

## The Parliamentary Representation of the City of Oxford 1754-90

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OXFORD was one of the larger freeman boroughs, with nearly 1,000 voters, but the Corporation retained control of the parliamentary representation until the end of the 18th century. In 1754, the Tories were still in command. Thomas Rowney,<sup>1</sup> one of the members, had represented the city since 1722, and was High Steward. He was succeeded in that office by Sir James Dashwood,<sup>2</sup> who had stood on the Tory interest in the celebrated county contest. The other member, Robert Lee,<sup>3</sup> was a son of the first Earl of Lichfield, and could boast the blood royal in his veins, his mother being a daughter of Charles II by Lady Castlemaine. The traditional leaders of the Tory group in the city were the Earls of Abingdon, whose estate was at Rycote, near Thame: Montagu, 2nd Earl of Abingdon, had been High Steward 1699-1743.

Elections were expensive, as there was heavy treating, and many of the voters had to be brought down from London. The members were also expected to contribute handsomely towards civic projects. Thomas Rowney built the Town Hall at his own expense in 1751,<sup>4</sup> and gave the ground on which the Radcliffe Infirmary was erected.<sup>5</sup> In 1761, Robert Lee made a donation of £1,000 to the Corporation, and, later in the period, it was customary for the two members to defray the cost of the Oxford race-meeting, which was believed to be worth £2,000 per annum to the city in trade.

At the General Election of 1754, the Duke of Newcastle hoped to persuade the Duke of Marlborough and Lord Harcourt to undertake a Whig opposition in the city.<sup>6</sup> The *Glocester Journal*, 26 March, 1754, reported that Lord Bateman, Marlborough's nephew, was a candidate 'in the New Interest', but

<sup>1</sup> c. 1693-1759, of Dean Farm, Oxon., son of Thomas Rowney, M.P. Educated at St. John's. He and his father held one seat at Oxford for 64 years without interruption. Lord Egmont described him, about 1750, as 'a rough clownish country gentlemen, always reputed a rank Jacobite'.

<sup>2</sup> 1715-1779, of Kirtlington Park, Oxon., son of Robert Dashwood. He represented the county from 1740 until 1754, and again from 1761-1768. Dashwood was an extreme Tory, and refused, during the rebellion of 1745, to join the Oxfordshire Association against the Jacobites. He was guardian to Willoughby, 4th Earl of Abingdon.

<sup>3</sup> 1706-1776, of Charlbury, Oxon. He succeeded his nephew as 4th Earl of Lichfield in 1772.

<sup>4</sup> *Oxford Council Acts 1701-52* (O.H.S.), p. 278.

<sup>5</sup> J. R. Green and G. Roberson, *Studies in Oxford History* (O.H.S.), p. 310.

<sup>6</sup> Add. MS. 32995, f. 138.

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ultimately Lee and Rowney were returned unopposed, 'a fresh instance of the steady attachment of the citizens to the *Old Interest*'.<sup>7</sup>

In November, 1759, on the death of Rowney, the Tories put up Sir Thomas Stapleton,<sup>8</sup> whose father had represented the county 1727-40. He was returned unopposed, and the same members were re-elected in 1761.

The Tory supremacy in the city was destroyed by the events of 1766-8. On 12 May, 1766 the Corporation, alarmed at the size of the city debt, wrote to the sitting members to beg their assistance. There was £5,670 outstanding, and the Corporation explained that it had resolved to make the approach on hearing that certain persons had offered the representation of the city for £4,000. If the sitting members refused to help, 'the whole council are determined to apply to some other person in the county to do it, and if possible, by that means to keep themselves from being sold to foreigners'.<sup>9</sup>

Stapleton and Lee considered the matter for two and a half months before returning an unctuous refusal: 'as we never intend to sell you, so we cannot afford the purchase'. The Corporation then turned to the 'other person', the Duke of Marlborough:

They (the members) have from motives best known to themselves declined giving that assistance which might naturally have been expected from them. The Mayor and Common Council assembled have therefore with one assent presumed to lay the state of their affairs before your Grace. . . . And we further beg leave to assure your Grace that we on our parts will upon all occasions take every opportunity of testifying our gratitude to your Grace and of making every return in our power.<sup>10</sup>

The Duke replied that the state of affairs caused him much concern, but he was gratified to think he could be of use. Foreseeing, however, that any attempt to capture both the seats would provoke fierce opposition, he prudently consulted Lord Abingdon:

I have the pleasure to find that his Lordship is equally concerned with myself at the embarrassment of the city finances . . . we are willing jointly to take upon ourselves the discharge of the city debts . . . amounting as I am informed to near £6,000.<sup>11</sup>

Plans now went quietly ahead for the General Election. The Duke proposed to bring in his brother, Lord Robert Spencer,<sup>12</sup> and Lord Abingdon one of

<sup>7</sup> *Jackson's Oxford Journal*, 5 January, 1754.

<sup>8</sup> 1727-1781, of Greys Court, Oxon., 2nd but 1st surviving son of Sir William Stapleton, 4th Bt.; educated at St. Mary Hall.

<sup>9</sup> *Parliamentary History*, xvi, 398. Foreigners, of course, means strangers.

<sup>10</sup> The Mayor to Duke of Marlborough, 13 August, 1766, Corporation Records, N.1.5.

<sup>11</sup> Marlborough to the Mayor, 27 October, 1766, *Ibid.*

<sup>12</sup> 1747-1831, 3rd son of the 3rd Duke; educated at Christ Church. When the arrangements for Oxford fell through, the Duke brought him in for Woodstock. There are many references to him in *H.M.C. Carlisle*.

his friends, William Craven.<sup>13</sup> The only cause of anxiety was an opposition by Sir James Cotter,<sup>14</sup> the son of an Irish Jacobite, who was reported in January, 1768 to be 'giving money to the poor and to the gaols'.<sup>15</sup> He seems to have held radical views, and was commended by the Wilkite *Political Register* for declaring that he would regard the instructions of his constituents as binding.<sup>16</sup>

But at the end of January the whole transaction was made public, when the sitting members complained to the House of Commons, and produced the Corporation's letter. They did not explain why it had taken them a year and a half to perceive where their duty lay, but the House professed itself scandalized, and ordered the Corporation to attend. This they did on 5 February, having first taken the precaution of despatching the Town Clerk to France with the minute book,<sup>17</sup> and ordering the Newgate gaoler to prepare a good meal for them. The House obligingly sent them to Newgate, where they spent five days before being released with a solemn reprimand. The common opinion was that of Horace Walpole, who thought that the Corporation 'rather deserved thanks for not having taken the money for themselves'.<sup>18</sup>

The indignation of the Corporation was now vented upon Lord Abingdon, who was accused of promoting the appeal to the House of Commons. Though he and his friends strongly denied it, the Corporation denounced their agreement with him. The Duke and Lord Abingdon met and dissolved their partnership, the Duke writing afterwards to confirm what had passed:

the whole of what I meant to say was that I considered all the engagements which I had entered into with your Lordship as at an end, and that consequently we were both at liberty to act as we pleased. I told your Lordship that I did not mean that my brother should be a candidate . . . but at the same time in case any friend of mine should be a candidate I shall most probably give him my support.<sup>19</sup>

With the glare of public attention focused on the Corporation of Oxford, the Duke was obliged to act cautiously: 'it is also current here that the D. of M. will not give any recommendation in the *next* election: how easy and natural it will be to the D. of M. to behave commendably *afterwards* I need not say.'<sup>20</sup>

<sup>13</sup> 1738-1791, son of Rev. John Craven; educated at Balliol. He succeeded his uncle as 6th Lord Craven in 1769. He and Lord Abingdon were inclined to opposition, and were very active in the county of Berks., which they dominated until 1784, when they differed over the Fox-North Coalition.

<sup>14</sup> 1714-1770, son of James Cotter of Anngrove, co. Cork, who was executed in 1720. He was created a baronet in 1763.

<sup>15</sup> John Phillips to the Duke, 4 January, 1768, Corporation Records.

<sup>16</sup> *Political Register 1768*, pp. 270, 313, 395.

<sup>17</sup> H. Walpole, *Memoirs of the Reign of George III*, ed. Barker, III, 109. The minute book for 1763-8 is still missing from the corporation archives.

<sup>18</sup> Walpole to Mann, 26 February, 1768.

<sup>19</sup> Marlborough to Abingdon, 10 February, 1768, Corporation Records.

<sup>20</sup> Leigh to Jenkinson, 14 February, 1768. Add. MS. 38457, f. 148.

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The Corporation then offered the seats to William Harcourt,<sup>21</sup> son of the Whig magnate, and to George Nares,<sup>22</sup> the Recorder, who had started life under the auspices of the Abingdon family, but was now a follower of the Duke. When the new nominations were announced, Craven protested with great bitterness:

I little expected to have been deserted by some of that Assembly, without any demerit of my own; but merely on account of a groundless aspersion which has been thrown on the character of a Noble Person, whose friendship I shall esteem as a principal honour of my life.<sup>23</sup>

Brownlow Cust commented on the curious change that had taken place in Oxford politics:

I am sorry to say that the Old Interest will most probably be triumphant in the University, though Lord Abingdon's conduct has completely destroyed it in the town, insomuch that the most Tory member of the Corporation would rather choose a member from one of the most zealous Whig families in the kingdom than give the least assistance to a Tory.<sup>24</sup>

Craven remained in the field and polled more than 160 single votes, but Nares and Harcourt were returned with 592 and 562 against 332 for Craven and 80 for Cotter. The following year, the Duke donated £5,983 7s. 2d. to the city, amid scenes of junketing and celebration.<sup>25</sup>

Three years later, Nares was appointed a judge, and gave up his seat in Parliament. It was now safe for the Duke to show his hand openly, and his agent wrote to John Treacher, an Alderman:

The Duke of Marlborough has long wished and now wishes very much to have his brother Lord Robert Spencer represent Oxford. . . . I hope therefore and trust that you and the rest of our friends will immediately use your utmost endeavours to promote his Lordship's interest.

P.S. I think it will be right to give the freemen a treat tomorrow and canvass them for Lord Robert if possible.<sup>26</sup>

<sup>21</sup> 1743-1830, son of Simon, 1st Earl Harcourt; succeeded his brother as 3rd Earl in 1809. An army officer, Harcourt won great renown during the War of Independence by capturing the American general Charles Lee. His interest in politics seems to have been rather slight: during his six years in the House, he voted with administration.

<sup>22</sup> 1716-1786, son of George Nares of Albury, near Thame; educated at Magdalen; called to the bar 1741. Nares' father had been steward to the Earls of Abingdon. He was a member of the House of Commons for less than three years, during which time he spoke and voted in support of administration over the Wilkes issue.

<sup>23</sup> *Jackson's Oxford Journal*, 27 February, 1768. After denying that Lord Abingdon had any part in the exposure, Craven added that his Lordship was 'mortified at the unnatural union which has been formed between the agent of a nobleman in whose honour and delicacy he had hitherto implicitly confided, and a candidate from whose extraction and obligations he was entitled to have expected support'. Nares took the second description as applying to himself and retorted that he was not conscious of any ingratitude.

<sup>24</sup> Cust to Philip Yorke, 23 March, 1768, *Chronicles of Erthig on the Dyke*, II, 28. See also Charles Godwyn to John Hutchins, 14 March, 1768, printed in J. Nichols, *Literary Anecdotes*, VIII, 252.

<sup>25</sup> *Gentleman's Magazine*, 1769, p. 411.

<sup>26</sup> 22 January, 1771, Blenheim MSS.

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Though Lord Robert was abroad, his election was accomplished without difficulty.<sup>27</sup> Thenceforward one seat was in the direct nomination of the Duke, who succeeded Dashwood as High Steward in 1779: the other was disposed of by the Corporation.

Another change took place at the General Election of 1774. One section of the Corporation, probably the old Tories, were determined to get rid of Harcourt. After an attempt to persuade the Mayor to summon a special meeting of the Corporation, they put forward the Earl of Abingdon's brother, the Hon. Peregrine Bertie,<sup>28</sup> a naval officer, Harcourt then retired rather than face a contest. Lord Abingdon explained years later:

Upon a misunderstanding some years ago, unnecessary to go into here, between the Corporation and myself, I declined what was then offered to me, the nomination of a member. Upon this occasion, my brother, either stepped forward himself, or was brought forward, no matter which, and was elected the member, and as such without any support from me, though indebted no doubt to the support of the family interest.<sup>29</sup>

Spencer was a Lord of Trade in Lord North's ministry: Bertie was consistently against, though he did not attend Parliament very often.

The same members were returned in 1780 without much difficulty. John Whalley Gardiner, a local man, was mentioned as a candidate, but declined rather than injure the interest of his friend, Captain Bertie: he was then brought in for Lord Abingdon's pocket borough of Westbury. But there were always certain voters who were discontented when there was no contest: the London voters, in particular, were deprived of a free trip home. On this occasion, they persuaded a Surrey gentleman, Benjamin Bond Hopkins, to offer a last-minute opposition, but after a morning's poll had brought him 11 votes against 64 for Spencer and 72 for Bertie, he declined, complaining that he had been 'egregiously deceived'.<sup>30</sup>

By the General Election of 1784, the political situation had changed completely. Lord Robert Spencer had thrown up his post in January, 1781 and joined Fox: he and Bertie were now supporters of the Fox-North coalition. At Oxford they were confronted by an opposition from Gardiner, whom

<sup>27</sup> The King was afraid that a vacancy at Oxford might be 'very detrimental' to the Duke's interest (*Donne*, I, 30), but a handsome dinner given to the Corporation at Blenheim in October resolved all difficulties.

<sup>28</sup> 1741-1790, of Weston-on-the-Green, Oxon., and Yattendon, Berks.; 3rd son of Willoughby, 3rd Earl of Abingdon. He was appointed a Lieutenant in 1759, and a Captain in 1762. His naval career seems to have suffered from his long association with opposition.

<sup>29</sup> Abingdon to Annesley, 19 August, 1790, MSS. Top. Oxon. c. 280 (Bodleian).

<sup>30</sup> *Jackson's Oxford Journal*, 9 September, 1780.

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Lord Abingdon had refused to re-elect for Westbury.<sup>31</sup> They retorted by declaring a complete union of interests, but their positions were very delicate. Lord Abingdon was a determined and vociferous opponent of the coalition, while the Duke of Marlborough was a waverer, pulled by personal appeals from the King. Gardiner hoped to exploit the rift in the Bertie family, and the Earl gave his brother no assistance. Indeed, in January, he instructed his agent at Oxford to work for an address from the Corporation condemning the Coalition ministry, which the King had just dismissed. His agent replied advising caution: 'as the two families they look up to are divided in their opinions, I am persuaded if an address was carried it would be far from unanimous'.<sup>32</sup> Abingdon insisted, and Gardiner's friends in the Corporation supported the measure as a means of embarrassing the sitting members. On 11 February an address was carried, thanking the King for dismissing the Coalition, and Lord Robert Spencer was obliged to present it. The members remained in suspense until polling day. On 25 March they issued a handbill deploring that an opposition should be threatened by one 'from whose previous conduct and declarations we flattered ourselves we had reason to expect friendly assistance', and on the eve of poll they put out a stronger declaration, warning voters not to imagine that Gardiner was a friend of the Berties: 'no man ever behaved with more ingratitude towards the Abingdon family than Sir John'.<sup>33</sup> After all these alarms, they were returned unopposed.

By 1790, Lord Robert Spencer's close friendship with Fox was a source of embarrassment to the Duke, who replaced him at Oxford by Francis Burton,<sup>34</sup> a supporter of Pitt. Peregrine Bertie, who was re-elected, survived only a few weeks. In August, Arthur Annesley,<sup>35</sup> a local gentleman, approached Lord Abingdon for his support at the by-election. Abingdon replied:

How am I to act? I know not that I have any support to give you. Pecuniary support you don't expect . . . and as to personal support, for this I have as

<sup>31</sup> Gardiner was vigorously assailed in *An Open Letter*, MSS. Top. Oxon. c. 280:

I am really at a loss whether to congratulate you most on your ambition or the rapid progress you have made in becoming a borough politician. It is now just three years since you was elected . . . for Ld. A's borough of W——y, in which time you have not only obtained your baronetage, but have wisely unlearned all those old-fashioned words—Principle, Friendship, Connection & Gratitude . . . Ld. A's refusing to promise you again a seat for W. in the next Parliament when you demanded it the other day on the expected dissolution must be thought by all politicians a sufficient justification for your opposing his brother at Oxford, although he has ever been your intimate friend and acquaintance'. It continues that Gardiner's quarrel with Lord Abingdon was because 'he may not have it in his power to promote you to a ribband or make you a Peer'.

<sup>32</sup> James Morrell to Abingdon, January, 1784, *ibid.*

<sup>33</sup> MSS. Top. Oxon. c. 280.

<sup>34</sup> ? 1744-1832, of Edworth, Beds., son of Colonel Francis Burton of Westminster. He had represented Heytesbury 1780-84, and Woodstock 1784-90. From 1788-1817 he was Second Justice of Chester.

<sup>35</sup> 1761-1841, son of Arthur Annesley of Bletchington, Oxon.; educated at Christ Church.

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yet no ground to go upon. The city of Oxford elected my brother for their member, my brother and I, latterly at least, wholly differed in our political conduct, and yet the city of Oxford re-elected my brother.<sup>36</sup>

Meanwhile the London independents had been active in procuring a candidate, and after abortive attempts to persuade Lord Barrymore or Lord Mountnorris to stand, put up George Ogilvie, a complete stranger. He polled 103 votes against 618 for Annesley, 58 of his supporters being London outvoters. In 1796, however, the independents succeeded in carrying their candidate, Henry Peters, thereby breaking the long Corporation supremacy.

<sup>36</sup> 19 August, 1790, MSS. Top. Oxon., c. 280.