

LONDON ELECTORAL HISTORY – STEPS TOWARDS DEMOCRACY

3.6 ELECTION DISRUPTIONS & CONTROLS

During these years, most elections in metropolitan London were peaceful. The presiding officials tried to ensure order and also to check the voters' credentials, in the event of any dispute or challenge. Nonetheless, there were some disturbances, which throw light both upon the extent of disruptions and the countervailing checks.

Before the introduction of electoral registration, which afforded some time to examine and challenge the claim of a would-be elector, it was extremely difficult to guard against perjury and bare-faced personation. In 1727 one Patrick Kennada (Kennedy) was convicted of perjury, having sworn at the London parliamentary election of that year that he was a freeman and liveryman of the Merchant Taylors' company.¹

Other comparatively rare examples occurred in the Middlesex election of 1804. After the count, Thomas Price was convicted of having assumed the identity of one John Wright of 8, Bell Court, Grays Inn Lane, for the freehold of which he polled. Meanwhile Matthew Creese was likewise convicted of having assumed the identity of one George James, and having polled for a house in Hanover Street, Long Acre, occupied by Thomas Walter. As counsel for the Crown put it:

The selection of property for which the fictitious voters were to claim to vote was made most dextrously: a large tract in the neighbourhood of Long Acre was a fruitful hot-bed for voters in the interest of Sir Francis Burdett ... the whole of Hanover Street belongs to the Mercers' Company; each household constituted a very good freehold for some person who might be instructed to answer that his freehold was there; and to give his assumed name ... as that of the occupier, but to answer no other question; and if a man came up determined to do this, it was extremely difficult for the sheriffs ... to do otherwise than to receive him.²

Problems in determining just who was eligible to vote were exacerbated because of disorder at the elections. For many people, big public elections had a carnivalesque quality.³

The mixture of alcohol, crowds, and partisan loyalty meant that the environs of the Westminster hustings were often rowdy and occasionally dangerous. In 1722 the return of Archibald Hutcheson and John Cotton was declared void by the Commons because of rioting.⁴ By 1741 the place of polling had been transferred from New Palace Yard, to which the high bailiff went to take the poll after the show of hands in Tothill Fields, to the open area in front of Inigo Jones's church of St Paul Covent Garden. A contemporary account reported an attempt, on the fourth day of polling, to use crowd pressure - which failed:

There came a posse of voters for Admiral Vernon and Mr Edwyn which being observed at a distance by the head Bailiff of Westminster, who is in the interest of Lord Sundon and Sir Cha[rles] Wager and kept the poll book, he hastily shut the book, that the poll might be ended whilst his friends had the majority, and retiring into the church with Lord Sundon, there declared that Lord Sundon and Sir Cha[rles] Wager had the majority and returned them accordingly.⁵

Another observer at the scene described how polling was suspended when the mob 'threw into the portico dirt, stones, sticks, dead cats and dogs, so that the candidates, high bailiff, clerks and inspectors were obliged to retire into the church'.⁶ There was a petition against the return, and the election was declared void.⁷

Disorder was especially prevalent in the heated and prolonged Westminster election of 1784.⁸ A lengthy account set the scene.

The hustings were held in the portico of the church, St Paul's, Covent Garden. There was a booth run up in front, and extended to the end of the church, that part next Henrietta Street was in general occupied by Mr Fox and his friends, the other part next King Street, by the other party; during the time of the election. An immense crowd of people assembled on the hustings. There was a great deal of clamour, and of noise, as there is at all elections, at one end of the hustings crying out 'Fox for ever! No Wray!', at the other end of the hustings crying out 'Hood and Wray for ever! No Fox!'

Some of the gentlemen, friends to Mr Fox, used the house known by the sign of *The Unicorn*, between Henrietta Street and the end of the hustings. At that house likewise from time to time assembled a great body of Irish chairmen, Welsh porters, and others, armed with sticks and bludgeons. Especially towards the close of the poll, they several times forced their way in among the crowd, and endeavoured to press through that part of the crowd which faced the part where Mr Fox stood. One day, towards the close of the poll, a body of them were increased, because some persons would not call out 'Fox for ever!', and all at once, as if in consequence of a signal given, they drew their bludgeons and fell instantly on the people.

This account was clearly hostile. It undoubtedly exaggerated the military precision of the Foxite supporters. But clearly some voters felt intimidated. The magistrates of Westminster met, and Sir Sampson Wright wrote on their behalf to the high constables of neighbouring divisions of Middlesex, requesting them to send constables to help keep the peace in Westminster. George Elliott, the high constable of Tower Hamlets, responded by sending Nicholas Casson and three other constables, who were mustered together with their fellow-constables from other divisions at Patterson's auction rooms in Covent Garden.

On 10 May 1784, when Nicholas Casson was on duty at the hustings he was assaulted and bludgeoned on his head and body. He received fractures to his skull and left ribs; lingering overnight, he died the following morning. Before the day was out an inquest had been convened and a verdict of murder returned.⁹ Sworn depositions were taken from bystanders, but, although many saw the tumult, no one actually saw the blow being struck. One James Murray, an Irishman, was arraigned for the murder. 'Damn his eyes, he is safe', Murray was reported as having cried with reference to Jonathan Redgrave, a weaver whom he bludgeoned. Redgrave 'also saw the said Murray knock down several other constables'.¹⁰ William Season, constable of Clerkenwell, said that he saw Murray 'very busy in the riot with a large oak stick in his hand brandishing the same and pushing ... [saying] "Damn your eyes! Stand of one side, let me come by, I'll give it the b[uggers] presently"'.¹¹

Murray was tried at the Old Bailey on 1 June 1784, joined in the dock by Patrick Nicholson, James Ward, and Joseph Shaw. After a mass of confusing and contradictory evidence had been heard, the four were

acquitted. After the acquittal three others were indicted for Casson's murder, against whom the Crown gave no evidence. After that, the incident was apparently deemed closed and there was no further legal action. The unfortunate Casson received no public tribute; and there was no question of halting the election.

Disorder centred on the hustings, but upon occasion spilled out from there into the rest of the constituency. On 25 July 1788, during the Westminster by-election, the landlord of *The Blue Posts* in Bond Street saw a group of 200 sailors attacked by Townshend's bludgeon men. Some were wounded, while others retreated up Bond Street pursued by Townshend's men, who returned to bludgeon the stragglers and demanded that Hood's colours be taken from the pub window. Being refused, they tried to break into the pub and smashed its windows. Later the same evening Townshend's men again demanded Hood's colours and smashed the shutter of the tavern door in trying to force an entry.¹²

Giving evidence before the Select Committee on election polls in 1827, Francis Place stated that 'the front of the hustings has occasionally been taken possession of by a large body of electors coming to poll'. But he sought to distance the electors from the worst of the disorder: 'the electors themselves do not fight in Westminster, it is the rabble'.¹³

Sometimes the crowd's intervention was witty and good-humoured, although still with political point. Thus George Lamb was rendered almost inaudible when he tried to address the electors from the hustings in 1819 because of the incessant 'baaing' with which he was greeted.¹⁴ The result of such disorder, whether major or minor, was to make it harder for the officials at the hustings to check upon the qualifications of voters whose *bona fides* was in doubt.

No doubt, some Catholics, some paupers, and some aliens did manage to vote. To detect an alleged alien, reference was commonly made to his accent, dress, habits, and reputation. For example, one Peter Harris, a chandler of Wardour Street in St Anne Westminster, was widely believed to be a foreigner. One witness told the scrutiny after the Westminster by-election of 1749 that Harris 'said he was an Englishman, but he spoke like a Dutchman with a foreign accent like the people of Amsterdam ... I could tell by his hair and his Dutch coat that he was a Dutchman'. Another witness stated that 'he has the Dutch accent strongly, and by that and the smoking [of] his pipe I believe him to be a Dutchman. It is the common repute of the neighbourhood that he is a Dutchman'.¹⁵ Nevertheless, Harris had successfully voted.

Whilst the process of checking on the *bona fides* of would-be voters was clearly not as scrupulous as its defenders claimed, it was equally clearly not as defective as the detractors maintained. Considerable efforts were made to ensure that only qualified electors voted. Numerous individuals were sent by the inspectors for more careful questioning by the sheriff or high bailiff; and from this more careful questioning few returned to poll.

The affrays and excitements added to the tensions and encouraged partisan voters to come to the polls. But the affrays were unusual, and the more commented upon for that. Most of the elections recorded within this compendium of London's electoral history were peaceful affairs. And, even when contests turned rowdy, the adjudicating officials made strong efforts to sustain the due processes of polling and checking.

Hence the poll book entries may be taken as valid records. Indeed, given the public nature of voting and the efforts at checking voter qualifications, the information in the polls is incomparably robust, by the standards of much eighteenth- and nineteenth-century data, whether public or private.¹⁶ Moreover, the research value of the metropolitan polling data is further strengthened by the survival of records from so many different elections at different dates, over a long period of time – facilitating diachronic analysis as well as in-depth studies.

Notes

¹ Kennedy polled successfully, but was detected when he returned to poll in the identity of Harrison. In court he admitted that he was an 'Irish Papist' with no right to vote: see *Old Bailey Proceedings Online* (www.oldbaileyonline.org, consulted 20 December 2006), December 1727, trial of Patrick Kennada, t17271206-46.

² Anon., *The trials of Thomas Price and Matthew Creese* (J. Hatchard, London, 1805), pp. 3-4. This pamphlet is in Bishopsgate, with warm thanks to Michael Collinge for information about its sale history.

³ See variously M. Harrison, *Crowds and history: mass phenomena in English towns, 1790-1835* (Cambridge, 1988), pp. 202-33; Lawrence, *Electing our masters*; and O'Gorman, 'Campaign rituals and ceremonies: the social meaning of elections in England, 1780-1860', *Past and Present*, 135 (1992), pp. 79-115.

⁴ *CJ*, 20, pp. 43-4; Anon., *Determinations of the honourable House of Commons*

concerning elections (3rd edn, 1747), p. 225. See also A. Hutcheson, *The case of Archibald Hutcheson and John Cotton, ... members return'd for the city of Westminster* [London, 1722]; and Anon., *Copy of the letter from Sir Thomas Crosse and Mr Lowndes to the High Bailiff of Westminster* [London, 1722]. The last, not in *ESTC*, is in WAC.

- ⁵ HMC, *The diary of the first Earl of Egmont* (3 vols, 1920-23), iii, p. 219.
- ⁶ BL 'Speeches and other collections relating to parliament': Stowe Ms 354, fo 243.
- ⁷ *CJ*, 24, pp. 13-54.
- ⁸ This description is taken from Anon., *History of the Westminster election* (1784), pp. 379-409. It may be more readily found in *Old Bailey Proceedings Online* (www.oldbaileyonline.org, consulted 20 Dec. 2006), June 1784, trial of Patrick Nicholson, James Ward, Joseph Shaw, and James Murray, t17840601-1.
- ⁹ Westminster Abbey Muniments room, Westminster Inquests, 1784: Inquest on the body of Nicholas Casson, 11 May, 1784. The story of the election riot may be further traced in LMA Old Bailey Sessions Papers, OBSP/May 1784/48-51, 76.
- ¹⁰ LMA OBSP/1784/May/48.
- ¹¹ LMA OBSP/1784/May/49.
- ¹² TNA PRO 30/8/237, fos. 778-9.
- ¹³ *BPP* (1826-7), iv, p. 1124.
- ¹⁴ BL Broughton papers, Add. Ms. 56,540, fo 55.
- ¹⁵ BL Lansdowne MS. 509a, fos 286-7.
- ¹⁶ The division lists of the House of Commons in these years constitute a comparable set of public records relating to political life. These have the advantage of being surveys of a discrete group of MPs, which should reduce record linkage problems. Nonetheless, the lists also have the disadvantage of being derived from unofficial sources which may be incomplete or erroneous. See D.E. Ginter (ed.), *Voting records of the British House of Commons, 1661-1820* (6 vols, 1995).