

LONDON ELECTORAL HISTORY – STEPS TOWARDS DEMOCRACY

3.3 THE ELECTORAL FRANCHISE IN THE CITY OF LONDON

The right of voting in London varied according to the office contested. Such variations had arisen over time and were accepted as historical legacies, even if they were sometimes confusing to contemporaries. The following sections explain the variant electoral franchises for:

- 3.3.1 Common Hall
- 3.3.2 Wardmote (ward meeting)
- 3.3.3 London liveryman franchise
- 3.3.4 London parliamentary elections
- 3.3.5 Elections for lord mayor of London
- 3.3.6 Elections for chamberlain of London
- 3.3.7 Elections for sheriff of London and Middlesex

3.3.1 Common Hall

The Common Hall, presided over by the sheriff, had the right of election for Members of Parliament and also for the offices of sheriff, lord mayor, chamberlain, bridge masters, auditors, and aleconners. This franchise, vested in the liverymen of the City's several livery companies, had no residential qualification. As a result, duly qualified people from outside the municipal area were entitled to return in order to vote. The lord mayor sent a summons to the master of each livery company requiring him to notify the liverymen to attend Guildhall, wearing their livery gowns. The beadle of each company was supposed to prevent anyone not of the livery from attending.

Those not eligible to vote were required to withdraw from Guildhall. That proviso was, however, difficult to enforce absolutely strictly. Indeed, the laughter said to have followed this order provides some evidence that implementation on some occasions was a problem, according to a report in 1837.¹ In fact, between 1700 and 1850 all parliamentary general elections for London except those of 1830 and 1831 went to a poll, at which more rigorous criteria were applied. So the potentially laxer version of the franchise applied, if at all, to civic elections.

In the first instance, elections were determined by a show of hands by the liverymen present. That procedure often sufficed for elections for civic office, although a formal poll would sometimes be demanded. Meanwhile, parliamentary general elections were almost always determined by a poll throughout the period. Not only were parliamentary elections less subject to the claims of aldermanic seniority than elections for lord mayor, but the parliamentary elections were frequently contested by two slates of four candidates. That state of affairs gave returning officers great difficulty in distinguishing on a show of hands between the candidate with the fourth greatest tally and the one in fifth place.

In the event of a poll, each voter was required to swear that he was a freeman of the City, a liveryman of a particular company, that he had been so for twelve months, and that he had not polled before. All of the data in the LEH for London contests after 1725 are *ipso facto* a product of these more stringent conditions, or, after 1832, of the still more stringent conditions of electoral registration.

The annual elections for common councilmen began on St Thomas's Day, 21 December. Returns were generally made on Plough Monday, the first Monday after Epiphany (the twelfth day after Christmas) in the year following the poll. In all tables, elections are dated to the date of the official return, where this is available. And in the case of all annual elections, the default date is taken to be Plough Monday: that is, early in the year following a December poll.

Official returns gave the names of the successful candidates and their precincts. But for evidence of a contest, other sources are required. Most helpful for disputed elections of common councilmen and civic officials are the eighteenth-century London newspapers, although there was no requirement that such news had to be published. All contests that have been discovered to date are shown in section 8. Supplementary information can also be gleaned from other sources.

Evidence of a scrutiny is *ipso facto* evidence of a poll. Thus the report in the *London Evening Post* in December 1737 that Jackson demanded a scrutiny against Groom in the contest for Bishopsgate is evidence of a poll in which Jackson was placed in a position inferior to Groom. Likewise evidence of the published return of a candidate, who was placed in the poll as inferior to the lowest 'winning' candidate, is evidence of a scrutiny. However, as already noted, many candidates were routinely elected without any opposition; or it may have been that there was an initial show of hands, which did not then proceed to a poll.²

3.3.2 Wardmote (ward meeting)

Meanwhile the franchise for the local government offices of alderman and common councilman was vested in 'wardmotes' or ward meetings. In a wardmote for alderman, the presiding officer was the lord mayor, whilst in a wardmote for common councilmen, the presiding officer was the alderman of the ward. The listings of Metropolitan Polls in section 8 contains evidence of wardmote polls for aldermen and common councilmen.

The wardmote franchise was vested in the City's liverymen (who were *ipso facto* freemen) and all other adult male freemen householders, who were taxpayers, 'paying scot and bearing lot', in one of the parishes of their ward.³

A still wider franchise, termed here the quasi-wardmote franchise, was able to vote for a range of minor civic offices, such as the ward beadle. These quasi-wardmote voters included not only the liverymen and freemen householders but also some non-free rate-paying householders, such as business partners. The regulations were interpreted fairly generously. Hence, upon occasion, a few women householders, who were rate-payers in their own right, managed to vote.

Meeting annually in their wardmotes on St Thomas's Day (21 December), the ward electorates chose common councilmen to serve for their respective wards for the year.⁴ Common councilmen had to be freemen, and householders within their ward. Each ward also elected an alderman to serve on the court of aldermen.⁵ appointment to the court of aldermen was usually for life. Aldermen had to be freemen, and not already serving as alderman for another ward. The exception to this was Bridge Without Ward in Southwark. This ward did not elect representatives to the court of

common council, and its aldermanic seat was not filled by vote of the ward. Rather, it was a sinecure for a senior alderman from another ward who had already served the office of lord mayor.

The importance of the wide franchise lies in the fact that, for many Londoners, voting was a regular occurrence, and the experience of voting to fill offices was widespread.

3.3.3 London liveryman franchise

The right of election of the lord mayor of London, the City chamberlain, the bridge masters, the auditors, the aleconners, and of the sheriffs of London and Middlesex, was vested in Common Hall, the liverymen of the City.⁶

A London liveryman was a freeman who, by patrimony, servitude (apprenticeship), or redemption (purchase) had joined one of the 60 or so livery companies of the City. His position was that of a leading figure in the London economy; and many were men of some substance, although not all were equally affluent.⁷

In order to vote, the liveryman's finances had to be in good order. He should have paid his livery fine, and not had any part of it returned. He should have paid his rates and taxes. And he should not have received alms or any form of public charity, which would have compromised his independent status by making him beholden to others. By the terms of Walpole's City Elections Act of 1725, it was further required that all electors in Common Hall should be freemen and liverymen of one year's standing.⁸

Liverymen also had a role in the election of other civic officers. Meeting annually on Michaelmas Day (29 September) they elected a short list of two aldermen, from whom the court of aldermen made their selection of lord mayor as head of the corporation and chairman of both the court of common council and the court of aldermen. Further to reinforce the oligarchic nature of high civic office, the post was reserved to those who had already served a term as sheriff.⁹ Liverymen were also involved in the election of sheriffs, with two sheriffs elected annually on Midsummer Day (24 June) to serve for London and Middlesex.¹⁰ So in the popular elections for lord mayor and sheriffs, liverymen could give two votes. The chamberlain (treasurer of the City of London) was elected by the liverymen and generally held office unchallenged for a number of years. The election of wardens of London bridge (vulgarly: the bridge masters) and of surveyors of ale and beer (vulgarly: the aleconners) lay

with the liverymen. Again, once elected, bridge masters and aleconners were not usually challenged.

Men gained their freedom and joined livery companies for a number of reasons. In the first place, only freemen could keep a shop or practise a trade within the City. Although in the first half of the eighteenth century the majority of freemen still gained their freedom of the City by servitude (apprenticeship to a freeman), the proportion who were admitted by patrimony or by redemption rose during the century.¹¹ In 1704 over four-fifths of admissions to freedom were by servitude.¹² A century later the proportion was just over a half.¹³

For some, joining a livery company constituted a life assurance policy, since livery funds made provision for the widows and orphans of deceased liverymen. For others, the claims of trade were paramount. The electoral franchise itself may for some have been a further motivation. Meanwhile, a fourth group may have been attracted by the social distinction conferred by membership. And some may have been attracted by the traditions of sociability preserved by livery companies.¹⁴

In all LEH tables of liverymen, their forenames and livery companies are established from Percival Boyd's typescript Index to common councilmen, 1780-1879 (itself drawn from the annual Corporation of London pocket books), held at Guildhall Library.¹⁵

3.3.4 London parliamentary elections

The franchise in the London's parliamentary elections was vested in the liverymen who were freemen of the City. This franchise was confirmed by the 1725 City Elections Act.¹⁶ As already noted, this legislation added the requirement that the elector should have been qualified for a year prior to the election and gave statutory force to the electors' oath:

You do swear that you are a freeman of London, and a liveryman of the company of ... and have so been for the space of twelve calendar months, and that the place of your abode is at ... in ... and that you have not polled at this election

A list of objections made in 1710 and recorded in the poll book for that year indicated some of the criteria that had to be fulfilled in order to vote prior to 1725. Complaints were made about voters 'not in the clerk's list',

‘not translated’, ‘not free of the City’, ‘pensioner’, ‘livery fine returned’, and ‘admitted on the livery since the *teste* of the writ’. This last criterion was changed in 1725, when it was required that a voter should have been a liveryman for twelve months before the first day of the election.

A later list of voters who polled for Richard Atkinson¹⁷ in the 1784 general election, was issued by the committee that supported Atkinson’s opponent, John Sawbridge. This source illustrated in a negative form the range of significant qualifying criteria, as the liverymen were urged to examine the list to identify any voters in the following categories:

- 1/ Liverymen who were not free of the City.
- 2/ Liverymen who had changed their Company without being duly translated.
- 3/ Liverymen who had been personated by others.
- 4/ Those who had polled twice.
- 5/ Those who had been liverymen for less than 12 months of the Company for which they polled.
- 6/ Those who had received any alms within the previous two years (including Company charities, parish charities, and hospital charities) whether for themselves, their families, or their apprentices.
- 7/ Those who had not paid their whole livery fine, or who had part or all of that fine repaid.
- 8/ Those who belonged to a Company of which the number on the Livery was limited, and whether they were within the limited number.
- 9/ Those who had requested and been excused paying any rates or taxes during the previous two years.
- 10/ Those who had any place in the Excise, Customs, Stamp Office, Salt Office; or in the surveying or collection of the duties on windows or houses; or in the post office; or who had held any such place in the 12 months prior to polling.
- 11/ Those who claimed to be free by virtue of serving the king.

The scope for legalistic argument about precise qualifications was thereby apparent. But, despite these contentions, elections continued to be conducted within the framework of the 1725 act, relying upon the judgment of the returning officers, as supplemented by the critical gaze of the politically alert public.

After 1832, things changed. The Reform Act gave votes in parliamen-

tary elections to all of the City of London's inhabitant householders and occupiers of property with an annual value of £10.¹⁸

Electors under this act were the sole occupiers of separate tenements of £10 annual value, or joint occupiers if the annual value of the property were sufficient to make £10 for each of them. The act still preserved the rights of voting of liverymen, provided firstly that the civic freedom had been gained by servitude or patrimony derived from a father free by servitude, and secondly that the liveryman had lived for six months before the election within seven miles of Guildhall.¹⁹ The first electoral register for London enumerated some 9,527 liverymen as retaining their qualification under the old franchise, declining to 7,486 by 1848. But estimating the decline in the number of those qualified to vote as liverymen is problematic because of dual registration.

3.3.5 Elections for lord mayor of London

The mayor of London, or lord mayor as he was commonly known,²⁰ was elected annually by the aldermen from among those of their number who had held the office of sheriff. In a custom firmly established by 1406,²¹ the popular election among the liverymen each year on 29 September selected a short list of two candidates to be put to the court of aldermen.

The claims of aldermanic seniority in the choice of a lord mayor were powerful: the crier would read, in order of seniority, a list of the aldermen who had served as sheriff but who had not yet passed the chair. As noted by the Royal Commission on Municipal Corporations, 'with very few exceptions, the persons named by Common Hall are the two senior aldermen who have not passed the chair, and who have served the office of sheriff, and in that case the senior of the two is almost invariably chosen by the aldermen.'²² In 1728 the liverymen in Common Hall returned Sir Robert Baylis and Humphry Parsons, the two senior aldermen who were eligible and had not served as mayor. The choice of the aldermen fell upon Baylis, the senior of the two. When William Beckford died in harness as lord mayor in 1770, the liverymen returned Barlow Trecothick and Brass Crosby, the two senior aldermen 'below the chair', with decisive majorities over Sir Henry Bankes. The court of aldermen then elected Trecothick, the senior of the two, as lord mayor.

All liverymen were entitled to attend Common Hall. If a poll were taken at the election for lord mayor, each voter had to swear that he was a

freeman of the City, a liveryman of a particular company for twelve months, and that he had not polled before. Furthermore, he had to state his place of residence. He did not have to live in the City, but if he did live in the City then he was disqualified from voting if, in the previous two years, he had been discharged at his own request from payment of the rates and taxes to which citizens were liable. He was also disqualified if he had received back any part of his livery fine, or received alms. The electoral college of aldermen caused consternation in 1773 among supporters of the notorious radical John Wilkes (who had a plurality in the popular vote)²³ by choosing as lord mayor his running-mate James Townsend: but they were perfectly entitled to do so.

Despite the ancient example of Richard Whittington, cat-lover and thrice lord mayor, a custom dating from the reign of Henry VIII enjoined that lord mayors served only one term.²⁴ Some of the polls for lord mayor came at times when the claims of custom and seniority broke down, or when one who had already passed the chair sought re-election. In 1771, for example, Brass Crosby,²⁵ the incumbent lord mayor, sought re-election and was defeated. Later cases broke this convention, but not without controversy.²⁶

It should be noted that the franchise in elections for lord mayor remained with the liverymen in Common Hall after the Reform Act of 1832. These liverymen were not constrained by the requirement imposed upon parliamentary electors of living within seven miles of the Guildhall. Indeed, two voters in 1840 came from as far afield as Solihull, Warwickshire, and Axminster, Devon, to exercise their franchise.

3.3.6 Elections for chamberlain of London

The City chamberlain was the chief financial officer for the corporation, and his was a lucrative and sought-after post.²⁷ It was required that all candidates for the office, elected annually on 24 June, should be freemen of the City. Before 1695 the court of aldermen had the right to nominate a short list of two candidates for the post, from which the livery chose one. After 1695 both the nomination and franchise in the elections for chamberlain lay in Common Hall, with the liverymen who were freemen of the City.

In practice, however, the claims of incumbency were powerful, and once elected the chamberlain retained his post until death or incapacity.

Never in the years 1700-1850 was there a successful ousting of an incumbent chamberlain.

In 1716 the incumbent chamberlain was challenged, but in the ensuing poll he was returned with a substantial majority. In 1732, and again in 1733, the challenge to the incumbent chamberlain was seen off at the show of hands. More serious challenges came from the radical and indigent gadfly John Wilkes. On the resignation of Stephen Theodore Janssen in February 1776, Wilkes stood for the chamberlain's office, but was defeated by Benjamin Hopkins. Undeterred by the claims of incumbency, Wilkes stood against Hopkins at the annual election for chamberlain the following June. Defeated by Hopkins in June 1776, Wilkes challenged the incumbent again in June 1777, and yet again in June 1778. Only at the vacancy caused by Hopkins's death was Wilkes finally elected as chamberlain of the City of London.²⁸ He then held the lucrative office from 1779 until his death in 1797, and was succeeded by another long-lived incumbent, Richard Clarke who held office until 1831.

So most annual re-elections for the chamberlain's office were purely nominal events, which did not go to a poll as the sitting candidate was returned unopposed on a show of hands.

Nonetheless, the office of chamberlain did fall vacant on ten occasions between 1700 and 1832, and each of these vacancies was settled by a poll, with liverymen polling over 40,000 times altogether. If the elections caused by a challenge to the incumbent are included as well, the incidence of elections for chamberlain rises to 14, and the incidence of polling to 52,000 times. Unfortunately for the curious historian, however, only one poll survives from an election for chamberlain – that from the closely fought contest of 1734.

3.3.7 Elections for sheriffs of London and Middlesex

The office of sheriff was an important stepping stone in civic politics, since only those who had served a term as sheriff were eligible for the lord mayor's chair. Furthermore the sheriffs in both London and Middlesex were the returning officers, who had crucial powers to admit electors to poll. The post was therefore a politically pivotal one. Especially in the early eighteenth century, elections for sheriff were more likely to be contested than were those for lord mayor. And since these elections were held annually, they constituted an important part of the

normalisation of participatory politics in the metropolis.

Until 1694, the lord mayor had retained the right to nominate one of the sheriffs to the post (without the need for any further election). In that year, however, an act of common council declared that such an unfettered power in the hands of the mayor was 'repugnant to reason and contrary to the rules and methods of elections'.

Thereafter the sheriffs of London and Middlesex were elected by the liverymen annually on Midsummer Day. All aldermen who had not served as sheriff were in nomination as a matter of course. An act of common council of 1703 then gave the lord mayor the right to nominate one or more freemen to stand in popular election for the office of sheriff, for the year ensuing. But at the same time, any two liverymen might nominate a candidate at the hustings.²⁹

The range of choice was far from unlimited. Sheriffs were required to show that they possessed an estate of £10,000, a sum increased to £15,000 in 1738. 'Insufficiency of estate' was used to disqualify some candidates, and was pleaded by others who were unwilling to serve. Thus in 1738 Israel Wilkes, the father of John Wilkes, avoided his term as sheriff.³⁰

Sheriffs were further required to be communicant members of the Church of England, and the exclusion of Dissenters afforded a mechanism for potential candidates to avoid taking office, as well as for the Corporation to extract fines in lieu of service, from those refusing.³¹ By a special act of common council of 1748 the lord mayor was empowered to nominate up to nine freemen for the office of sheriff. This curious procedure was in effect a device used to raise funds for the building of the Mansion House. Nominees who sought to avoid serving as sheriff could escape the post by paying £400 before Midsummer Day, or £600 thereafter. Those who did not purchase their exemption thereafter remained in nomination in perpetuity until elected.

When the office was contested, it was generally between two candidates from among the aldermen and two from the commonalty. Aldermanic seniority was a powerful influence in the selection of sheriffs, and commonly the two senior aldermen who had not yet served the office were returned: to reinforce the importance of seniority, the names of the eligible aldermen were read out at the election in order of seniority.³² The aldermen were deemed to be senior to the mayoral nominees, who in turn were senior to the nominees of the liverymen.

Many elections for sheriffs were determined by a show of hands rather than a poll. The only surviving poll for sheriff is from a by-election in 1724 when each voter had one vote at his disposal, since there was only one vacancy.

The variety of elections and the consequent variation in franchisal qualifications kept London voters on the alert; and the interlocking nature of the system meant that shows of electoral support for candidates for even minor offices could easily have a wider political impact.

Notes

- ¹ The exclusion from Common Hall of those ineligible to vote was reported to be laxly enforced, and 'it is not unusual for a considerable proportion of the meeting to be neither liverymen nor freemen'. *BPP* (1837), xxv, p. 61.
- ² *London Evening Post*, 24 December 1737; and section 8.3.4: election for year starting 1738.
- ³ On the local government franchise, see William Mildmay, *The method and rule of proceeding upon all elections, polls, and scrutinies at common halls and wardmotes within the City of London* (1743; subsequent editions in 1768, 1778, 1819 and 1841); and B. Keith-Lucas, *The English local government franchise: a short history* (Oxford, 1952).
- ⁴ Without exact proportionality of representation, the number of common councilmen for each ward varied with the size of the ward. For example, in 1804 Bassishaw and Lime Street wards each elected four common councilmen; meanwhile Farringdon Without ward elected 16 and Farringdon Within ward 17 common councilmen. The representation of wards in Common Council was amended in 1840, and by the middle of the nineteenth century Farringdon Within ward had been reduced to 14 common councilmen, and Farringdon Without ward to 16: see *BPP* (1852), XLII, p. 218.
- ⁵ Before 1714 the inhabitant freemen of a ward put forward four names to the court of aldermen, from which the alderman for that ward was selected. By an act of common council in 1714 the inhabitant freemen of a ward thereafter directly elected their alderman.
- ⁶ This section owes much to *BPP* (1837), xxv, and to [P.E. Jones], *The Corporation of London* (1950).

- ⁷ Readers who are fluent in Japanese will find a helpful economic analysis of the mid-eighteenth-century liverymen in K. Sakamaki, 'London livery companies in the mid-eighteenth century', in K. Kondo and T. Itoh (eds), *Edo and London: The Urban History – Extra Issue* (Tokyo, 2007), pp. 24-36.
- ⁸ 11 George I, c. 18, s. 14 (1725). And see below n. 16.
- ⁹ B. Weinreb and C. Hibbert, *The London Encyclopaedia* (1995), s.v: 'Aldermen', 'Court of Common Council', 'Lord Mayor', 'Lord Mayor's Show', 'Sheriffs', and 'Wards and Wardmotes'.
- ¹⁰ The two sheriffs of London constituted one officer in Middlesex: *BPP* (1837), xxv, p. 109.
- ¹¹ W.F. Kahl, 'Apprenticeship and the freedom of London livery companies, 1690-1750', *Guildhall Miscellany*, 7 (1956), pp. 17-20. For further information, see W.F. Kahl, *The development of London livery companies: an historical essay and select bibliography* (Cambridge, Mass., 1960); I.G. Doolittle, *The City of London and its livery companies* (Dorchester, 1982); and Palfreyman, *London's livery companies*.
- ¹² J.F.V. Woodman, 'The freedom of the City of London: some notes on its history, customs and privileges', *Journal of the Honourable Company of Master Mariners*, 7 (1958-60), pp. 460-8.
- ¹³ *BPP* (1837), xxv, p. 93. Over the 40 years between 1794 and 1833 the proportion of admissions to freedom by servitude was just over a third.
- ¹⁴ For the importance of voluntary association for sociability in general, see P. Clark, *British clubs and societies, 1580-1800: the origins of an associational world* (Oxford, 2000).
- ¹⁵ Guildhall Library 0L 91484464M: Percival Boyd, "An index to the annual lists of the members of the common council ... in the Corporation Pocket Book, 1780-1879" (typescript, 1933).
- ¹⁶ 11 George I, c. 18 (1725). Walpole's City Elections Act has received a mixed press. See N. Rogers, 'Resistance to oligarchy: the City opposition to Walpole and his successors, 1725-47' in J. Stevenson (ed.), *London in the age of reform* (Oxford, 1977), pp. 1-29. For a more charitable view of the legislation, see I.G. Doolittle, 'Walpole's City elections act (1725)', *English Historical Review*, 97 (1982), pp. 504-29, to which Rogers responded in 'The City Elections Act (1725) reconsidered', *English Historical Review*, 100 (1985), pp. 604-17.

- ¹⁷ Anon., *List of the persons who have polled for Richard Atkinson* [1784].
- ¹⁸ 2 William IV, c. 45 (1832).
- ¹⁹ G. Norton, *Commentaries on the history, constitution, and chartered franchises of the City of London* (3rd edn, 1869), p. 249.
- ²⁰ The title of lord mayor is customary, although the City charter refers to the mayor.
- ²¹ Beaven, ii, p. xxv.
- ²² *BPP* (1837), xxv, p. 62. Exceptions to the rule of seniority are discussed in Beaven, ii, p. xxvi.
- ²³ Part of the Wilkes story comes from W.P. Treloar, *Wilkes and the City* (1917), pp. 194-204, and part from an examination of the London daily press. See also further details in sections 5 and 6.
- ²⁴ For Whittington's career and legend, see *ODNB*; and C.M. Barron, 'Richard Whittington: the man behind the myth', *Studies in London history presented to P.E. Jones*, ed. A.E.J. Hollaender and W. Kellaway (1969), pp. 197-248.
- ²⁵ Brass Crosby (1725-93), Musician and alderman for Bread Street ward; MP for Honiton, 1768-74; contested London 1774; contested London, January 1784. See *Hist. Parl. 1754-90*, ii, p. 278; and *ODNB*.
- ²⁶ For examples in the early nineteenth century, see section 5.3.3.
- ²⁷ For the office of chamberlain and elections at vacancies, see B.R. Masters, *The chamberlain of the City of London, 1237-1987* (1988). But Masters says nothing about the polls at unsuccessful challenges to incumbents.
- ²⁸ In 1791, during John Wilkes's incumbency, the liverymen in Common Hall put up Cowley to be chamberlain and returned him on a show of hands. But Cowley declined to serve, so thwarting the attempt by Wilkes's critics to challenge him.
- ²⁹ *BPP* (1837), xxv, p. 68.
- ³⁰ LMA, COL/CN/03/1738.
- ³¹ See I.G. Doolittle, 'The Mansion House "racket"', *History Today*, 33 (1983), pp. 37-41.

- ³² In the later eighteenth century, a printed *List of such persons who have been nominated by the lord mayor* showed in order of seniority those to be put in nomination for the post of sheriff. Some of these are preserved in LMA, COL/CN/03.