mayor's breakfast and sundry other allowances.

Warming to his theme the clerk said that the corporation was distinguished by the respectability and intelligence of its members, who were chosen without reference to their political or religious opinions. The funds of the corporation had never been applied to election purposes on any occasion. He spoke with certainty for the last 250 years. The master of the grammar school he described as a man of great learning, well-qualified

1 St AM.300
2 MCB., 12 Oct. 1825 and 13 Sept. 1828 contains the revised scales for the mayor's allowances.
3 In 1835 the old corporation included 4 surgeons, 3 solicitors, 2 brewers, 1 optician, 1 mercer, 1 clergyman and 1 "esquire". After 1817 the clerk no longer distinguished those who drew their income from landed property from those who did not by the appendage of esquire and gentleman. Election to the corporation raised one to the dignity of esquire.
for the duties of headmaster. The town clerk attributed the high poor rates in the borough to the large number of charitable endowments which induced the poor to obtain legal settlement in the town. Twice in the previous year the contractor of the Abbey poor house had been threatened with legal proceedings for his inhuman behaviour to the poor.¹

At the conclusion of his investigation, Austin declared that during the whole of the visits he had been called upon to make in the corporations of other districts he had found none where he had been received with so much gentlemanly feeling and civility, and where the information had been collected with so much care and research. He also took the liberty to observe, that the town clerk had displayed more than ordinary talent and ability and that the whole proceedings reflected very high honour and credit on the corporation.²

It did indeed. In his report dated 1 February 1834 Austin remarked, "the whole government of the corporation is vested in the hands of the common council, who are self-elected and irresponsible." Having made his most damaging point the commissioner seems to have thought that further criticism was unnecessary for he continued:

The government of the corporation however is no longer of much importance. The corporation is a body without privileges or revenue; and the principal duty of the common councilmen is confined to the office of Justice of the Peace. Owing to the small influence possessed by the common council over the present constituency of the borough and to the smallness of

¹ County Press, 12 June and 8 Sept. 1832.
² Ibid., 14 Dec. 1833.
³ MCRs, 2918-2930.
the corporate revenues, that body appears to have lost much of the political character by which it was formerly distinguished.¹

For a body that exhibited so bland a countenance to the commissioner, the corporation showed surprising concern at the passage of the bill to reform municipal corporations. They subscribed to the committee formed by other corporations in England and Wales to watch the progress of the bill through Parliament.²

On 9 July 1835 the corporation resolved to petition the Lords against certain parts of the bill.³ The petitioners began by reminding their lordships that they had a right to their privileges as indefeasible as that of any peer. They noted that although no charge had been brought against them it was proposed to displace the present governing body of the borough. They were distressed that the inchoate rights of freemen were to be taken away. To the proposed plan of annual elections the corporation objected that it was "in no wise adapted to the Genius of the British Constitution".⁴ The corporation were particularly concerned that the municipal franchise had been made to include all those who paid local rates, and suggested that it would have been better to

¹ Ibid., 2923.
² MCB., 9 July 1835, the borough treasurer was ordered to pay £13 to this committee.
³ Corporation petitions to the Lords tended to have a common form, e.g. Leicester's petition. R.W. Greaves, The Corporation of Leicester, 1689-1836, (1939) 131-2.
⁴ The Reformer, 27 Jan.1835, claimed that St Albans was "innoculated with a perfect mania for elections."
confine it to those who were qualified to vote in parliamentary elections. One real difficulty was noted by the petitioners. The bill prevented the repayment of the loan obtained for the building of the new town hall. The legitimate debts of the old corporations could be paid by the new councils, but the loan had been negotiated by the borough magistrates.

The bill, bitterly opposed by the Lord Chancellor, received the royal assent on 9 September 1835. On the 29th of September The Reformer reported the "last dying speeches" of the old corporation of St Albans. The company, which had feasted on three bucks sent down by Lord Verulam, Mr. Ward and Mr. Alston, parted in "perfect good humour," and said The Reformer, was an example to larger corporations to meet their fate with equal equanimity.

The act released a municipal revolution, but not at St Albans. Like a phoenix from the flames, the old corporation rose rejuvenated and seemingly indestructible. Only one of the aldermen who stood the poll for the new council failed to get elected. The body which according to Austin had so little

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1 On the recommendation of the Parliamentary Boundary Commissioner, Accounts and Papers, 1831-2, xxxviii. 239-242, the borough was extended to include an extra 250 houses. cf. maps p. 305 and 308. Of the new total of 1050 houses in the borough 528 were rated at £10 or more. HLJ., lxvii. 466.
2 See p. 146-158.
influence in the borough returned seven of its former members as councillors. The five other councillors were all Tories. One "reformer," the redoubtable Dr. Webster, had a seat on the new council. A correspondent wrote to The Times, "The reaction that has taken place is so decided, and the enthusiasm which prevails on the subject is so general, that the opinion is confidently entertained that Mr. Ward will not again show his face in the borough." 

The opposers of the old corporation had been many, too many to succeed, for 1846 votes had been divided between sixteen unsuccessful candidates. The method of voting prescribed by the act had favoured the "corporation party" as it came to be called. Each elector handed to the clerk a list of names of the candidates whom he chose to be councillors. With admirable forethought the corporation party provided their own lists for the electors on the morning of the poll.

The importance of the first election for the new council can hardly be overestimated. As soon as they had recovered from a celebration dinner at The Turf, the council set about the distribution of the loaves and fishes. Four aldermen, all Tories, were chosen. Blagg was reelected town clerk, Edward Boys was

1 The Rev. Mogg Bowen was disqualified from standing by the act. R. Brabant, S. Jones and J.A. Story did not stand. William Brown narrowly failed to get reelected.
2 The Times, 29 Dec. 1835.
3 The Reformer, 29 Dec. 1835.
made treasurer, and John Deayton, formerly keeper of the house of correction, was made engine keeper.

The influence that Blagg was able to wield at elections was such that the reformers, or Liberals as they later chose to be called, did not attempt to challenge the four retiring councillors in 1836. Dr. Webster was reelected in 1838, but refused to accept office and was fined £25. To get on "Blagg's List" was tantamount to being chosen councillor, and for twenty years after 1835 Blagg was able to return his men. Once, the town clerk was defeated. In 1846 Edward Gibson claimed that he had been elected but not returned because the town clerk had refused a scrutiny of the votes. The Court of Queen's Bench declared Gibson duly elected and one of Blagg's men was unseated.

The corporation were in a stronger position after the passing of the act of 1835 than they had been before. Elevated to power by popular suffrage, they were still able to exclude the public and the press from their meetings. Lord John Russell's proposal that councils should nominate J.P.s was not made part of the 1835 act. However, Lord Melbourne's ministers made it known that while they were in office they would obtain nominations from the new councils. By recommending their friends for the

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1 Edward Boys, son of John Boys, town clerk 1792-1817, was treasurer of the borough from 1836 till his death in 1867.
2 MCB., 9 Nov. 1846.
3 Ibid., 7 Feb. 1851. A proposal to admit the press and public to council meetings was defeated.
commission of the peace the corporation retained the useful privilege of licensing ale houses. The loss of a court of Quarter Sessions was not insupportable. In fact, Lord John Russell's offer to restore the court if the borough provided a suitable gaol for its prisoners was refused. The borough magistrates found that they had most of the power and all the dignity that they desired without the tiresome duty of constant attendance.

The financial position of the corporation improved, also. The sale of the advowson of the Abbey church to the Reverend John Nicholson, its rector, realized £1050, the greatest sum the corporation had ever possessed, since it had mortgaged its charter rights and properties to John Spencer in 1756. They continued to collect toll from the markets and fairs. A request from the inhabitants of St Peter's Street for Michaelmas Fair to be curtailed because "the Sabbath was violated by scenes of disorder and profligacy" was firmly rejected by the corporation.

The borough rate ensured that the difficulties which beset the

1 St AM. 2098. The town clerk obtained the Attorney General's opinion that borough justices could still grant alehouse licences.
2 MCB., 23 May 1836.
3 In 1846 George Strut, a banker in the town, wrote to the Home Secretary charging the borough justices with gross misconduct and corruption in the administration of justice. The Q.C. sent down by Sir James Graham found that the charges could not be substantiated. MCB., 2 Oct. 1846.
4 MCB., 26 May 1838.
5 Ibid., 28 Nov. 1845.
corporation before 1835 did not recur.\footnote{1}

St Albans between 1835 and 1852 was a byword for corruption and an easy target for cartoonists.\footnote{2} Some defence can be made for the venality of its electorate. Its biggest industry, the provision of rest and refreshment to road travellers, was halved by the opening of the London to Birmingham railway in 1838. A branch line of the London North Western from Watford did not reach St Albans until 1858. A cottage industry for the manufacture of straw plait,\footnote{3} a cotton mill which employed children chiefly,\footnote{4} and agricultural labour were the only other employments which brought money into St Albans. The town was poor. It is true the franchise did not rest on the poorest of its inhabitants. Nevertheless, one act could not eradicate the conditions under which an election took place in the town. Local newspapers, and the Sessions Rolls of the borough, provide sufficient evidence to show that in brutality the middle of the 19th century did not differ appreciably from the 18th. The vicar of St Peter's Church complained to Sir Robert Peel in 1848 that

\footnotesize{\begin{enumerate}
\item A privately promoted bill entitled, "An Act for better assessing and collecting the Poor Rates, Highway Rates and Church Rates within the borough of St Albans" was withdrawn on the council's petition against it. MCB., 2 Mar. 1849; HCJ., civ. 33,36,72,154.
\item e.g. J.H.Buckingham cartoons in the Lewis Evans Collection.
\item A declining trade in 1833. MCR., 2929.
\item Petitioners who supported the bill to reduce the working day to ten hours alleged that children worked 12-16 hours a day in this mill. County Press, 21 Feb. 1832.
\end{enumerate}}
prize fights and riots took place in the district on Sundays
and that "this population has continued for centuries and still
is a monument of national guilt."¹ At every election economic in-
security was dispelled for a few days, and the town was gripped
in"the fever", as Lady Spencer called it. Much has been said
against the old system which was swept away at St Albans in
1852. One virtue it cannot be denied. Never again would 80%
of its electorate vote regularly at the polls.

¹ Add. MSS., 40524 f. 93-6. The County Press, 1 July 1833,
reported the fight at St Albans between Deaf Burke and Simon
Byrne, which lasted for 99 rounds and ended in the death of
Byrne.
CONCLUSION

The mournful but percipient John Byng noted that in England in 1789:

noblemen, and gentlemen have almost abandon'd the country...yeomanry is annul l'd...So, amongst the first great people, now residing there, may be reckon'd the innkeepers, the tax gatherers, and the stewards of great estates who with the lawyers rule the country.¹

His remarks were apposite to St Albans.² At one time or another, representatives of all these professions could have been found in the corporation of St Albans. Thomas Parker, Lord Spencer's commissioner of estates, and John Harrison, the 2nd Earl Spencer's estate agent, were aldermen. Innkeepers and brewers found it useful to be a member of a body which was both licensing authority and consumer. As a class, the attorneys were perhaps the most important.

The improvement in the social status of the attorney during the 18th century has been described.³ The 2nd Earl Spencer protested once, "I really am quite sick of Electioneering." To such patrons, the attorney prepared to take pains with the details

² Byng visited St Albans in 1792 and put up at the White Hart: "and such an inn is scarcely to be found (tho' perhaps the best here) of filth, inattention, and charge; though I did not afford them much scope by only taking some cold beef (such stuff) on my return from the walk round this once famous abbey." C.B. Andrews, ed., The Torrington Diaries, (1936) iii. 5-6.
³ Robson, op. cit., 68-83.
⁴ Althorp MSS., 2nd Earl Spencer to Lady Spencer, 3 May 1784.
of election affairs was an asset. By his ubiquity the attorney made himself indispensable in borough and corporate business. John Boys, town clerk from 1792 to 1817, was also Liberty treasurer, clerk to the paving and lighting commissioners and steward of some of Lord Grimston's manors. Isaac Piggott, town clerk from 1817 to 1827, was clerk and treasurer of the St Albans and South Mimms Turnpike Trust. John Cowper, an alderman of the borough from 1774 to 1805, was twice mayor. He held the offices of clerk to the commissioners of the land tax, clerk of the peace of the Liberty, clerk and treasurer for the trustees of the Dunstable road, and was steward of the manors of Moor and Wiggenhall. Cowper's nephew, John Samuel Story, succeeded to his uncle's places, and to that of clerk and treasurer of the St Albans turnpike, when Piggott died in 1827. In 1805 he was elected an alderman of the borough and was mayor in 1806 and 1821. He was also a partner in the banking firm of Martineau and Story. When the union of the parishes of Redburn, Sandridge and St Stephen's was formed in 1835, Story was made treasurer to the board of guardians. The influence that this local Pooh-Bah was able to exert was great. As The Reformer pointed out:

through the Clerk of the Peace, a thousand petty distinctions may be given or withheld; and the man is ignorant of human nature who supposes either that such means are not of use in keeping a party together or that while parties exist they will not be thus applied.1

1 The Reformer, 28 April 1835.
Many of the criticisms of the corporation in general could have been more accurately levelled at the town clerks and clerks of the peace.

On a lower step of the professional ladder than the estate agents and the lawyers were the surgeons and apothecaries. Many of them, such as Joseph Handley, Francis Kingston, Thomas Baker and Stephen Pellett, may have become involved in the politics of the borough in order to get appointed to the positions of parish surgeon or surgeon to the prison and house of correction. Unlike the attorneys, who would never have become aldermen at the expense of any of their offices, the surgeons eagerly accepted election to the corporation to secure their jobs and to improve their standing in the borough.

Thus, the corporation was supported by those who had a partial or personal interest in its continued existence. In matters of the government of the borough, in the administration of the revenue and the charities, and in the protection of the freemen's rights, the corporation showed neglect. In fact, by the 19th century the corporation's deliberations were largely irrelevant to the government of the town, and St Albans could function, as it did in 1328-29, without the meeting of the mayor's monthly court. The greatest power was that wielded by the borough magistrates at the Quarter Sessions, and even this was not sufficiently attractive to induce the corporation to apply for a regrant of the Court of Quarter Sessions after 1835.
The general criticisms which the commissioners made against municipal corporations as a whole may not have been justified by the reports from all the corporations. In so far as the general report ought to have been based on this evidence, the strictures of the Webbs are still valid. But not all of the reports were reliable. That on St Albans was inaccurate and incomplete. The commissioners stated in their general report that flagrant abuses had arisen from the perversion of municipal privileges to political objects, that the number of freemen admitted varied with election years, that the only way for inhabitants to breach the secrecy of corporate affairs was by the expensive process of mandamus or quo warranto, that recorders were frequently lax in attending Quarter Sessions, that the revenues derived from the market tolls were the subject of general complaint, that corporations had let lands to their own members for many years at a low rent, that almost all the corporation income was expended on feasting, and that many corporations were indebted to the patron of the borough. 1 Every one of these criticisms could have been fairly made of the corporation of St Albans; yet they would not have appeared justified from Austin's report.

To all, except perhaps Austin, the corporation of St Albans appeared in a wholly political guise. From 1685 to 1835

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1 Rep. of Commrs., 1835 (116), xxiii. 34-46.
the corporation helped one or the other and sometimes both of
the borough's patrons to return their nominees to Parliament.
At no time were the corporation strong enough to return members
against the wishes of both of the patrons, and for many years
one Whig and one Tory member were returned. But, after 1807,
when one of the borough's patrons abandoned the borough, the
Tories gained a majority in the corporation; yet they were
unable to return two Tory members owing to the activities of a
party which was independent of both the orthodox political
parties. The notoriety for political corruption which St Albans
enjoyed in the 19th century might be more fairly apportioned
to this party and to the corporation, rather than to the
corporation alone.

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
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</thead>
<tbody>
<tr>
<td>23 March 1795</td>
<td>John Gape</td>
</tr>
<tr>
<td>15 July 1796</td>
<td>George Churchill</td>
</tr>
<tr>
<td>26 Jan. 1796</td>
<td>George Churchill</td>
</tr>
<tr>
<td>3 Dec. 1796</td>
<td>John Gape</td>
</tr>
<tr>
<td>26 Jan. 1801</td>
<td>John Gape</td>
</tr>
<tr>
<td>3 Dec. 1806</td>
<td>John Gape</td>
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<tr>
<td>26 Jan. 1807</td>
<td>John Gape</td>
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<tr>
<td>3 Dec. 1807</td>
<td>John Gape</td>
</tr>
<tr>
<td>26 Jan. 1813</td>
<td>William Hale</td>
</tr>
<tr>
<td>3 Dec. 1817</td>
<td>Joshua Lowax</td>
</tr>
<tr>
<td>21 March 1822</td>
<td>William Gars</td>
</tr>
<tr>
<td>16 Aug. 1727</td>
<td>Caleb Lowax</td>
</tr>
<tr>
<td>23 March 1730</td>
<td>Thomas Gape</td>
</tr>
</tbody>
</table>
## APPENDIX I

### DATES OF RETURN OF MEMBERS OF PARLIAMENT FOR ST ALBANS, 1685-1835 (*contested elections*)

<table>
<thead>
<tr>
<th>Date</th>
<th>Member</th>
<th>Opponent</th>
</tr>
</thead>
<tbody>
<tr>
<td>31 March 1685</td>
<td>George Churchill</td>
<td>Thomas Docwra</td>
</tr>
<tr>
<td>9 Jan. 1689</td>
<td>George Churchill</td>
<td>Sir Samuel Grimston</td>
</tr>
<tr>
<td>19 Feb. 1690</td>
<td>George Churchill</td>
<td>Sir Samuel Grimston</td>
</tr>
<tr>
<td>23 Oct. 1695</td>
<td>George Churchill</td>
<td>Sir Samuel Grimston</td>
</tr>
<tr>
<td>22 July 1698</td>
<td>George Churchill</td>
<td>Sir Samuel Grimston</td>
</tr>
<tr>
<td>*15 July 1701</td>
<td>George Churchill</td>
<td>Joshua Lomax</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(election declared void)</td>
</tr>
<tr>
<td>*19 March 1701</td>
<td>George Churchill</td>
<td>John Gape</td>
</tr>
<tr>
<td>*21 Nov. 1701</td>
<td>George Churchill</td>
<td>John Gape</td>
</tr>
<tr>
<td>*15 July 1702</td>
<td>George Churchill</td>
<td>John Gape</td>
</tr>
<tr>
<td>*9 May 1705</td>
<td>George Churchill</td>
<td>Henry Killegrew</td>
</tr>
<tr>
<td>4 May 1708</td>
<td>John Gape</td>
<td>Joshua Lomax</td>
</tr>
<tr>
<td>3 Oct. 1710</td>
<td>John Gape</td>
<td>William Luckyn Grimston</td>
</tr>
<tr>
<td>*26 Aug. 1713</td>
<td>John Gape</td>
<td>William Luckyn Grimston</td>
</tr>
<tr>
<td>*26 Jan. 1715</td>
<td>William Hale</td>
<td>William Luckyn Grimston</td>
</tr>
<tr>
<td>3 Dec. 1717</td>
<td>Joshua Lomax</td>
<td>(on death of Hale)</td>
</tr>
<tr>
<td>*21 March 1722</td>
<td>William Gore</td>
<td>William Clayton</td>
</tr>
<tr>
<td>16 Aug. 1727</td>
<td>Caleb Lomax</td>
<td>William Luckyn, Visc.Grimston</td>
</tr>
<tr>
<td>*23 March 1730</td>
<td>Thomas Gape</td>
<td>(on death of Lomax)</td>
</tr>
</tbody>
</table>
*23 Jan. 1733 John Merrill
(on death of Gape)

*26 April 1734 Sir Thomas Aston Thomas Ashby

5 May 1741 James West Thomas Ashby

*11 Feb. 1743 Hans Stanley
(on death of Ashby)

26 June 1747 James West Sir Peter Thompson

13 April 1754 James West James Grimston

*23 March 1761 James West George Simon Harcourt

16 March 1768 Richard Sutton John Radcliffe

7 Oct. 1774 Sir Richard Sutton John Radcliffe

8 Sept. 1780 William Charles Sloper John Radcliffe

29 Dec. 1783 James Bucknall, Visc. Grimston
(on death of Radcliffe)

*2 April 1784 William Charles Sloper William Grimston

*16 June 1790 Richard Bingham John Calvert, Jr.

*27 May 1796 Richard Bingham Thomas Skip Dyot Bucknall

23 June 1800 William Stephen Poyntz
(Bingham Chiltern Hundreds)

6 July 1802 William Stephen Poyntz James Walter Grimston

*30 Oct. 1806 William Stephen Poyntz James Walter Grimston

*6 May 1807 Joseph Halsey James Walter Grimston

25 Jan. 1809 Daniel Giles
(Grimston-Baron Forrester)

*6 Oct. 1812 Joseph Halsey Christopher Smith

26 Feb. 1818 William Tiernay Robarts
(on death of Halsey)
<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>18 June 1818</td>
<td>William Tiernay Robarts</td>
</tr>
<tr>
<td>8 March 1820</td>
<td>William Tiernay Robarts</td>
</tr>
<tr>
<td>9 Jan. 1821</td>
<td>Sir Henry Wright-Wilson</td>
</tr>
<tr>
<td>12 June 1826</td>
<td>John Easthope</td>
</tr>
<tr>
<td>3 Aug. 1830</td>
<td>Charles Tennant</td>
</tr>
<tr>
<td>29 April 1831</td>
<td>Richard Godson</td>
</tr>
<tr>
<td>12 Dec. 1832</td>
<td>Henry George Ward</td>
</tr>
<tr>
<td>7 Jan. 1835</td>
<td>Henry George Ward</td>
</tr>
</tbody>
</table>

**ASTON, Sir Thomas (1705-1744)**

Only son of Sir Thomas Aston, 3rd Bt., of Aston, Runceby, Chester; matric. Corpus Christi Coll., Oxon., March 1722; succeeded to baronetcy, 10 Jan., 1725; M.P. for Liverpool, 1729-34; St Albans, 1733-41.

**BINGHAM, Richard (1784-1839)**

Eldest son of Charles, 1st Earl Lucan; matric. Christ Church, Oxon., 11 April 1761; adm. Lincoln's Inn, 18 Nov., 1784; succeeded his father, 29 March 1799; elected Irish rep. peer, 1800; M.P. for St Albans, 1790-1809.

**HUCKNALL, Thomas Ship Dyat (d. 1804)**

M.P. for St Albans, 1796-1802.
APPENDIX II

MEMBERS OF PARLIAMENT FOR ST ALBANS, 1685-1835

ASHBY, Thomas (1695-1743)
Adm. Fell. Com. St. John's Coll., Camb., 22 April 1712; unsuccessfully contested the by-election in Jan. 1733; elected aldn. of St Albans, 7 July 1742.
M.P. for St Albans, 1734-1743.

ASTON, Sir Thomas (1705-1744)
M.P. for Liverpool, 1729-34; St Albans, 1734-41.

BINGHAM, Richard (1764-1839)
Eldest son of Charles, 1st Earl Lucan; matric. Christ Church, Oxon., 11 April 1781; adm. Lincoln's Inn, 18 Nov. 1784; succeeded his father, 29 March 1799; elected Irish rep. peer, 1800.
M.P. for St Albans, 1790-1800.
CALVERT, John (1758-1844)
Of Albury Hall, Herts; adm. Fell. Com. St. John's Coll. Camb., 1 July 1776; adm. Lincoln's Inn, 5 March 1783; Secretary to Lord Chamberlain, 1783-90.
M.P. for Malmesbury, 1780-84; Tamworth, 1784-90; St Albans, 1790-96; Huntingdon Borough, 1796-1831.

CHURCHILL, Charles Spencer (1794-1840)
2nd son of George, 5th Duke of Marlborough; Eton Coll. lists 1805-8.
M.P. for St Albans, 1818-1820; Woodstock, 1830-2; Wilts, 1835-37.

CHURCHILL, George (1654-1710)
Elder brother of John, 1st Duke of Marlborough; a Lord of Admiralty and Vice-Admiral.
M.P. for St Albans, 1685-1708.

CLAYTON, William (1671-1752)
Son of William Clayton of Newmarket; clerk to the Auditor of the Receipt, 1688; assistant to the Agent for Taxes, 14 Feb. 1696; Agent for Taxes, July 1697; Commr. of the Treasury, 1718-20, 1727-41; created Baron Sundon of Ardagh in co. Longford, 2 June 1735.
M.P. for New Woodstock, 1716-22; St Albans, 1722-27; Westminster, 1727-41; Plumpton, 1742-47; St Mawes, 1747-52.
DOCWRA, Thomas (b. 1624)
Son of Periam Docwra of Putteridge in the parish of Lilley, Herts.
M.P. for St Albans, 1685-88.

Easthope, John (1784-1865)
Stockbroker; bought Morning Chronicle in 1834; created Bt., 1841; unsuccessfully contested St Albans, June 1821.
M.P. for St Albans, 1826-30; Banbury, 1831-32; Leicester, 1837-47.

GAPE, John (1652-1734)
Son of John Gape of St Michaels; called to Bar, 1682; Sheriff of Herts., 1696.
M.P. for St Albans, 1701-05, 1708-15.

GAPE, Thomas (1685-1732)
Second son of John Gape; adm. Lincoln's Inn, 19 June 1703.
M.P. for St Albans, 1730-32.

GILES, Daniel (1761-1831)
Son of Daniel Giles of Youngsbury, Herts., a governor of the Bank of England; M.A. Hertford Coll., Oxon., 1784; DCL., 5 July 1810; adm. Lincoln's Inn, 10 May 1784; called to Bar 1792.
M.P. for East Grinstead, 1802-07; St Albans, 1809-12.
GODSON, Richard (1797-1849)
M.A. Caius Coll., Camb., 1821;
called to Bar, 10 July 1821; joined Inner Temple, 14 Nov. 1823;
Q.C. 6 July 1841; Bencher of Lincoln's Inn, 1841; Judge Advocate of the Fleet, 1845-49.
M.P. for St Albans, 1831-32; Kidderminster, 1832-34, 1837-49.

GORE, William (d. 1739)
Eldest son of Sir William Gore, Sheriff and Aldn. of London.
M.P. for Colchester, 1711-14; Cricklade, 1714-22; St Albans 1722-27.

GRIMSTON, Edward Harbottle (1812-1881)
2nd son of James Walter, 1st Earl of Verulam; B.A. Christ Church, Oxon., 1831; Fellow of All Souls, 1834-42; Rector of Pebmarsh, 1841 and of Great Henny, 1845.
M.P. for St Albans, 1835-41.

GRIMSTON, James (1711-73)
2nd son of William Luckyn, 1st Visc. Grimston; succeeded his father, 1756.
M.P. for St Albans, 1754-61.
GRIMSTON, James Bucknall (1747-1808)
Son and heir of James, 2nd Visc. Grimston; matric. Eton, 1766; adm. Fell. Com. Trinity Hall, Camb., 4 Nov. 1766; M.A. 1769; succeeded as 3rd Visc., 31 Dec. 1773; created Baron Verulam, 8 July 1790; Hon. DCL. Oxford 1793; mayor of St Albans, 1807; elected high steward of St Albans, 11 Sept. 1807. M.P. for St Albans, 1783-84; Herts., 1784-90.

GRIMSTON, James Walter (1775-1845)
Son and heir of James Bucknall, 3 Visc. Grimston, Harrow, 1788-92; Christ Church, Oxon., M.A. 1796; succeeded as 4th Visc. Grimston, 30 Dec. 1808; created Earl of Verulam, 24 Nov. 1815; Lord of the Bedchamber to William IV, 1835. M.P. for St Albans, 1802-08.

GRIMSTON, James Walter (1809-95)
Son and heir of James Walter, 1st Earl of Verulam; styled Visc. Grimston, 1815-45; Harrow 1823-27; Christ Church, Oxon., B.A. 1830; succeeded as 2nd Earl Verulam, 17 Nov. 1845; Lord Lieut. of Herts., 1846-92; Lord in Waiting 1852-53, 1858-59; Pres. of the Camden Soc., 1873. M.P. for St Albans, 1830-31; Newport, 1831-32; Herts., 1832-45.
GRIMSTON, Sir Samuel (1643-1700)
2nd and only one of six sons to survive Sir Harbottle Grimston.
M.P. for St Albans, 1668-78, 1679-85, 1689-1700.

GRIMSTON, William (1750-1814)
2nd son of James, 2nd Visc. Grimston; matric. Eton, 1768; adm. Fell. Com. Christ's Coll., Camb., 1768; adm. Lincoln's Inn, 28 Sept. 1767; assumed the name of Bucknall, 21 Jan. 1797 under the will of his maternal uncle.
M.P. for St Albans, 1784-90; Appleby, 1791-96.

GRIMSTON, William Luckyn (1684-1756)
2nd son of Sir William Luckyn; assumed the surname Grimston on the death of his great uncle, Sir Samuel in 1700; succeeded to Luckyn baronetcy in 1716 on death of his elder brother, Sir Harbottle Luckyn; created peer of Ireland with titles Baron Dunboyne and Visc. Grimston, 29 May 1719.
M.P. for St Albans, 1710 - 22, 1727 - 34.

HALE, William (1686-1717)
M.P. for Bramber, 1708-10; St Albans, 1714-17.
HALSEY, Joseph Thompson (1774-1818)
Joseph Thompson Whately assumed the arms and name of Halsey on his marriage in 1804 to Sarah Halsey of Great Gaddesden; matric. Harrow, 1792; adm. pens. St. John's College, Camb., 1792; adm. Inner Temple, 12 June 1795; called to Bar, 27 June 1800; DCL., Oxford, 1810.
M.P. for St Albans, 1807-1818.

HARCOURT, George Simon (1736-1809)
M.P. for St Albans, 1761-68.

KILLEGREW, Henry (d. 1712)
Son of Henry Killegrew, D.D.; promoted Vice-Admiral of the Blue, 1689.
M.P. for St Albans, 1705-08.

LOMAX, Caleb (d. 1729)
2nd son of Joshua Lomax; adm. Lincoln's Inn, 27 July 1713.
M.P. for St Albans, 1727-29.
LOMAX, Joshua (1678-1724)


MERRILL, John


POYNTZ, William Stephen (1770-1840)

Eton 1780-86; matric. 1787, Christ Church, Oxon. M.P. for St Albans, 1800-07; Chichester, 1823-30; Ashburton, 1831-34; Midhurst, 1835-37.

RADCLIFFE, John (1739-1783)

2nd son of John Radcliffe of Hitchin Priory. M.P. for St Albans, 1768-83.

ROBARTS, William Tiernay (d. 1820)


SLOPER, William Charles M.P. for St Albans, 1780-90.
SMITH, Christopher (d.1835)
Aldn. of Cordwainers Hall, 1807; Sheriff 1807; Lord Mayor of London, 1817.
M.P. for St Albans, 1812-18, 1820-30.

STANLEY, Hans (1720-80)
Lord of Admiralty, 1757-65; chargé d'affaires at Paris, 1761;
Privy Councillor, 1762; Governor of Isle of Wight, 1764, 1776-80;
Cofferer of Royal Household, 1766-74, 1776-80.
M.P. for St Albans, 1743-47; Southampton Borough, 1754-80.

SUTTON, Sir Richard (1773-1802)
1751; adm. Middle Temple, 21 Aug. 1754; Under Sec. of State,
Southern Dept., 1766-72; created Bt., 14 Oct. 1772; a 1st Lord
of the Treasury, 1780-82; recorder of St Albans, 1763-82.
M.P. for St Albans, 1768-80; Sandwich, 1780-84; Boroughbridge,
1784-96.

TENNANT, Charles (1796-1873)
Son of G. Tennant, Cadoxton Lodge, Neath, Glamorgan; Harrow,
1806-07.
M.P. for St Albans, 1830-31.
THOMPSON, Sir Peter, (1698-1770)
3rd son of Capt. Thomas Thompson; Hamburgh merchant; High Sheriff of Surrey, 1745; FRS; member of Soc. of Antiquaries; knighted 1745. M.P. for St Albans, 1747-54.

VINCENT, Sir Francis (1803-1880)
Succeeded as 10th Bt., 17 Jan. 1809; Eton 1817. M.P. for St Albans, 1831-34.

WARD, Henry George (1797-1860)
Son of Robert Plumer Ward of Gilston Park, Herts.; Harrow, 1807-08; attaché to British Legation at Stockholm, 1816; transferred to The Hague, 1818; to Madrid, 1819; commr. to Mexico, 1823-24; charge d'affaires, Jan.-April 1827; founded Weekly Chronicle and was its proprietor and editor till May 1849; sec. to the Admiralty, 1846-49; Lord High Commr. Ionian Islands, 1849-55; Governor of Ceylon, 1855-60; Governor of Madras, 1860; GCMG. 25 June 1849. M.P. for St Albans, 1832-37; Sheffield, 1837-49.

WEST, James (1704-1772)
Matric. Balliol Coll., Oxon., 1720; adm. student Inner Temple, 1721; called to Bar, 1728; adm. Lincoln's Inn, 23 Jan. 1738; elected Bencher Inner Temple, 1761; reader, 1767; treasurer, 1768; FRS., 1726; President, 1768-72; joint Sec. to Treasury, 1741-62; recorder of Poole, 1746-72; recorder of St Albans, 1758-59; High Steward of St Albans, 1759-72. M.P. for St Albans, 1741-68; Boroughbridge, 1768-72.
WRIGHT-WILSON, Sir Henry (1760-1832)

Of Crofton and Kilham, Yorks.

M.P. for St Albans, 1821-26.

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British Museum: Add. MSS. 2062-2094, edition of Chaucer, The Historical Antiquities of Norfolkshire, and Salmon, The History of Marlborough, annotated and illustrated by Thomas Haddock, the mayor of St Albans, 1731.

Add. MSS. 16274 translation and census of the Charters and Constitutions of the Borough of St Albans.

Add. MSS. 16275 case relative to the powers of the corporation to make honorary freemen.

Add. MSS. 34734, 34735 Correspondence of Jacob West and inhabitants of St Albans and district.

Add. MSS. 35600 Correspondence of the 1st Lord Harcourt on legal improvements, 1795-1796.

Add. MSS. 36366 Buckney drawings of St Albans in the early 18th century.

Add. MSS. 37244-37245 Correspondence of Jacob West and the Earl of Buckingham.

British Transport Commission Archives. United Kingdom Canal Way, Scray, Kent.

Friends House, Euston Road, NW1. Digest Register of births, marriages, and burials for the Quarterly Meeting of Doors and Horses.

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Add. MSS. 16274 translation and copies of the Charters and Constitutions of the Borough of St Albans.
Add. MSS. 16275 cases relative to the powers of the corporation to make honorary freemen.
Add. MSS. 34734, 34735 correspondence of James West and inhabitants of St Albans and district.
Add. MSS. 35600 correspondence of the 1st Lord Hardwicke on legal appointments, 1733-1741.
Add. MSS. 36366 Buckler drawings of St Albans in the early 19th century.
Add. MSS. 32711-34733 correspondence of James West and the Duke of Newcastle.


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1820 (126) vi. 
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1822 (179) vi. ) proposed new line of Holyhead road
1823 (261) x. 
1824 (305) ix. 1st Rep. of Commrs. appointed under 4 Geo.IV c.74.
1825 (492) xv. 2nd " " "
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1833 (732) xvii. 10th " " "
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