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YORKSHIRE POLITICS, 1658 - 1688

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by

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*For my parents*

"One of my greater refreshments is to reflect our friendship."\*

\* Sir Henry Goodricke to Sir John Reresby, n.d., Mxbr. 1/99.

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C. N. K.



CHERYL M. KEEN : YORKSHIRE POLITICS, 1658-1688.

#### SUMMARY

This thesis traces, chronologically, political developments in Yorkshire between September 1658 and December 1688. It examines in detail the attitudes and activities of the county's gentry, their relationship with each other, the acquisition and exercise of their power in the locality and their political relationship with the crown in parliament and in the locality.

In order to investigate the nature of the gentry's authority in the county, each chapter contains sections on local office holding, the gentry's influence in municipal corporations and on parliamentary elections. It is argued that at the Restoration the cavalier gentry restored their power successfully in all these spheres. No major purges of local office holding took place until 1679-1683 when Charles II removed his most determined political opponents with the general support of Yorkshire's loyalist gentry. James II purged opponents of his catholicising policy and alienated the majority of the gentry by undermining their authority in the county.

The period is characterised by the gentry's consensus on the fundamental principles which should govern politics and government but disagreement over how problems should be solved. By 1667 the Yorkshire gentry were dissatisfied with the Restoration settlement. Gentry attitudes during the 1670s were fluid but there was a general trend towards 'country' opposition, fuelled by fears of the growth of popery. When the monarchy and prerogative were attacked by the extreme opposition, between 1679 and 1683, most of the Yorkshire gentry rallied to the crown's defence. Between 1681 and 1685 loyalist gentry enjoyed, for the first time, a mutually supportive alliance with the monarchy. James II's subversion of gentry power in the localities, his attack on parliamentary freedom and his undermining of protestantism broke this alliance with the gentry. When faced with a choice of loyalties, most Yorkshire gentry opted for protestantism and liberty.

ABBREVIATIONS

Repositories

B.L.	British Library, London
Bodleian Lib.	Bodleian Library, Oxford University
Brotherton Lib.	Brotherton Library, Leeds University
Brynmor Jones Lib.	Brynmor Jones Library, Hull University
Hull City R.O.	Kingston-upon-Hull City Record Office
Humbs. R.O.	Humberside Record Office, Beverley
Notts. R.O.	Nottinghamshire Record Office, Nottingham
N.Y.R.O.	North Yorkshire Record Office, Northallerton
P.R.O.	Public Record Office, London
Sheepscar Branch Lib.	West Yorkshire Archive Service, Sheepscar Branch Library, Leeds
W.Y.R.O.	West Yorkshire Record Office, Wakefield
Y.A.S.	Yorkshire Archaeological Society, Leeds

Works Cited

Add.	Additional Mss, B.L.
<u>Beverley Borough Records</u>	J. Dennet ed., <u>Beverley Borough Records 1575-1821</u> , Y.A.S. Record Series, 84, 1932.
Browning, Danby	A. Browning, <u>Thomas Osborne, Earl of Danby and Duke of Leeds</u> , 3 Vols., Glasgow, 1944-51.
<u>B.I.H.R.</u>	<u>Bulletin of the Institute of Historical Research</u>
Burton, <u>Diary</u>	J.T. Rutt ed., <u>Diary of Thomas Burton, Esq., Member of Parliament of Oliver and Richard Cromwell from 1656-1659</u> , 4 Vols., London, 1828.
<u>C.J.</u>	<u>House of Commons Journal</u>
<u>C.S.P.D.</u>	<u>Calendar of State Papers Domestic</u>
<u>Cal. Clarendon State Papers</u>	O. Ogle et al., <u>Calendar of the Clarendon State Papers Preserved in the Bodleian Library</u> , 5 Vols., Oxford, 1869-1970.
<u>Clarke Papers</u>	C.H. Firth ed., <u>The Clarke Papers</u> , 4 Vols., Camden Society, new series, 1891-1901.
<u>D.N.B.</u>	<u>The Dictionary of National Biography From the Earliest Times to 1900</u> , eds., Stephen Sir L. & Lee, Sir S., 22 Vols., O.U.P. since 1917.

- Eg. Egerton Mss, B.L.
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- H.J. Historical Journal
- H.M.C. Historical Manuscripts Commission
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- Reresby, Memoirs A. Browning ed., The Memoirs of Sir John Reresby, Glasgow, 1936.

<u>Ripon Millenary</u>	<u>Ripon Millenary: A Record of the Festival. Also a History of the City Arranged Under its Wakenen from the Year 1400, 2 Parts, Ripon, 1892.</u>
Seaward	<u>P. Seaward, The Cavalier Parliament and the Reconstruction of the Old Regime, 1661-1667, Cambridge, 1989.</u>
<u>T.R.H.S.</u>	<u>Transactions of the Royal Historical Society</u>
<u>Thurloe State Papers</u>	<u>T. Birch ed., A Collection of State Papers of John Thurloe, 7 Vols., London, 1742.</u>
<u>V.C.H.</u>	<u>Victoria County History</u>
<u>Y.A.J.</u>	<u>Yorkshire Archaeological Journal</u>

#### NOTES ON SOURCES AND QUOTATIONS

Spelling, punctuation and capitalization have been modernized in all quotations. Dates are old style with the year beginning 1 January.

Note that references to C.S.P.D. from James II's reign onwards give the document number in the calendar rather than the page number. All references to C.S.P.D. before James II's reign give page numbers.

INTRODUCTION

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In the near future, the pace of historical debate and research into Restoration England will increase considerably. [1]

This prediction, made by Dr John Childs in 1984, has proved well founded. In recent years the much neglected second half of the seventeenth century has experienced a renaissance of interest from historians working on national and local politics, religion, government and administration. County studies have contributed greatly to the understanding of the post-Restoration period. There are now available studies of Hampshire, Cheshire, Herefordshire, County Durham, Glamorgan, Devon and the west country counties. The authors of these studies have been divergent in their chronological scope and their aims. Dr Coleby's study of Hampshire and Dr Roberts's study of Devon both begin in the mid to late 1640s. Coleby takes his study through to 1689 whilst Roberts stops in 1670. However, in both cases the long view enables us to see trends of continuity and discontinuity over what is increasingly seen as the artificial watershed of 1660. Roberts is concerned with a closely detailed administrative study of Devon. Coleby looks rather at the relationship between central and local government. P.J. Norrey's study of Dorset, Somerset and Wiltshire takes a shorter time span, from 1660 to 1678, but follows Coleby's theme of the interaction between central and local government. More political in focus is Margaret Smillie Child's study of County Durham but she covers only the period from 1678 to 1688. P.J. Challinor has taken a longer view of Cheshire politics from 1660 to 1715. Like Yorkshire, Cheshire's politics in the first half of the seventeenth century had already been the subject of study, therefore it is possible to trace the development of politics of both counties over the seventeenth century as a whole. [2]

This study of Yorkshire gentry politics between 1658 and 1688 adds a further dimension to current county-based research. Yorkshire was the largest of the English counties, dominating the map of northern England. Its population at the beginning of the seventeenth century has been estimated at 300,000. The West Riding alone was larger than any other English county and the North Riding the fourth largest county. [3] In a county of such massive physical dimensions it is neither possible nor useful to think in terms of a single, coherent gentry community based on the whole county. Rather, there existed a

pyramidic structure of gentry communities which interacted and overlapped.

Periodically the Yorkshire gentry from all three ridings met together and identified themselves as a county community. Much of this county activity took place in the county capital, the city of York. After a century of declining prosperity York's revival from the mid-sixteenth century was based on the city's function as an administrative, judicial and social centre. Economically this rejuvenation was not outstanding. During the second half of the seventeenth century there is no evidence of any great rebuilding. The population increased only modestly from an estimated 12000 in 1630 to 12400 in about 1700. However, for the Yorkshire gentry York provided a focal point for county business and pleasure. Here gentry whose country estates might be separated by over a hundred miles came together to exchange views on national politics and on issues relating to the whole county, collating the experiences of their own localities, transacting business, swapping gossip and family news. Gentlemen gathered in the city for the assizes. This was an opportunity for the high sheriff of the county to make a display of his wealth and prestige. Sir John Reresby took a house in the Minster Yard during his shrievalty in 1667, entertaining the gentry for ten whole days at a cost of some £300. Gentry and freeholders of the county also gathered together in York for shire elections. County elections were massive affairs with some 7-10,000 freeholders estimated to have turned out in 1628 and around 8000 in 1708. As we shall see the city was the rendezvous for other important county meetings during the Restoration period. Several gentlemen began to take town houses in the city. As the focus of county-wide political meetings then, York developed a certain sophistication in the county. Service industries developed apace with the gentry's needs. From 1660 there was a regular hackney coach service linking York with other important county towns and London. Printing was well established by 1660 and there were coffeehouses by 1669. [4]

However, the administrative organisation of the county encouraged a sense of gentry community on a much smaller scale than the county. The shire was divided into three unequal ridings - West, North and East. The West Riding, by far the largest of the three, dwarfed the East Riding which was half its size. Each riding had a separate commission of the peace. In the West Riding justices met at Pontefract for the

Easter general sessions, when about twice as many justices attended as at other quarter sessions. At no other time in the magisterial calendar did so many active justices sit together. In the North Riding sessions held at Thirsk in April and October attracted large numbers of gentry. Since the East Riding was a more manageable administrative unit sessions tended to be more static, meeting mostly at Beverley and occasionally at Pocklington. Thus for the gentry of the three ridings the quarter sessions provided the opportunity to identify with the riding. The size of the West Riding meant that it was practicable to do this only once every year. The slightly shorter distances to be travelled by North Riding gentry encouraged large sessions half-yearly. The East Riding magistrates were able to maintain contact on a more regular basis. [5]

It has been suggested that the East Riding justices avoided the dangers of "excessive localism" by having a regular sessions town. However, the West Riding general sessions were designed to counter any localism which might develop at adjourned sessions. At Pontefract important business was discussed and general orders issued which affected the whole riding. It was an opportunity for justices to coordinate and standardise policy and practice as well as make social and business contacts with fellow gentry. The West Riding gentry were keen to keep the administration of justice within their jurisdiction in line with that of the rest of the county and indeed outside. In January 1679 the quarter sessions in all parts of the riding which were supposed to be dealing with recusants were adjourned until magistrates found out how they were proceeded against in other places, particularly the south of England. In May 1676 William Hickman asked Sir John Reresby to send details of how the West Riding justices had handled the thorny question of hearth tax officers and related what justices had done at Retford in Nottinghamshire. Magistrates perceived themselves as being not only the dispensers of justice in their own localities but also as being part of a wider conglomerate of gentry charged with administering the nation's peace. [6]

During the Restoration period the gentry's identification with their riding was increased by changes in county administration. Before the Civil War a single lord lieutenant had been appointed for the entire county. Also the Lord President of the Council of the North had wielded influence and jurisdiction on a county-wide basis. The two posts were held by the same person. After the Restoration the



abolished council was not revived and a separate lord lieutenant was appointed to each of the three ridings. This was to have important implications politically in that there was no longer a single centrally appointed individual who could exercise control over the entire county. [7]

The sub-division of each riding into wapentakes added a further layer to the gentry communities. Militia administration was based on the wapentake and some families provided the militia commanders in certain areas over generations. In the North and West Ridings magistrates worked together in small groups at the quarter sessions in their localities. In the West Riding neighbouring justices met at Wakefield, Barnsley and Knaresborough in October, Wetherby, Wakefield and Doncaster in January, Rotherham, Skipton and Leeds in mid-summer with occasional forays to Sheffield. Justices normally attended the sessions closest to their estate. In the North Riding justices met at Richmond, Malton, Helmsley and occasionally Stokesley besides the Easter and Michaelmas sessions at Thirsk. In addition there is evidence of the development of petty sessions with a pair of neighbouring justices working together to clear routine business rather than allow it to hamper the sessions. Whilst general practice was co-ordinated at the general sessions these adjourned sessions, but more especially the petty sessions, allowed gentry some leeway in administering justice according to local needs and their own convictions. As will be discussed later, this had important implications in the enforcement of controversial legislation such as that relating to the hearth tax and conventicles. [8]

Demographic factors also influenced the gentry's identification of their community. Geographically the gentry were grouped into regions. As J.T. Cliffe's map of the principal seats of the gentry in 1642 shows, the heaviest concentration of gentry was in the West Riding, particularly in the central region. In the North Riding the gentry were less densely congregated and in the East Riding the pattern was even sparser. Few gentlemen lived on the Pennines, the North York Moors or the Yorkshire Wolds. The pattern was unchanged in the Restoration period. [9]

The organisation of local government, geographical and demographic factors all affected the gentry's perception of community. Although all gentry recognized their "country" as being Yorkshire they also recognized their own riding, wapentake and neighbourhood as being

units with which they could identify. Each area had its own character and problems which were not necessarily shared by other parts of the county. The North Riding for instance was largely unaffected by puritanism but remained a bastion of catholicism during the first half of the seventeenth century. By contrast, areas of West Yorkshire had a strong puritan tradition but catholicism was weak. Relative perceptions of the strength and threat of dissent and catholicism therefore were bound to differ in these two regions. None of the gentry operated in complete isolation from others. In all aspects of county government there were points of contact where the local perception was integrated with the county and national perspective. As such, a complex of forces wrought upon individual gentlemen, producing in each a view of politics which, whilst bearing resemblance to his contemporaries, was necessarily individualistic in essence. [10]

The definition of the 'gentry' as a social class is beset with pitfalls, ranging from contemporary conceptions, the availability of source material and the lack of uniform standards of analysis. J.T. Cliffe identified 679 Yorkshire gentry families in 1642, basing his analysis on the specific right to bear arms. [11] No attempt has been made here to count the Yorkshire gentry in the period 1658-1688. The sources used in this study - largely correspondence, diaries, quarter session and lieutenancy documents and parliamentary debates - do not lend themselves to systematic analysis of the gentry as a social group. The emphasis here is on politics therefore the Yorkshire gentry who feature in this study are those for whom evidence has survived of their political thought and actions. As the leaders of county society, principal local office holders and parliamentary representatives, the prime gentry - baronets, knights and esquires - are the main focus of this study. No claims are being made for their absolute representativeness of the Yorkshire gentry as a whole. However, the surviving evidence is sufficiently broad in scope to present a comprehensive analysis of the political development of this group. The fortunes of individual families varied according to particular circumstances. The character of individual gentlemen, failure in the male line, minorities, marriage alliances, inheritance practices and estate management all had their effect. Sir John Reresby of Thrybergh for instance had an unpromising start. He was only twelve years old when his father died in 1646 leaving £1200 in debts, a much reduced family estate and heavy encumbrances. Sir John and his new wife

started married life in 1665 with four beds, six dishes, six pairs of sheets, six silver spoons, a few heirlooms, eight books and eight pictures. With careful estate management and expansion, and the acquisition of various lucrative offices Sir John bequeathed an estate of £1700 in land and £4000 in cash when he died on 12 May 1689. This was subsequently squandered by his son Sir William. [12] However, many of the families whom Cliffe and Roebuck identified as the leaders of Yorkshire gentry society in the early Stuart period maintained that status in the post-Restoration period. Of forty-four families who received baronetcies between 1611 and 1649, at least twenty-eight continued to be prominent in the county in the Restoration period. Families whose names are familiar from Cliffe's study feature also to a greater or lesser extent in this thesis - Reresby of Thrybergh, Osborne of Kiveton, Kaye of Woodsome, Fairfax of Denton, Wentworth of Woolley, Wentworth of Wentworth Woodhouse, Dawney of Cowick, Copley of Sprotborough, Goodricke of Ribston, Mauleverer of Allerton Mauleverer and Slingsby of Scriven in the West Riding; Belasyse of Newburgh, Wandesford of Kirklington, Marwood of Little Busby, Frankland of Thirkelby, Cholmley of Whitby, Darcy of Hornby Castle, Foulis of Ingleby Greenhow, Gower of Stittenham, Grahme of Norton Conyers and Stapleton of Myton in the North Riding; Hotham of Scarborough, Warton of Beverley, Bethell of Rise, Gee of Bishop Burton and Thompson of Humbleton in the East Riding. [13]

Yorkshire's resident nobility were subject to the same fluctuations in fortunes as the gentry. The Belasyses of Newburgh Priory in the North Riding enjoyed steadily increasing fortune and power during the first half of the seventeenth century. Sir Henry Belasyse, who owned the largest estate in the North Riding, was amongst the first Yorkshire gentry to receive a baronetcy in 1611. His son, Thomas, was created Baron Fauconberg in 1627 and Viscount in 1642. The title and estates passed to his grandson, another Thomas, in 1652 and it is he who features prominently in this thesis. The second viscount came to prominence during the second half of the protectorate, having married Mary Cromwell, Oliver's daughter. [14] A second aristocratic family with wide influence in the North Riding were the Darcys of Hornby Castle, connected with the Belasyses by marriage. The family was headed in the Restoration period by Conyers, the fifth baron, who was eventually created Earl of Holderness in 1682. His son, yet another

Conyers, extended the family's influence and wealth by a series of five marriages with aristocratic families. [15]

The West Riding's resident nobility were rather less stable during the seventeenth century. The most infamous of the early Stuart nobles was Sir Thomas Wentworth, first Earl of Strafford. Excluding salaries and profits from his Irish tobacco farm, Strafford's annual income by 1639 amounted to £23,000. However, on his death in 1641 he bequeathed his fifteen year old son and heir, William, £107,000 in debts. William escaped wardship and travelled abroad until just before the Restoration. On inheriting his estate he was forced to sell about half of his Yorkshire property. The legacy of these debts remained with him throughout his life and he never attained either the financial or political prominence which his father had enjoyed. [16]

Thomas third Lord Fairfax, parliamentary general and leader of the West Riding presbyterian gentry, was the West Riding's other most famous son of the early Stuart period. The marriage of his only daughter and heir Mary brought a further aristocratic influence into the West Riding in the person of George Villiers, second Duke of Buckingham. On Fairfax's death in 1671 Buckingham inherited the Nun Appleton and Bolton Percy estates in the West Riding but the title and principle seat at Denton passed to the next male heir, Henry Fairfax, son of Lord Fairfax's uncle, Henry Fairfax of Oglethorpe, the rector of Bolton Percy. [17]

In the early 1640s a further new influence was brought into the West and East Ridings on the death of Henry Clifford, the fifth earl of Cumberland. The Clifford family had estates in all three ridings of Yorkshire as well as in five other northern counties. Their principal seats in Yorkshire were at Skipton Castle (West Riding) and Londesborough (East Riding). The male line having failed, the estates passed to Elizabeth, only daughter of the fifth earl, who became Baroness Clifford sup jure. She had married Richard Boyle, son of the first Earl of Cork, who succeeded to that title and vast Irish estates in 1643. The Boyles made Londesborough their Yorkshire seat. [18] Their presence in the East Riding filled something of an aristocratic gap there. During the early Stuart period Sir Henry Constable of Burton Constable had been created Viscount Dunbar in the Scottish peerage but the family's recusancy cost them their political influence. There was no other noble family resident in the East Riding. [19]

It was the nobility and prime gentry families who provided the personnel for local government throughout the seventeenth century. County office holding was a mark of honour and reputation. Loss of it was both dishonourable and disreputable. [20] Thus any study of gentry politics has to include an assessment of who was in, and more importantly, who was put out, of local office. Government decisions about where and with whom power in the localities should rest provide an insight into the political relationship between the crown and the gentry. A section of each chapter is therefore devoted to an analysis of office holding in the lieutenancies, commissions of the peace and shrievalty.

In terms of the extent of their jurisdiction and the prestige which accompanied the office, the lords lieutenant were the most important of the crown appointees in local government. In the pre-Civil War period the lieutenancy of the county had been held by three local aristocrats - Edmund third Lord Sheffield (1603-1619), Emanuel eleventh Lord Scrope (1619-1628 : created Earl of Sunderland 1627) and Thomas Lord Wentworth (1628-1641 : created Earl of Strafford 1640) - all of whom also held the lord presidency of the Council of the North. [21] The office provided an ideal opportunity for patronage and interest building. Twenty-one of Wentworth's thirty-one deputies were relatives. [22] Charles II's decision to separate the lieutenancies of the three ridings gave the opportunity to employ a greater number of noblemen but it also diffused the power of the lieutenancy. It was possible for the lord lieutenant to foster gentry support within the confines of the riding but wider, county-based interest was curtailed. This was to have important implications in the development of Yorkshire politics in the Restoration period.

Deputy lieutenants were a select group, drawn from the cream of county society. The majority during Charles I's reign enjoyed incomes in excess of £1000 per annum. Colonels and lieutenant colonels of the militia were drawn from the next layer of gentry. [23] The size of the Yorkshire commissions of the peace had been increasing steadily throughout the early Stuart period. Most of the principal gentry, except recusants and city merchants, could expect to be included. However, in some areas there were so few gentry that gentlemen of lesser standing had to be included in the commission. [24] During Charles I's reign the shrievalty was held by substantial gentry who could afford the often great expense of a year in office. It was

apparently an unpopular position, the only advantage being the opportunity to make an ostentatious display of wealth during assize week. [25]

A major theme of this thesis is parliamentary electoral politics. Elections provide a periodic expression of political opinion on both local and national issues. Dr Mark Kishlansky has recently reopened the debate on the nature of parliamentary elections in the seventeenth century. He challenges the view that the expansion of the electorate during the first half of the century coupled with the increasing desire of gentry for parliamentary seats led to the greater participation of the electorate in politics and an increasing appeal to broad political issues in election campaigns. Kishlansky argues that, on the contrary, parliamentary elections up to 1640 were characterised by a universal desire for consensus and unanimity and that contested elections were the exception rather than the rule. However, the central importance of parliament during the Civil Wars led to a change in attitude towards the value of a parliamentary seat and the methods by which one could be acquired. In the Restoration period competition for a seat was less dishonourable. The political and religious beliefs of the candidates became increasingly important. Contests arose "from conflict within the elite". [26]

The emphasis of this thesis is on gentry politics. Therefore consideration of the politicization of the electorate is incidental to the main theme. However, the Yorkshire evidence for the second half of the seventeenth century does allow us to test Kishlansky's model in relation to this one county. Richard Cust has already raised questions about Kishlansky's view of the first half of the period by using evidence from Yorkshire county elections of the 1620s. He shows that not only were some of these elections fiercely contested but also that electioneering tactics were used which, according to Kishlansky, were appropriate only at a later date. In addition, Cust argues convincingly that broad political issues were considered both by the candidates and the electorate. By looking at county elections in the post-Restoration period it will be possible to test the other half of Kishlansky's model. [27]

By 1640 Yorkshire had its full complement of fourteen parliamentary boroughs. Already during the early Stuart period a tradition had been established of choosing local gentlemen. In the post-Restoration period the continued success of the gentry depended upon a complex of

factors. In some boroughs gentry interest established before the Civil War was restored and consolidated. In Beverley for instance a Hotham of Scarborough or a Warton of Beverley, or both, were chosen in every parliament from 1625 without a contest. The interregnum temporarily interrupted the pattern but it was revived in the Restoration period. Sir John Hotham represented the borough in every parliament between 1660 and 1681. Michael Warton sat in every parliament between 1660 and 1689, being joined by his younger brother, Sir Ralph, in 1685. [28]

In other boroughs there were vacuums ready to be filled by the gentry at the Restoration. Civil War allegiance affected some families' interests. Sir Hugh Cholmley's volte face from parliamentarianism to royalism forfeited the family's interest in Scarborough which had been built up during the early Stuart period. The Thompsons of Scarborough and Humbleton, who had presented a challenge to outside interference in the town from about 1625, were able to further their interest after the Restoration at the Cholmley's expense. Changes in the electoral system during the interregnum inevitably interrupted the development of gentry interest in some boroughs. Under the Instrument of Government nine boroughs lost their representation altogether whilst four others - Hull, Scarborough, Richmond and Beverley - were reduced to choosing one member each. Only York continued to return two members in 1654 and 1656. In other boroughs the personal fortunes of individual families affected electoral control of the boroughs. In Hedon for instance recusancy and a minority in the Constable family weakened their influence. Another local family, the Hildyards, took little interest in the parliamentary representation of the borough after 1660. Pontefract's chief patron before the Civil War had been the Earl of Strafford who had promoted the restoration of the borough in 1621. After the Restoration this interest was no longer evident and the Savile interest was weakened by Sir George Savile's decision to live at Rufford in Nottinghamshire. In these cases, where earlier interests had been undermined for whatever reason, there was the opportunity of the establishment of new gentry interests at the Restoration. [29]

It is clear that the Yorkshire gentry had developed a strong political consciousness during the late Tudor and early Stuart period. The hotly contested elections of the 1620s have already been mentioned. In 1597 Yorkshire was one of only three counties which experienced a contested shire election. [30] Much of this division and tension centred on the

personal animosity and rivalry of two leading West Riding gentry, Sir Thomas Wentworth of Wentworth Woodhouse (later the first Earl of Strafford) and Sir John Savile of Howley (later Lord Savile). However, the nature of pre-Civil War politics in Yorkshire cannot be explained simply in terms of local partisanship. Before 1628 Wentworth was regarded as the leader of Yorkshire's "country" party and was amongst a group of malcontents who opposed Charles I's financial expedients. Wentworth himself, along with Sir John Hotham of Scarborough and Sir William Constable of Flamborough, leading East Riding opponents of the crown, were imprisoned for their refusal to 'contribute' to the forced loan. By 1628 both Wentworth and Savile, who was a close associate of the Duke of Buckingham in the 1620s, were identified with the "court" party. "The common opinion" in Yorkshire was that now "there is a Thomas as well as a John for the King". When Wentworth became Lord President of the Council of the North and lord lieutenant in 1628 he was able to carry only a handful of gentry into support of Charles I's government. This was despite the fact that he brought his former supporters into the deputy lieutenancy and the Council of the North as well as replacing those who had been removed from the peace commissions. [31]

Gentry grievances during Charles I's personal rule were many faceted. Wentworth's implementation of the policy of 'Thorough' awakened resistance in the hitherto placid North Riding gentry who opposed his efficient scheme for administering composition fines on catholic recusants. Other gentry became increasingly resistant to financial expedients such as the distraint on knighthood and ship money. With the outbreak of the Scottish rebellion grievances were aired about the increased military burden on the county. Sir Hugh Cholmley, Sir John Hotham, Henry Belasyse and Sir William Savile were summoned before the Privy Council concerning their speeches in the Short parliament against coat and conduct money. Hotham and Belasyse were imprisoned for refusing to repeat what they had said in the house thus adding freedom of parliamentary debate to the ever inceasing list of the gentry's concerns. By the summer of 1640 the Yorkshire gentry were penning their grievances in petitions to the King. In September 1640 they urged Charles to summon a new parliament, but Wentworth delivered the petition without that clause included. A petition of November 1640 complained of ship money and troop billeting and called for the abolition of the Council of the North. Six months later fears of



popery were growing in the county, particularly amongst the puritan gentry. [32]

However, criticism and opposition to Charles I's government in the 1620s and 1630s did not necessarily translate into support of the parliamentary cause in the Civil War. The majority of gentry had been in general opposition to Wentworth and the court up to about mid-1640. Eighteen months later a smaller, less representative group were at the forefront of opposition to the crown. Most of these gentry had a common bond in puritanism. The core of the royalist party was formed from Strafford's faithful relatives and supporters. However, the situation was very fluid and many gentlemen who were later to take up arms for the King were still supporting parliament's cause at this late stage. Charles's own presence in Yorkshire from March 1642 no doubt rallied a number to his cause, particularly when he decided to form a personal guard. Others might have been persuaded by the new rash of honours which were ladled out between January 1641 and August 1642. But there were some real crises of conscience. Sir Hugh Cholmley was perturbed that as a parliamentarian he had to fight his countrymen and friends, some of whom he knew to be "well affected in religion and lovers of their liberties". He was eventually to change sides in March 1643. Sir Henry Slingsby of Scriven had vigorously opposed Laudian innovations in the church but scrupled now "to have root and branch pluck'd up". Sir John Hotham, another gentleman who swapped allegiance from parliament to King, was also against far-reaching reform of church government. He also expressed concern about the threat of social revolution. [33]

Of the 679 gentry families identified by Cliffe in 1642 242 supported the King, 128 supported parliament, and 69 were divided or changed sides. The West Riding was slightly more royalist than the other two ridings whilst in the East Riding about a quarter of the gentry families supported parliament, a rather larger proportion than in the North or West Ridings. Cliffe found no causal relationship between civil war allegiance and economic circumstances in Yorkshire. A host of factors influenced the decision of which way to lean including principle, idealism, self-interest, family and location of estate. Indeed 240 families chose not to commit themselves at all and remained neutral. [34]

The only factor which did have a demonstrable causal relationship with civil war allegiance was religion. Catholic support of the royalist

cause "was out of all proportion to the size of the community", a large number of heads of families and heirs holding field command in the King's army. Professor Bossy has estimated that sixteen out of every thousand households in Yorkshire were catholic on the eve of the Civil War. Cliffe's count of the gentry reveals that about twenty-three percent of gentry families were catholic in 1642 of whom well over half supported the royalist cause. The size of the catholic gentry community had been declining steadily since the 1570s, although over the same period catholicism became less marginalised and a committed 'recusant core' emerged. Survival of catholicism in Yorkshire depended to a large degree on the patronage and commitment of recusant gentry families. As such the faith survived in pockets, in those parishes dominated by a catholic gentry family. The North Riding was renowned as a catholic stronghold, particularly in Richmondshire. Some families, such as the Gascoignes of Barnbow in the West Riding, remained ardently catholic throughout the seventeenth century. Others, such as the Inglebys of Ripley, converted to protestantism but retained sympathy with their catholic neighbours. The existence of this catholic community posed problems in the post-Restoration period. In the first place it had survived almost a century of intermittent persecution which, whilst sometimes making life difficult for the 'recusant core', had not ruined them financially or spiritually. More immediate though was the legacy of catholic devotion to the royalist cause. Suffering dis-proportionately as both recusants and royalists during the interregnum, the catholic gentry had a justifiable expectation that they might receive softer treatment by the restored monarchy. [35]

Whilst catholics were predominantly royalist, Yorkshire puritans were notable for their commitment to the parliamentary cause in the civil wars. By 1642 Cliffe estimates that there were 138 puritan gentry families in Yorkshire. In the North Riding puritanism was not a particularly strong force, a fact undoubtedly related to the strength of catholicism there. However, in both the West and East Ridings just under a quarter of gentry had puritan sympathies and in York the figure rose to over one third. The distribution of puritan gentry accords with the general geographical pattern of puritanism in the county. The clothing districts centred on Leeds, Halifax, Wakefield, and Bradford as well as Sheffield in the West Riding were strong puritan areas. In the East Riding Hull and Beverley were noted puritan

towns whilst the area to the north, along the North Riding border, had a high percentage of gentry puritan families. For many puritan gentry the civil war was fought against the growth of popery. Already disturbed by Laudian innovations their worst fears must have been confirmed as catholics flocked to support Charles I when he was in York. By January 1642 parliament's supporters in York were already engaging in a campaign of iconoclasm. The Puritan gentry urged the King to execute the laws against recusants and jesuits. For these gentlemen the struggle against the King was a war of religion. [36]

The political history of Yorkshire between 1642 and 1658 remains to be written and little is known of the gentry's attitude towards the various attempts at settlement under the commonwealth and protectorate. Available evidence gives the impression of a county apathetic to the new regimes, plodding on with little resistance and even less enthusiasm. County government was conducted in an unadventurous, "business as usual" manner. The numbers of pre-war magistrates was severely depleted through death and royalism therefore the interregnum justices were lesser gentlemen with little or no experience of county administration but still drawn from the locality. Their lack of enthusiasm for the work may have stemmed from the caution borne of inexperience, but more likely there was little natural support for godly reformation in Yorkshire in the 1650s. In March 1656 deputy-Major General Robert Lilburne complained of the insufficiency of commissioners for ejecting scandalous ministers in the county and suggested joining all three ridings into one commission so that he could at least gather a quorum. [37]

Presbyterianism had little support outside the West Riding and York. It has been suggested that a developing classis system existed in the West Riding during the 1650s whilst a modified structure emerged in York with the support of the city authorities. In many ways the unstructured nature of the Cromwellian church allowed for the peaceful co-existence of a variety of religious alternatives. Evidence of the continued use of old forms of worship suggests that in some areas services were conducted along pre-Laudian lines. Some presbyterians, such as Oliver Heywood at Coley Chapel and John Shaw at Hull, imposed ecclesiastical discipline within the confines of their own congregations. Others separated their congregations completely or created gathered churches within the parochial structure. This kind of independency was not widespread throughout the county but there were

such groups in the commercial centres of West Yorkshire, Sheffield and Hull. In the latter town there was some religious excitement as the antagonism between John Canne's separatist congregation supported by the governor, Colonel Robert Overton, and John Shaw's presbyterian followers led to the physical division of Holy Trinity Church with a wall down the nave. Fifth Monarchism, not generally influential in the north, did find support amongst the garrison soldiers in Hull. Some parts of Yorkshire were fertile breeding grounds for religious radicalism. In areas far from ecclesiastical and manorial oversight, such as the huge moorland parish of Halifax, a spirit of economic, social and religious independence had room to flourish. Antinomians could be found in the outlying chapelries of Halifax parish. Grindleton, high in Ribblesdale on the very edge of the county, gave its name to the radical sect which believed in the primacy of the spirit over the word as early as 1617 and probably before. Ranters were known in Cleveland, Holderness and the West Riding. Groups of Seekers in the Yorkshire dales and at North Cave in the East Riding had discovered the inner light independently of George Fox. Therefore they were receptive to his message when he toured the north in 1651. Quakerism, initially led by northern yeomen and craftsmen, made headway in Yorkshire on the fringes of puritanism and areas neglected by puritan clergy. Quakers were persecuted in the 1650s, particularly in traditional puritan areas, a peak of prosecutions being reached in 1656. [38]

Of all these groups only the presbyterians, led by Thomas Lord Fairfax, had any influence politically. Fairfax gave up his command of the army and withdrew from central politics in June 1650. The occasion was his refusal to lead an invasion of Scotland although he appears to have been moving away from the more revolutionary army officers since before Charles I's trial and had steadfastly refused to act as one of the judges. [39] Little is known of his subsequent political activity although it is clear that he wielded a considerable influence on parliamentary electoral politics in Yorkshire, particularly in 1656. He was himself elected for one of the West Riding seats in 1654. [40] Military and central influence in the county appears to have been minimal. The evidence for official and military interference in parliamentary elections is "slim and circumstantial" even in 1656. Some supporters of the military were elected, including John Lambert himself, but they tended to be local men. The military presence in

Yorkshire also appears not to have been overbearing during Oliver Cromwell's protectorate. The size of Hull garrison was gradually reduced, the garrison at Scarborough disbanded in 1655 and York was garrisoned only by units of the marching army after 1651. Unfortunately little is known of Robert Lilburne's reception as deputy-Major General in 1655 since little of his correspondence survives. It is doubtful whether he made much of an impact. His jurisdiction covered the whole of Yorkshire and County Durham which surely precluded his ever having a tight rein on county affairs.[41] Yorkshire royalists were not particularly active in conspiracy. A few made an effort to join in the 1655 rising, but were largely ineffectual. [42] However, it is to be suspected that there was considerable resentment amongst royalists about their position in the 1650s. Although none of the major Yorkshire royalist families were ruined financially in the long term, it has been pointed out that parliamentary exactions and the dislocations and destruction of the civil wars led to short-term hardship for many of them. [43] They were barred from exercising their traditional influence in county government and parliamentary politics. As pointed out earlier, Yorkshire was a county with a highly developed political consciousness. It is likely that those Yorkshire "nobility and gentry of the best rank and estates living retired in the country, to avoid the jealousies of the then suspicious government" were frustrated at having no control over the political or religious life of either their own locality or the nation. Rancour was no doubt caused by the fact that presbyterian gentry did continue to wield political influence. [44]

Yet by 1658 there was a whirlpool of cross-currents at work in Yorkshire. Although royalists may have objected to presbyterian influence, both groups opposed the military's place in the government. Most gentry, parliamentarian and royalist, shared a belief in the right to representation in parliament which was now denied to some and circumscribed for others. Likewise, most gentry were alarmed at the growth in sectarianism as both a social and religious threat. The Yorkshire gentry held in common certain fundamental principles throughout the seventeenth century - the right to representation in parliament, the right to govern in their localities and the freedom to enjoy their liberties and properties. It was the differences in approach on how to achieve and maintain these fundamentals which had

caused the division and strife leading to the civil war. It was the differences in approach to the same issues which were to produce the dynamics of political development in the period after 1658.

In the very recent past new thinking has emerged on the politics of the Restoration period. Focusing on the politics of the Yorkshire gentry this thesis aims to contribute to a growing debate, supplying a local perspective on what has been traditionally, in historiographical terms, a period dominated by high, central politics. With the new trends in post-Restoration historiography certain areas have been earmarked for reconsideration. The first is the Restoration itself. Hitherto regarded as a watershed, and the start of the so-called "long eighteenth-century", recent work has pointed to the continuity between the first and second halves of the seventeenth century. Jonathan Scott is adamant that the crisis of 1678-1683 was largely a re-run of the earlier crisis of popery and arbitrary government experienced during Charles I's reign. 1660 saw not only the restoration of the early Stuart monarchy (minus the less palatable trappings of Charles I's monarchy) but also "its fears, divisions and crises". He argues for the continuity of causes, issues and structures between the two halves of the seventeenth century. This study of Yorkshire does not investigate the pre-1658 period in any detail. However, a comparison of Cliffe's "disaffected gentry" of the 1620s to 1640s with the analysis of opinion, belief and action of the gentry experiencing the crisis of 1678-1683 does demonstrate some remarkable parallels between the two periods. Many of the Yorkshire gentry's concerns in the pre-Civil War period - freedom of parliamentary debate, the increased military burden and popish influences - were also the concerns of their sons and grandsons, and in some cases their own, in the 1670s and 1680s. It is an irony of history, but also an illustration of the point, that the two chief ministers who suffered as a result of the two popish plots - Strafford and Danby - were both Yorkshiresmen with estates within ten miles of each other. [45]

How much the Restoration "settlement" actually settled is also an issue now in debate. Ronald Hutton in his The Restoration argued that the unifying force in 1660 was the gentry's determination never again to experience a civil war and interregnum. By 1667, after "years of doubt" and "years of ordeal" most people "were profoundly dissatisfied with the achievements of the regime of which they approved so much in

principle". Paul Seaward also identified 1667 as a point of breakdown. In his detailed analysis of the process of restoration and reconstruction of the monarchy he views the gentry as defensive, inundated by forces which threatened their power and prestige and having a keen sense of their own decline, politically, financially and socially. [46] Starting in 1658, the first two chapters of this thesis trace the political opinion and action of the Yorkshire gentry from the beginning of Richard Cromwell's protectorate, through the chaos of 1659 and beyond to the Restoration of monarchy and the attempt at a new settlement. What did the Yorkshire gentry hope for in 1660? In 1667, as they reflected on their recent history, were they satisfied with the 'settlement' which they had helped to create? Was there a point of breakdown in 1667 and if so, what legacy did it have?

A central theme in this study is the nature of the Yorkshire gentry's power - its sources, the means by which it was retained and exercised. The importance of local office holding has already been mentioned. After the Restoration there was also a determination by some gentry to extend their influence into municipal corporations. In some cases the motivation was electoral. However, self-governing corporations represented areas where gentry might have no natural interest. As such they constituted fertile ground where the gentry might extend their influence and power. How, and with what success, this influence was exercised, is a further area of discussion here. Parliamentary elections are another constant theme in this study. Even for gentry who did not sit at Westminster themselves, elections provided the opportunity to spread the tentacles of their power in the county by the build up and maintenance of electoral 'interests'. Security issues are analysed not simply in the light of how the defence of the locality was maintained, but also as an illustration of the on-going debate between the gentry and the crown about where control of an essential source of power rested.

The growth of party is also currently under review by historians working on post-Restoration politics. Students fed on a diet of the works of J.R. Jones might be aghast at recent arguments that the Exclusion crisis had very little to do with exclusion. However, Richard Ashcraft and Mark Knights, studying the political literature and propaganda of the period, both conclude that exclusion constituted but a small percentage of the political and ideological concerns of the Exclusion crisis. An objection raised against Ashcraft is that he

persists with the Jonesian view of 'whig' political organisation, led by Shaftesbury, in the face of admittedly "scanty" evidence. [47] By focusing on the politics of county gentry this thesis also investigates the nature of their concerns in the three general elections and parliament of 1679-1681 as well as the extent of party political organisation in the locality in the same period. However, it is assumed that the divisions which emerged during this crisis period had some sort of continuity with the past. Thus, a constant theme here is the changing nature of 'party' throughout the period 1658-1688. This is based on the analysis of all parliamentary elections and by-elections between 1658 and 1688 and of the conduct of the Yorkshire representative in parliament throughout the period.

Recent work has also challenged the view that religion was a less important factor in politics after 1660 than during the period before the Civil War. In Yorkshire, religion was a central issue affecting the development of political belief and action throughout the period from 1658 to 1688. From the fears of quaker influence in early 1660 through to reactions to James II's religious policy the Yorkshire gentry were constantly concerned about religious issues. There has been a tendency amongst historians to categorise the gentry into large groups in their attitudes towards religion - 'Anglican', 'dissenting', 'catholic'. Yet part of the dynamics of post-Restoration gentry politics in Yorkshire was provided by the differences, sometimes great, sometimes subtle, in attitudes towards the Anglican church, nonconformity and catholicism. In this thesis therefore the spectrum of attitudes is investigated through Yorkshire members' contributions to the on-going parliamentary debate about religion and the wider gentry's concerns in their implementation of religious statutes at county level. [48]

This study of Yorkshire politics between 1658 and 1688 is therefore concerned with two main, interrelated themes. It is a political study of one county's gentry, tracing the development of their relationships with one another and of the acquisition and exercise of their power within the confines of their county. It is also an exploration of the nature of the political relationship between the crown and the Yorkshire gentry, as it developed both in parliament and in the locality in the formative period from 1658 to 1688.



CHAPTER ONE

RICHARD CROMWELL, BREAKDOWN AND THE RESTORATION OF MONARCHY,  
SEPTEMBER 1658 - MAY 1660

Richard Cromwell's Protectorate

The proclamation of Richard Cromwell as Lord Protector on 7 September 1658 at York and Hull was greeted with joyous acclamations, guns firing and trumpets sounding. Colonel Henry Smith, governor of Hull, found both the corporation and the garrison well satisfied and could find no evidence of any disturbance. [1] Pontefract also was the scene of much rejoicing. [2] Hull garrison and York corporation were quick to address Richard, promising their loyalty and support. [3] Thereafter addresses trickled in from the corporations of Pontefract, Leeds, Beverley and Scarborough, the East and North Ridings and Scarborough garrison. East Riding clergy added their collective voice to the Riding's address whilst Edward Bowles, a leading York presbyterian minister presented the address of a "considerable number" of Yorkshire ministers to the Protector on 22 November. [4]

Although some of the addresses were rather late in coming, at the outset of his rule Richard Cromwell could be reasonably confident of broad-based support in Yorkshire in the garrisons and major towns, from the gentry and presbyterian ministers. The language and sentiments of the Yorkshire addresses were remarkably similar. All expressed sadness at Oliver's death but found comfort in Richard's succession. Most made reference to their pleasure that the succession was legally grounded. Pontefract and Hull actually specified the Humble Petition and Advice. All hoped that Richard would govern in his father's mould, suggesting that Yorkshire looked forward to stable civilian rule under the new Protector.

During the interregnum county administration in Yorkshire functioned normally under those gentlemen considered to be supportive of the government. [5] Richard's accession saw the continuation of this trend. Justices regularly attended quarter sessions in the North and West Ridings, prosecuting the handful of dissidents who uttered seditious words against Richard or his late father. [6] In the West Riding between October 1658 and April 1659 twenty-two justices attended at quarter sessions. Seven men were particularly active, John Clayton and Richard Sykes especially so. Twenty justices attended the general Pontefract sessions in April 1659, a number as impressive as any Restoration general sessions could offer. In the North Riding eleven justices attended sessions between the same dates. Luke Robinson of Thornton Risborough, Matthew Beckwith, William Thornton

and Leonard Smelt were particularly active. In the East Riding thirteen gentlemen were continuously appointed to the commission of the peace throughout the interregnum, though how many were active is not known. [7] Yorkshire's stability rested on such loyal county governors. Edward Bowles heard from the clerk of the peace in February 1659 that there were to be "some unmeet additions to the commissioners of the peace". He warned Secretary Thurloe that it was

better to let them stand as they are at present, especially there being no assizes, there need no renewing the commission. [8]

Bowles probably felt that to maintain the stability of the county which had been in evidence at Richard's accession the commission of the peace should not be upset.

Richard's real problems in September 1658 stemmed not from the county but from the army in London. Thomas Viscount Fauconberg of Newburgh Priory, Richard's brother-in-law, chronicled his increasing disillusionment with events at the centre in letters to Henry Cromwell between September and December 1658. Even before Oliver Cromwell's death Fauconberg had expressed his suspicions of the army's intentions and despite the seeming calm which attended Richard's accession he believed that something was "brewing underhand". [9] Confirmation of his suspicions came with the army's address of 18 September which called on Richard to look to 'godly concernments' and to promote the Good Old Cause. Next came demands that Richard should transfer his disposal of army commands to Fleetwood and the prevention of further additions to the privy council. [10] In all this Fauconberg suffered personally. He had succeeded Lambert in his command following the latter's resignation in July 1657 and was increasingly drawn into central politics following his marriage to Mary Cromwell. The grandees' manoeuvres were intended, he rightly believed, to exclude him and other supporters of Richard from both the army and the civil government. [11]

By mid-October Fauconberg was exasperated not only with the grandees but with Richard's policy of appeasement. He wrote to Henry Cromwell on 19 October that Richard

has lost one of the fairest opportunities that was ever put into a young prince's hands to settle the nation and himself.

This was almost certainly a reference to Richard's meeting with army officers on the previous day when he had compromised in their demands

to transfer effective control of the army to Fleetwood. Fauconberg believed that Richard should have taken a firmer stand. [12]

Disillusioned with Richard's regime, Fauconberg decided that his best place would be in the country. He left London for a few days on 13 October with the intention "if Richard proceed at this rate" to go into the north. His exact motives are unclear. In some statements he gave the impression of simply retiring. However he told Henry Cromwell that he would have given up his regiment had he not hoped to serve Henry with it "upon good account". He mentioned that he had a good interest in Yorkshire and that his friend Charles Viscount Howard, who also intended to go northwards, held an interest from Yorkshire as far as Monck in Scotland. Howard had large estates at Naworth Castle in Cumberland and Hinderskelfe in the North Riding. Like Fauconberg he had been a loyal servant of the Oliverian regime and had been called to the Other House in 1657. Fauconberg recommended also that Henry Cromwell correspond with Monck. The implication then is that Fauconberg hoped to build a party in the north, presumably in support of Richard against the army. It is doubtful whether Fauconberg actually visited Yorkshire at this time. He appears to have been in London on 26 October and was certainly at Whitehall on 2 November. Towards the end of November it was reported that Richard had prevented him from going north. [13]

By this time however tensions at the centre had eased enough to call a parliament and Richard was desperately short of money. Secretary Thurloe was aware of the inherent dangers of doing so. In an undated letter to Henry Cromwell he anticipated every move which the commonwealthsmen were to make during the course of the parliament.[14] However, it was perhaps the hope that an alliance between the protectoral party and moderate presbyterians could overcome army and republican opposition to the Protectorate which prompted the decision to call a general election.

The decision to resort to the traditional electoral franchise in 1659 had important consequences in Yorkshire. Under the Instrument of Government the county had returned only twenty-two members. Nine traditional boroughs had lost representation altogether [15] and four boroughs had lost one member each. [16] In 1659 thirty MPs were to be returned. [17] In each of the boroughs which had been denied representation under the Instrument traditional landed interests were reasserted. In some cases this favoured local gentry interests which

were to maintain a high profile in parliamentary representation in the Restoration period - the Jennings at Ripon, the Stapletons of Myton at Boroughbridge and the Stockdales at Knaresborough for instance. [18] However, the assertion of landed interests did not necessarily favour the government. At Knaresborough Slingsby Bethell, the republican mayor of London utilised the landed interest of his father, Sir Walter Bethell of Alne, who owned an estate at Swindon in the Forest of Knaresborough, and the Slingsbys of Scriven (whose estate he had purchased recently) to secure the senior seat. Matthew Alured, a republican foot colonel who had been involved with the Three Colonels' Petition and twice imprisoned by Oliver Cromwell was elected at Hedon. His estate at Sculcoates was nearby and no doubt his landed interest in Holderness was brought to bear on the electorate there. [19]

In the East Riding William Lord Strickland of Boynton, one of Oliver Cromwell's peers, used his interest to nominate candidates to all three East Riding boroughs. He seemed mainly to have been concerned to find a seat for his son but also he recommended his brother-in-law, Christopher Piercehay of Ryton, and John Legard of Ganton to Hedon. Neither were successful. Legard, the son-in-law of Sir Thomas Widdrington who had administered the protectoral oath to Oliver Cromwell, had been too young to take part in the civil wars but both his father and grandfather had been ardent royalists. John however held county office during the late interregnum and no doubt under the influence of his new father-in-law had become a supporter of the Cromwellian regime. Lord Strickland's son Thomas was returned for both Hedon and Beverley. [20]

Hull's electorate was said to be deeply divided. It was expected that Andrew Marvell and John Ramsden, who could draw on personal interests in the town, would carry the election. Ramsden was a local merchant who had close links with the returning officer, sheriff Edmond Popple. Marvell was Popple's brother-in-law and it was he who requested the corporation bench to admit Marvell to the freedom on 28 December 1658. Ramsden and Marvell were close friends and they probably stood in partnership for the two seats. However, they faced considerable opposition from Hull's former M.P., the republican Sir Henry Vane who was said to have a "considerable party". It was claimed by both Edmund Ludlow and Vane himself that he had the majority of voices but that government pressure had been exerted to keep him from being elected. Marvell and Ramsden, although they were both government supporters, do

appear to have been returned by their natural interest in the town. Yet Vane's rejection is an indication also of the allegiance of both the town and the governor, Henry Smith, to Richard's protectorate. [21]

This desire for continued stability and settlement under Richard's protectorate produced a determination in the other parts of the county to prevent army and republican candidates from securing election. There is evidence that the desired alliance between protectorians and moderate presbyterians was a reality at the county election. Thomas Lord Fairfax's success for the senior county seat was never in question and he was elected on the day by proxy without opposition. The junior seat was contested by four candidates. John Dawney of Cowick, a young man who had held county office throughout the interregnum, desisted early on since he "would not have any certainty of the day". The other three candidates had all sat for Yorkshire before. Major General John Lambert of Calton in Craven sat for the West Riding in 1654 and 1656. Throughout the protectorate he had exercised a heavy influence over elections in the county although this was increasingly challenged, particularly in 1656, by the Fairfax-presbyterian interest. His position as a leading military figure and Major General of Yorkshire ensured that he would find little support from those who desired a settlement which excluded the army from politics. Baron Francis Thorpe had represented Richmond and Beverley before being elected for the West Riding in 1656. A distinguished central legal figure, he had been dismissed by Oliver Cromwell after refusing to try the insurgents of 1655 and was excluded from the 1656 parliament. His election in 1656 appears to have been due to the Fairfax interest. Thomas Harrison of Allerthorpe was the third candidate for the junior county seat in 1659. He had represented the North Riding in 1654 and had presbyterian connections. [22]

Barrington Bouchier, then high sheriff of Yorkshire, and Edward Bowles, the leading presbyterian minister of York and Lord Fairfax's confidant, were the leading figures in the presbyterian-protectorian alliance. Bouchier was the son of the regicide Sir John Bouchier of Beningborough. However, perhaps under the influence of his father-in-law, William Lord Strickland of Boynton, by 1659 he had adopted a political stance akin to that of Thomas Lord Fairfax and other presbyterian gentlemen. He used his office to influence the outcome of the election by not only failing to publicise the date of the election

throughout the county but also by actually altering it from 10 January to 3 January without giving due notice to the county. One voter in the East Riding complained that they had never heard of the date in their area. A York citizen had no knowledge of it until the Saturday night before the election took place on the Monday. [23]

However, some who did get wind of the election came to York on 3 January to cast their votes. The main thrust of the alliance was to prevent Lambert's election although Thomas Lord Fairfax probably favoured Harrison over Thorpe. At the election Lambert's proxy had the greatest applause although there was also "a general voice" for Thorpe. Harrison had only about 300 supporters, and half of these had been gained when he mounted his horse. More support came in for Lambert headed by Captain Coates from the west of the county, probably from Lambert's own locality of Kirkby Malham, high in the Pennine dales. Perhaps by trying to keep the election quiet the presbyterian-protectorian alliance had failed to bring in as many freeholders as they might have. To counter the obvious partisanship of the sheriff Lambert's supporters had evidently brought in as many supporters as possible. The election was not going as well for the alliance as they had expected. Thorpe's proxy, John Hewley, was persuaded to desist which left the competition between Lambert and Harrison. The alliance resorted to whipping up fears of Lambert's religious beliefs. Thomas Smallwood, minister of Batley, formerly patronised by Lambert now turned against him and

could not be content to be a stickler against my Lord Lambert but did in discourse revile him by reproachful language, saying he was a man of no religion.

Far more damaging for Lambert however was the presence of quakers amongst his supporters in York. Once the rumour spread that they had come to vote for him "the acclamation as to him abated" and a poll left him 200 votes behind Harrison. [24]

Allegations that Lambert favoured radical religious sectarianism were made at Pontefract also where he sought election following his defeat for the county. His supporters were particularly concerned to distance him from charges of quakerism and ministers were brought in to testify that his children had been baptised. Lambert's chances of success in Pontefract looked bleak. One of the seats was secure in the hands of the town recorder, John Hewley. Lambert, opposed by one Mr Adams, had the support of only four aldermen and a fifth who came in on election

day. Their hardest task was "undeceiving" the electorate of the rumours concerning Lambert. Their efforts eventually proved successful but Lambert's election was achieved only after "much contest and pains". He also secured a seat at Aldborough but he chose to sit for the more prestigious borough of Pontefract, perhaps deliberately leaving the way open for another army supporter to be elected at Aldborough, Matthew Beckwith. [25]

Two M.P.s elected for North Riding boroughs had connections with Charles Viscount Howard. A friend of Fauconberg, he experienced the same disenchantment with the growing military influence at the centre and, with Fauconberg, appears to have intended to come northwards in late 1658. [26] Howard's mother was the daughter of William Lord Eure who had a traditional interest in Malton and it was here that his brother, Philip Howard, was returned. Howard's fellow M.P. at Malton was George Marwood of Little Busby, Stokesley, the father-in-law of Thomas Hebblethwaite of Norton, the other local family with an electoral interest in the borough. They were involved in a double return against Colonel Robert Lilburne, the chief military figure in Yorkshire in the late 1650s, and Luke Robinson of Thornton Risborough, a zealous parliamentarian and supporter of Lambert. In Malton then it appears that landed interests combined with Howard's influence to challenge the election of two men closely connected with the military establishment. [27] At Northallerton James Danby was elected and was the steward of Viscount Howard's Yorkshire estates possibly as early as 1659 and certainly thereafter. His interest in Northallerton was enhanced by his purchase of lands there with John Wastell who had represented the borough in the Long Parliament. George Smithson, the other Northallerton M.P., was connected to Wastell through the marriage of his sister to John Wastell's brother Matthew. [28]

In the North Riding also there is some incidental evidence of the use of the powerful Belasyse interest exercised by Thomas Viscount Fauconberg. At Thirsk both M.P.s were associated with the Belasyse and Frankland families who were themselves connected by marriage. Major William Goodricke had kept his majorship when Lambert's regiment of horse had been given to Fauconberg in 1657. As a supporter of Richard Cromwell, Francis Goodricke's politics were close to those of his present commander. He was described by Edmund Ludlow as "a creature of the court" and by Lilburne as "a courtier" and "much a new royalist".



There can be little doubt that his election at Thirsk was achieved with Fauconberg's support. [29]

Supporters of the military establishment were furious at the attempts to prevent army candidates from securing seats. John Pease wrote to Captain Adam Baynes on 11 January that "elections are made by the black interest", a possible reference to the interference of presbyterian ministers in the elections. [30] The obvious partisanship and great "irregularities" which had been exercised at the county election by the high sheriff were "highly resented by the great of the country to be so disappointed", presumably a reference to Lambert's military supporters. A correspondent of Captain Adam Baynes wrote that the conduct of the election

makes all men astonished and to question whether we have any liberty left or not and if any its too apparent that its locked up in the breasts of a few men in this county who never had so much courage or honesty as to appear for the interest of their country when it was in danger.

A distinction was being drawn here between those who had been in arms for parliament and those who now merely purported to support the protectorate, a theme which Lambert was to return to in Richard's parliament. [31] It is interesting that this critic believed that the county had been "cheated of their ancient and undoubted right" a rather hypocritical stance since in former interregnum elections many gentry no doubt felt that they had been denied their ancient right to elect M.P.s. The very fact though that gentlemen such as Bouchier and presbyterians such as Bowles would go to such elaborate lengths to prevent the election of military figures who might threaten a civilian settlement illustrates the strength of feeling in Yorkshire against the army's interference in central and local politics.

In keeping with the general complexion of Richard Cromwell's parliament the Yorkshire representative was young and inexperienced. Thomas Strickland was "an infant" of twenty whilst Edmund and Jonathan Jennings were thirty-three and twenty-six respectively. Only nine members had previous parliamentary experience. Older members such as Thomas Chaloner, John Lambert and Thomas Lord Fairfax dominated the contributions of Yorkshire members to debates but they were joined by John Hewley, a lawyer, and Colonel Matthew Alured from amongst the new members. [32] This representative was largely civilian and presbyterian. There was little continuity with the 1656 members. Although the majority were probably sympathetic towards the

protectorate few had had the opportunity of scrutinising the Humble Petition and Advice. [33] The Yorkshire members generally therefore would welcome the chance to debate the settlement - the republicans such as Matthew Alured and Thomas Chaloner to bring the protectorate to its knees, the army officers to ensure the survival of the army in politics and the gentry to ensure a secure, peaceful and civilian settlement

As Thurloe had anticipated army officers and commonwealthsmen were keen to weaken support for Richard's government. John Lambert and Matthew Alured were outspoken in the attempts to hound delinquents out of the house but naturally became paradigms of conciliation when their own supporters came under attack. [34] Lambert took a particularly hard line against delinquents arguing that a distinction must be made between those who had fought for the parliamentary cause and those who merely supported the protectorate. No doubt basing his argument on his own recent experience in Yorkshire he told the house

They would outvote you here and in the counties, and shall be chosen before those that fully served. [35]

He and Matthew Alured took a personal interest in the disputed Malton election. The committee of elections, after frequent division, had decided in favour of Philip Howard and George Marwood. This decision was at the expense of Lambert's right hand man in the county, Colonel Robert Lilburne, and Luke Robinson, a radical and an associate of Lambert. Despite attempts by Lambert and Alured to persuade the commons to disagree with the committee the vote again went in favour of Howard and Marwood. [36] Several Yorkshire members put up a stout defence against the army-commonwealth alliance represented by Lambert and Alured. Those who spoke in favour of the committee's decision were themselves diverse in their political stance. James Danby was probably in the pay of Howard's brother, Viscount Howard, as his land steward in Yorkshire. Francis Goodricke, though neutral during the civil wars and interregnum, had been returned for Aldborough on his royalist brother's interest. John Hewley was a presbyterian lawyer and friend of Edward Bowles. These gentlemen were later to diverge on other issues, but at the outset it was clear that there was consensus on at least two issues - no army interference in politics and no commonwealth. [37]

Most of Richard Cromwell's parliament was spent debating the nature of the constitution and the legacy of Oliver Cromwell's last parliament

which had produced the Humble Petition and Advice. The government ill-advisedly opened the debate itself with Thurloe's introduction of the bill to acknowledge Richard as his "undoubted successor". [38] Thurloe perhaps believed that if he achieved its speedy passage then the government's position would be strengthened. Thomas Chaloner and John Lambert were amongst those who thwarted this ambition by speaking in favour of delaying the second reading. [39] Yet in many ways the bill was unnecessary. All the Yorkshire M.P.s who spoke in the debates on the bill had no problem in recognising Richard as Oliver's successor. Most however desired further consideration of the nature of the constitution. John Lambert confessed that he liked the bill but wanted to ensure protection of the liberties of the people. He favoured committing the bill then turning to the debate of the powers of the single person. John Hewley was in favour of recognising Richard but argued that this did not preclude debating his powers. Francis Goodricke also favoured recognition but moved that they add that Richard would rule according to law. [40] It was clear then that Yorkshire M.P.s generally, and not just commonwealthsmen, were determined to thrash out the nature of the settlement on which their sitting was based.

The debates centred on the relative powers and limits of the constituent parts of the settlement as set out in the Humble Petition and Advice - the single person, the Other House and the Commons. Although it has been remarked that Thomas Lord Fairfax sat with Arthur Haselrig in the house, in debate his position was far closer to Lambert's than the republicans. [41] Both were concerned with limiting the power of the single person. Thus Fairfax echoed Lambert in urging the house to debate the veto before the Other House, to prevent control of the militia passing from the Commons into Richard's hands and they were tellers together in favour of the Commons' right of approval of the Other House. [42] Although Lambert declared that the Instrument of Government was "buried in its grave" many of his arguments were reminiscent of the principles upon which it was based. The Instrument had kept control of the militia in parliament and had given the protector no effective power of veto. The Humble Petition and Advice, he said,

seems to be a mist over what you may challenge as your own due, the militia and the negative voice. To give from you, what was duly placed in you, after a possession to reject it, is worse than to lay a long claim to it, and never

possess it. Consider them well, before you put them away.  
[43]

Other Yorkshire members supported these calls for definite limitations. Sir Christopher Wyvill, a presbyterian, supported the move to debate the negative voice before the Other House. Lambert had argued that this was the necessary order of the debate since the Other House was an enlargement of the protector's power because it was dependent upon him. The veto however was an unknown quantity under the present constitution. [44] Wyvill, along with Fairfax, Lambert, Jonathan Jennings and Philip Howard were against the sitting of Scottish and Irish members. It has been suggested that this debate was raised by republican members to distract the house from the issue of allowing hereditary peers to sit in the Other House. However none of these Yorkshire gentlemen can be categorised in the republican camp. Rather it was the desire to settle the nation upon a single constitution which was at the root of their objections to the Scottish and Irish members. [45] Lambert had pointed out that "you are now upon three foundations" since although the parliament was said to be based upon the Humble Petition and Advice, English M.P.s had been elected according to the traditional electoral system whilst Scottish and Irish members sat according to the dictates of the Instrument. He told the Commons,

It is hard to serve a Government depending upon so many laws; so inconsistent. It will not be a perfect Government.  
[46]

Many Yorkshire members no doubt agreed.

But not all Yorkshire members were keen to question the Humble Petition and Advice so closely. Thomas Harrison argued during the debate on the bill of recognition that "If this vote pass thus limited, it is making him a protector today and none tomorrow". [47] Francis Goodricke favoured Richard's protectorate so long as he ruled according to law. He appears to have favoured the inclusion of hereditary peers in the Other House with the condition that all members of the second chamber be vetted by the Commons and have the approval of the protector. He was against the withdrawal of the Scottish and Irish members. [48] So too was John Hewley, an active committee man in this parliament. He constantly stressed that he believed that the parliament sat on the basis of the Humble Petition and Advice and appears to have favoured far fewer limitations on the single person than Lambert or Fairfax. He argued that without the veto

Richard would be "less than a shadow" and favoured debating the Other House before the negative voice. He was against the Commons' approval of the Other House arguing that they might approve none of the members "then you must transact with the walls". His vision was one of the two houses working in co-operation rather than the second chamber being merely a consultative body. On the question of the militia, Hewley favoured allowing the protector the right to grant militia commissions. [49]

There was division therefore amongst the Yorkshire representative on how far the Humble Petition and Advice should be recognised as a legal constitution and how far the powers of the protector should be bound. Yet there was a basic consensus on the form of government with Richard as single person and the existence of two chambers. The fatally divisive issue was the role which the army had to play in the settlement. Lambert was naturally supportive of the army. [50] James Danby and Francis Goodricke probably envisaged it as having no role at all. [51] John Hewley was less anti-army but no doubt wished control to be vested in the protector. The differences between these men was illustrated in the case of Colonel Boteler who was charged with maltreatment of a royalist conspirator but who claimed that he was under military orders during the incident. Goodricke called for Boteler's impeachment. Hewley called for moderation, arguing that Boteler's removal from the commission of the peace was sufficient punishment for a civil offence. Any further action against him should be taken by Richard, not parliament. [52] Few other Yorkshire members gave any indication of their attitude towards the army but given the determination of most members to settle the constitution in this parliament it is unlikely that many of them approved of the army's action in forcing Richard to dissolve them.

### The Rump Restored

With the re-establishment of the Rump there was little for Yorkshire M.P.s to do but to go home and wait on events. As in the rest of the country the change of government produced little public comment in Yorkshire. On 21 June 1659 "divers gentlemen of Hull" presented an address to parliament in favour of the 'Good Old Cause'. It was

followed a month later by one from York Corporation. [53] A handful of Yorkshire Rumpers were eligible to sit but, except for Sir Henry Vane, it is unclear which, if any, travelled to Westminster. [54] The general feeling in the county was summed up by John Pease who wrote from York at the beginning of May :

This part of the world is in a strange, imaginary confusion by the late great changes, not knowing what will succeed. [55]

In the West Riding the mid-summer and Michaelmas quarter sessions were held as usual. [56] In all, seventeen justices attended. John Clayton was particularly active, as he had been before the reinstatement of the Rump. Although the sessions were held little important business was transacted. The administration of justice was just kept ticking over. However at least nine gentlemen who had attended the sessions since 1658 were now noticeably absent. This group included John Hewley, Charles Fairfax (Lord Fairfax's uncle) and John Dawney, all of whom probably disapproved of the army's forcible dissolution of Richard's parliament. It was perhaps a deliberate withdrawal of moderate men from local government. In the North Riding the withdrawal was rather more obvious. At the general sessions on 12 April 1659 a Great Yeaton man was presented for speaking rebellious words against Richard Cromwell. It was a significant case because following Richard's demise only five justices remained active whilst seven withdrew. [57]

The Yorkshire militia commission was remodelled in July 1659. [58] It was a mixture of old radicals, restored army officers and gentlemen who had administered local government throughout the interregnum. The three surviving Yorkshire regicides - Sir John Bourchier, Thomas Chaloner and John Alured were included. So too were the seven native members of the Barebones parliament as well as all the prominent Yorkshire republicans. However the majority of the commissioners had held county office under the Cromwells and half had represented the county in the protectorate parliaments. Yorkshire's leading lay presbyterian, Thomas Lord Fairfax, headed the list. Those who were removed might have been expected. James Danby, William Goodricke and John Hewley, all of whom had supported both Richard and the Humble Petition and Advice were swept aside. So too were George Marwood and Philip Howard who, with the support of Richard's adherents, had won their case for the Malton seats against Robert Lilburne and Luke

Robinson. Howard only just missed being included. A division in the house went against him by only twenty-four votes to seventeen. [59] It is not known how active the militia commission was. Seven of those included were no longer acting in quarter sessions. However parliament received letters and suggestions for commissions in August 1659. Significantly one of those who wrote from the North Riding was Matthew Beckwith who was also very active on the peace commission. It seems then that the Rump had to rely on ardent supporters of the commonwealth for the administration of local government. In mid-August, at the height of the crisis caused by Booth's rebellion, Colonel Lilburne spent a few days at Pontefract, Wakefield and Leeds

endeavouring to put them in some way of securing themselves in peace, but the best of them were very cold and slack.

At Halifax the people were "as cold and wavering as at the other places". [60] Under the Rump the general attitude in Yorkshire towards local government can only be described as apathetic.

Beneath this veneer of inaction there was murmur of simmering discontent. On 13 June it was reported from York that

The clergy here have many and great meetings, are very high, preach division and distraction. [61]

During Richard Cromwell's parliament Francis Goodricke had moved that the committee on maintenance be extended to the north of England. There was great concern amongst the Yorkshire and Derbyshire clergy that glebes and tithes would be "in a public stock". Led by Edward Bowles they met at Bradford on 1 June 1659 "under the name of exercising and preaching" but it was suspected that the real purpose was to draw up a petition concerning their maintenance and religion generally. The Rump can hardly have satisfied these militant clergy. Although the parliament ordered that tithes should be paid unless an alternative could be found, no effective measures to ensure their payment were enacted. [62]

It has been argued that fear of religious radicals "increased to a hysterical pitch" under the Rump. [63] Yorkshire quakers accounted for less than one percent of the population. However, they were highly organised and by the summer of 1659 a general meeting of quakers from the ten counties of the north and midlands had been established at Skipton. [64] They were certainly active in Yorkshire throughout 1659. Their support of Lambert in the general elections has already been noted. Their petition against tithes presented to the Rump on 27 June

found many subscribers in Yorkshire. One of the presenters was Thomas Aldam of Warmsworth in the West Riding, a leader of the quaker movement in Yorkshire who had suffered persecution during the 1650s. Many of the newly restored army officers and militia commissioners had sympathy with the sect. Peter Acklam, the commander of a militia troop in Hull, was a quaker. They were particularly successful in their conversion campaigns in garrison towns and it is known that both Robert Overton, the governor of Hull, and Colonel Robert Lilburne were sympathetic to their cause. [65] In spite of all this quaker activity and the fundamental disagreement of presbyterians and quakers over the issue of tithes, there is no particular evidence of mass hysteria associated with fear of quakerism in Yorkshire by the time of Booth's rising. The quakers were disliked and suffered imprisonment during 1658-9 in Yorkshire but it was not until after the failure of the August rising that dislike was transformed, often deliberately, into rampant fear which could be used to rally the opposition to the army. [66]

Those who suffered personally in the shake up of the government and the army did create some unease. Thomas Viscount Fauconberg was amongst the first to be dismissed by the General Council. At the end of April he was in Yorkshire, passing through York "with little noise and less attendance". It was reported that he was "highly offended and he saith he scorns to serve a person of so low a courage as the P[rotector] because he hath sent to him to deliver his commission if it be demanded by Lord Fleetwood". [67] Colonel Henry Smith lost the governorship of Hull. At the beginning of May Fleetwood had instructed him to keep the garrison in a posture of defence for the Good Old Cause. Ignoring the wishes of his officers to add their voice to his reply, Smith returned "what answer pleased him". It evidently failed to please Fleetwood and Smith was later removed from the governorship and offered instead a regiment in Scotland which he never bothered to take up. [68] Major William Goodricke and Captain Thomas Lilburne, ardent supporters of Richard, came under scrutiny. The former was certainly and the latter probably dismissed from Lambert and Lilburne's regiments. [69] Discontented, they complained openly of their treatment:

The reduced officers of our and Colonel Lilburne's regiments are very high and promise themselves great things and new changes. I heard myself one of them say yesterday in the



Minster that these things could not hold seven years to an end, and after this lunacy was over, all would be well. [70]

Their replacements were old radicals and religious sectaries, men who had been themselves dismissed during the protectorates. Lambert was restored to his old regiment in place of Fauconberg. [71] Hull's governor Henry Smith was replaced first by Colonel Edward Salmon and later by Robert Overton, the former governor. Overton had been imprisoned in 1655 but his republican friends in Richard's parliament had secured his release and declared the imprisonment "illegal". At the beginning of May he joined with Colonel Matthew Alured and others in declaring their approval of the army's restoration of the Rump for the Good Old Cause despite rumours that they were dissatisfied with it. He was eventually restored to his command by the Rump in June and presented his list of officers for approval on 27 July, choosing those who had served him before and likeminded radicals. [72] George Denham, a quaker sympathiser, was given the cornetcy of Lilburne's troop. [73] Adam Baynes, a strong supporter of Lambert was made captain of his horse. [74] However, the purge was not complete. The committee dealing with the remodelling appears to have considered transferring Major George Smithson and replacing Captains Thomas Strangeways and Francis Wilkinson of Robert Lilburne's regiment but reports of the imminent rising in the north prevented any further changes being made. All three were later to join Thomas Lord Fairfax in his rising against Lambert. [75]

The army in the north was not in particularly good shape. Major Goodricke, before his removal, complained that his soldiers had been in seven weeks arrears of pay and even now were in five weeks arrears and were constantly moving quarters. [76] At the beginning of June officers and soldiers were said to be straggled around the countryside, prey to the disaffected talk of cavaliers, reduced officers and other malcontents. Money was scarce and horses dead. During Booth's rebellion Lambert reported that some of his forces in the north had neither shoes nor stockings. Some officers feared for the security of the county if the forces were not drawn into the major towns. [77] Lilburne arrived in York on 22 July followed by six troops at the beginning of August but many were used to march against Booth soon afterwards. [78] Meanwhile Hull was without its governor. Robert Overton did not set out from London to take up his command until mid-

August, although when he arrived there he found "all things in a very good posture for security of that garrison". [79]

Within nine months of the Rump's reassumption of power the number of soldiers in England had doubled. The increased military burden in Yorkshire did nothing to endear the Rump parliament or the army to the county. On 23 July 1659 Pontefract corporation ordered an assessment of £21 17s 2d "being the proportion for this town ... for defraying of the present and growing charge of the forces of this nation". With Booth's rising the situation worsened as extra troops were brought in to quell the insurrection which had to be both paid and quartered. [80].

Yorkshire played little part in the August insurrection though there clearly had been some plans to rise. On 8 August Robert Baynes reported from Leeds that

We are all here very quiet in all Yorkshire but the Presby[terian] party at York and here look very angry. I find they have been tampering and am very apt to think they would have been as forward as the rest had not we providentially come to York in that juncture of time. [81]

The part played by Yorkshire royalists was disorganised, half-hearted and ineffectual. John Lord Belasyse of Worlaby in Lincolnshire was the catholic uncle of Thomas Viscount Fauconberg. Throughout the interregnum Belasyse had been a reluctant and largely unsuccessful royalist plotter. [82] Fauconberg's increasing disillusionment with Richard Cromwell's regime no doubt prompted Belasyse to draw him into royalist intrigue from the beginning of 1659. Fauconberg maintained a certain loyalty towards Richard whilst he was in power but with the latter's demise Fauconberg gave a more positive commitment to the royalist cause. In June he joined with Belasyse and others in sending bills of exchange worth £1000 to the royalists abroad and promised to raise supplies. Further he joined with Belasyse and Sir John Grenville in attempting to negotiate with Monck through the latter's brother. A letter of 8 July from Grenville to Hyde suggests that Fauconberg was already in correspondence with Monck although there is no direct evidence to confirm this. It was planned that Nicholas Monck should visit Fauconberg on his way to meet his brother but the plans were changed and he eventually went by sea from London to Scotland. [83]

Despite these encouraging signs of royalist activity it was reported in June that Yorkshire was the least prepared of all the counties which were to be involved in the August rising. [84] As the rising

took place Belasyse was arrested in Lincolnshire. [85] Fauconberg delayed rising until after Booth's attempt and even then instructed Sir Jordan Crosland to order the cavalier rebels to await further instructions from himself and the presbyterians involved. Fauconberg came up to York between four and six in the afternoon and then fled without doing anything constructive. Sir Philip Monckton, a royalist, in York with "a party of horse and foot ready ... to have surprised a port" waited in vain. [86] At the end of August "three gallant gentlemen with swords, case of pistols each, shoes and stockings" were arrested having newly landed at Hornsea Beck on the east coast. One of them was Sir Richard Mauleverer of Allerton Mauleverer, a royalist.

They thought at their landing to have found Yorkshire in another posture without doubt. [87]

They must have been very disappointed. Fauconberg's leadership had proved an abysmal failure. One commentator, with ill-concealed bitterness against Fauconberg, said that great lords should not be relied upon since they were reluctant to risk their fortunes. [88]

#### The End of the Interregnum

The boost in the army's confidence following Booth's defeat, the Derby petition and eventual coup d'etat which once again ousted the Rump have been described adequately elsewhere. [89] The main point to be made about the events of mid-September to mid-October 1659 is that for the first time in the history of the commonwealth the army did not have a ready replacement, nor any idea of one, for what it had destroyed. The 'political solutions' department of the army was bankrupt. Furthermore, army unity finally had been broken.

Reactions to the expulsion of the Rump amongst the army officers in Yorkshire were varied. Robert Lilburne in York was later reported as saying

that he hoped never a true Englishman would name the Parliament again, and that he would have the house pulled down where they sat, for fear it should be infectious.

His officers had intended to petition parliament at the end of September taking their lead from the Derby petitioners, but

having had some hints of the parliament's displeasure thereof and some demurs among the officers at London

concerning it, we have forborne until we better understand upon what terms you are.

Lilburne's loyalty to the army officers in London was recognised in his appointment to the Committee of Safety set up on 26 October. On the 28th he and various officers under him sent an oath of loyalty to Fleetwood. [90] Yet clearly some officers in York were nervous of the army's expulsion of the Rump. Robert Baynes reported that they

wonder there comes not out a declaration to satisfy the grounds and reasons of the late change. [91]

He was concerned for the security of the county and army unity. Their enemies rejoiced, he said, "who would be glad to see both parliament and army ruined together". [92]

Robert Overton's reaction might have been anticipated given his involvement with the Fifth Monarchist inspired An Essay Towards Settlement of September 1659 which called for the rule of the saints. In a letter to Fleetwood dated from Hull 11 October 1659, subscribed by his officers, he gave their reasons for refusing to sign the Representation and Petition of Several Officers of the Army. Firstly they had not been consulted, being "wholly ignorant of the late proceeds whereupon we suppose it to be grounded". Secondly, it was rather late to ask for their consent since the Representation had already been made to parliament. Thirdly, they were commissioned by parliament "and thereby bound in all due obedience" and "obliged to declare our full purpose of heart and manifest our steadfastness" to it. Although Overton clearly disapproved of the army's dealings with parliament he did not declare in favour of the Rump after its second expulsion. His support for parliament had been conditional, based only upon "their just and warrantable proceedings", and the expectation of seeing "some further fruit of our former declarations for truth and righteousness". The Rump, as well as the army in London, had failed to earn Overton's continued support. Refusing to choose between the two evils he decided to maintain neutrality throughout the crisis between parliament and the army, but always looked forward to the rule of the saints. [93]

Monck's declaration in favour of the Rump was a rallying cry for several officers dissatisfied with the London army's action. Ralph Knight of Langold immediately left his house in Yorkshire to take up his command under Monck. [94] Major General Thomas Morgan, one of Monck's former colonels, was recovering from gout in York when Monck

declared. It was through this man that the first contact was made between Monck and Thomas Lord Fairfax. Monck wrote to Morgan presumably to explain his declaration. Lilburne intercepted the letter but Morgan was still allowed to go into Scotland since Lilburne and Lambert appeared to believe that he could persuade Monck to recant. However, they had read Morgan wrong. Before leaving Yorkshire he visited Fairfax at Nun Appleton to show him Monck's declaration. Whether or not Morgan had Monck's instructions to do so is unclear. Lilburne would surely have prevented the meeting if Monck had given Morgan such directions in the letter. It is likely therefore that Morgan was acting on his own initiative. Whatever the circumstances, Morgan's meeting with Fairfax proved fruitful. When he arrived at Monck's headquarters on about 7 November he brought with him the message that Fairfax approved of the declaration but would support Monck only if his intention was to "restore the parliament to their ancient freedom and settle the nation upon its ancient government". [95]

By the time that Fairfax and Monck had made contact the Yorkshire gentry were ripe for rebellion. On 28 October 1659 the Committee of Safety decided to send a force under Lambert against Monck which brought a massive army into the North. Lambert left London on 3 November with 7500 - 8000 men. He arrived in York on the 7th and garrisoned the city. [96] This force was joined by the Irish Brigade numbering 474 horse and 845 foot which had been brought over to help deal with Booth's rebellion. [97] Added to these forces were those already in Yorkshire such as Colonel Lilburne's in York and Colonel Overton's at Hull. On 25 November it was reported from London that "The country is impatient of his [ie. Lambert] letting the soldiers live in free quarters". [98] Certainly this was a major grievance in Yorkshire, as well as Lambert's imposition of an assessment on the county to pay for the army's upkeep. [99] The presence of Lambert's army and Monck's amassing of a force on the other side of the border amounted to "wartime conditions" in the north. [100] There were fears also that Lambert intended to raise the North Country militia as he moved northwards. Probably he would have had little success. A newsletter of 5 November commented that

The Country Militia will not come in to Lambert, as I hear;  
in four counties not half a troop came in. [101]

This would have referred to the counties further south and it is possible that Lambert was experiencing opposition from the militia commissioners. He met with resistance in the north also. A report of 25 November on his progress said that his "friends" there refused to raise the militia or to lend him money for the army's upkeep. Many northern officers were said to be refusing to march against Monck. [102] On the eve of the Yorkshire gentry's rising it was reported that Lilburne had taken all the money out of the Treasury at York and exacted six month's tax on the county as he declared for Lambert. Such imposition of taxation by army officers was regarded as illegal by the gentry who constantly maintained that there should be no taxation without representation in parliament. The whole situation was reminiscent of 1640-1 when Charles I found resistance in Yorkshire to his attempts to raise a force for use against the Scots. [103] Fear of Quaker influence now became more pronounced. It cannot have escaped the notice of the Yorkshire gentry that Quakers were ready volunteers against Booth. [104] Lambert's army, so noticeably present in the north by November, was thought to be rife with Quakerism. [105] Quakers and anabaptists were meeting together towards the end of December and early January with the intention of joining up with Lilburne and Lambert's troops to fight against Monck. [106] Sir Philip Monckton argued for unity between royalists and presbyterians on the grounds that

Lambert would draw the Quakers into his army and that being done, he would secure all the eminent Protestants both for King and parliament and after declare himself both King and Papist and so at one blow cut off all his Majesty's friends both home and abroad.[107]

Thus the burdensome military presence, the fear of anarchy inspired by the political redundancy of the centre and the prominence of religious sectarianism in the army now in the north led to divisions amongst army officers present in Yorkshire and to discontent amongst the Yorkshire gentry. The factor which mobilised this discontent into positive action was leadership, an element so obviously lacking during the previous summer's rising. Thomas Lord Fairfax emerged from Nun Appleton as the focus for all those who had become increasingly disenchanted with affairs at the centre. His reputation as both a great army general and as a leading county figure went before him. Although he had been in virtual retirement since about 1650 the strength of respect for him had not dwindled. He had been elected as

one of the West Riding members in 1654 and for the shire in Richard Cromwell's parliament, and had wielded considerable influence over the choice of candidates throughout the interregnum. Successive governments had recognised his importance as a national figure by appointing him to central bodies such as the Councils of State. Monck himself was placing his trust in Fairfax. [108]

The movement which Fairfax led in favour of Monck and against Lambert was by no means united in its ultimate aims but there were enough strands of disillusionment and fear present in the county for him to be able to draw them together into a loose confederation which would demonstrate its opposition to the army's coup. His supporters comprised of two main groups - the gentry and the army. Both were divided from each other as well as internally and it was Fairfax's major achievement to keep his supporters united long enough to see the success of the rising. He managed this in two ways. First by refusing, as long as he was able, to give a positive personal statement of his intentions. Second by concentrating on the common concern of both the gentry and those in the army who disagreed with the army's coup - the rejection of arbitrary military rule. Long term intentions could be put aside until the short term problem had been dealt with.

Woolrych has suggested that few Yorkshire gentry were involved in the rising, both at the planning stage and at the taking up of arms. He suggests that it was the royalism of his neighbours which discouraged Fairfax from inviting wide participation. [109] Contemporary accounts name about twenty gentlemen who were involved. About a third can be accounted royalists. However there is a suggestion in contemporary accounts that many gentlemen were involved who went un-named in the correspondence. Sir Thomas Gower of Stittenham speaks of "a considerable number of gentlemen" and "many others" besides those named. Other correspondents mention "divers other gentlemen" and "a considerable body". [110] These gentlemen were able to bring with them great numbers of armed men. Colonel Bethell, Sir Francis Boynton and Sir Henry Cholmley each brought with them a hundred horse to their rendezvous at Malton. [111] Thus behind each of the prominent gentlemen named ranked hundreds of lesser gentlemen and tenants ready to support Fairfax. Also, since the rising took place two days before Fairfax had intended, some gentry who were willing to participate did not have timely enough notice of it, of which some complained later. [112]

Basing the analysis on the few named gentlemen some suggestions can be made as to motives for the gentry rising. A number of those who took up arms were related to Fairfax himself. Buckingham was his son-in-law, Sir Thomas Widdrington and Henry Arthington his brothers-in-law, Bryan and Henry Fairfax his cousins and Colonel Charles Fairfax his uncle. Smithson was the latter's son-in-law. Since the rising was focused around Fairfax there was also a strong presbyterian element in the rising. One of the main organisers and promoters was Edward Bowles. Such men no doubt would have been persuaded of the arguments of presbyterian ministers who were whipping up fear and hatred of Quakers in the pulpits. [113]

Fairfax and other leaders were careful to play down the rising's association with royalists. This was expedient but also indicative of Fairfax's own aims - his rising was not in favour of Charles Stuart. Cavaliers who arrived at a rendezvous at Knaresborough on 31 December were simply advised to go home. [114] However in other cases cavaliers were admitted but not as leaders of the rising. Captain Strangeways

excepted against Mr [William] Gower, professing he loved the man but could not be in a design where Cavaliers were parties.

Gower's friends objected to this attitude but Gower himself

to avoid being a cause of separation, and it may be the ruin of the whole business, left the command to Mr Thomas Vavasour, and marched along as a private gentleman.

Strangeways was happy for Gower to join with him but not in the capacity of an officer. The social status of the royalist made no difference. At the same rendezvous the Duke of Buckingham also was excepted against by Strangeways, the Irish Brigade, Colonel Hugh Bethell and Sir Francis Boynton. Buckingham protested that his interests were the same as theirs but was told by the officers

We did believe what he expressed, but withal told him, though he intended good, yet he could not but be sensible that our honest friends in the army and country would not believe it; and that it was the only means under Heaven to keep the soldiers under the Lord Lambert together if he did appear with us, or any Cavaliers, and that we were resolved to appear against any such, and in short forced him to withdraw.

Buckingham did not stand down as gracefully as Gower and initially withdrew in a fit of pique though he returned later at the head of Gower's men. [115] It seems also that a distinction was drawn between old cavaliers who had been in arms during during the civil wars and



other 'royalists' since sons of old cavaliers were admitted. The part which royalists had to play in the rising therefore was supportive. Sir Robert Strickland of Thornton Bridge provided a stopping place for Bryan Fairfax on his journey to Monck. [116] Sir Philip Monckton was in league with Edward Bowles in York. Although in his memoirs Monckton gives an improbable account of his own essential role in taking York, nevertheless he provided valuable back up support. [117]

Playing down the rising's associations with royalists was one tactical move by Fairfax. Drawing in army officers was another. As soon as Monck declared against the army's actions in London it was clear that the army as a unit had been divided. The differing reactions of officers in Yorkshire was confirmation of this. Not only did the adherence of army officers lend credence to Fairfax's stand but more importantly it added the weight of numbers and arms needed for a successful rising. The modest forces which Belasyse, Fauconberg and other royalists had been able to raise in the previous summer had proved inconsequential. Fairfax by contrast had enough force behind him to be able to march boldly to York's city walls. Even when only part of his forces were allowed through the gates they were enough to oust Lilburne and to garrison the city in Monck's favour. [118]

Persuading officers and soldiers to desert their commands was no easy task. Lilburne was fully supportive of the London army and not all officers were persuaded of Monck's arguments. His commissioners sent to negotiate with Lambert reported that although most officers had no wish to fight, neither were they particularly enthusiastic about restoring parliament. In the early days of his opposition Monck suffered a number of defections to the Lambertian camp. [119]

The officers and common soldiers in Yorkshire who did join Fairfax had varied reasons. For some it was a matter of principle. Smithson claimed later that he had risen in order to reinstate the 1648 parliament. The Irish Brigade apparently favoured the Rump. [120] Some soldiers were actively persuaded by their officers to follow their lead. Thomas Lilburne returned to his old regiment and persuaded a dozen of his former troop to follow him. Others might then have been dissuaded by their present officers who were "desperate against Monck, and cannot endure to hear of the parliament". Lilburne returned in the night to the troop's quarters, secured the cornet and stole the colours. A further forty men then went over to their old commander. Others followed later. [121] It is possible that some of the soldiery

was attracted by Fairfax's promise of arrears. Sir Philip Monckton related how he used this argument to persuade some of Lilburne's troops within York to support Fairfax

who was at the gates with many gentlemen of the county and Major Smithson with some troops of the army and the Irish Brigade, to whom his lordship had given an assurance of their arrears, and of a reward also for joining with him, And ... that they should have the same if they would join with him. [122]

How contact was made between the various parties involved in the rising is not always clear. There was a gentry meeting at York sometime in December before the 17th "which some take ombrage at", where presumably some plans were made. The main plotting was probably done at smaller meetings such as one at Thirsk between the author of the Letter from a Captain in the Army, Captain Wilkinson and others shortly after 20 December. Secrecy was desirable but not always possible. According to Sir Thomas Gower, one of the reasons why Fairfax rose earlier than he had intended was "because the several meetings" were kept "not private enough".[123] Despite this the rising appears to have been well organised and the groups remarkably cohesive. Fairfax was forced to rise early by some of Lambert's forces falling back into Yorkshire but the groups in the three ridings were ready to rise and brought the exercise to a successful conclusion. Lambert's army was defeated "without a blow, and by a divided party who could hardly hang together but against them".[124] It is more than evident that the various parties in Yorkshire were unsure of each others' intention. For Sir Philip Monckton and no doubt other royalists such as Sir Robert Strickland, Sir Thomas Gower of Stittenham and William Gower, the issue was fairly clear cut. The rising would lead to a free parliament which would restore Charles Stuart. This was the original intention and desired end of the rising in Sir Philip Monckton's view. [125] Yet even amongst royalists there appears to have been division. A rumour circulated that Buckingham and Sir Thomas Gower "declare for the concessions in the Isle of Wight in opposition to the present parliament". [126] This was presumably a reference to the negotiations between the Long Parliament and Charles I at Newport and indicates that Buckingham and Gower may have been thinking in terms of a conditional restoration of monarchy. However for most of those involved in Fairfax's rising the question of monarchy never arose. The real problem lay in the nature of the

parliament which should sit. Party leaders actually had to question their comrades-in-arms on the matter. When the Irish Brigade met with Fairfax they "jointly declared for parliament, some being against single person and House of Lords, others of another opinion, yet all agreed against Lambert". [127] Similar agreement came when some of Lambert's forces met with those under Sir Henry Cholmley who "having demanded on each side how they were for, both their answers concurred". [128] John Godfrey was consistently in favour of the Rump and informed Arthur Haselrig on 31 December that

the Lord Fairfax and we have not yet conferred, but we are resolved he shall adhere to the present parliament ere we admit a conjunction with him. [129]

The Irish Brigade also favoured the present parliament.

There was a great rendezvous on Marston Moor on Sunday 1 January 1660 when forces under Fairfax, Colonel Hugh Bethell, Sir Henry Cholmley, Colonel Smithson and John Godfrey met for the first time. Godfrey was eager to know "upon what account they were" and offered a statement in favour of the Rump for subscription. Colonels Smithson and Bethells' troops readily assented but Fairfax and the other gentlemen declined. Fairfax indicated that he favoured the parliament of 1648 which Smithson was supposed to favour also. [130] There were persistent rumours that Fairfax had declared in favour of a 'free parliament' which Colonel Lilburne used as a pretext to prevent him from entering York. [131] The interpretation of what constituted a 'free parliament' appeared to be fraught with difficulties. John Godfrey seems to have distinguished between the free parliament which would be called when the Rump made arrangements for its election, the free parliament envisaged by Fairfax which was in effect the Long Parliament, and a completely new free parliament with fresh elections. [132] When Fairfax arrived outside York his declaration in favour of this ambiguous 'free parliament' caused further confusion :

that party within the town and some without would have explained to be this now sitting, and an addition of all the other members that are alive; and others to [be] elected for such as are dead. [133]

Fairfax favoured the 1648 parliament above all others but in order to take York appears to have given way and agreed to support the Rump. Once again the question of ultimate aims was shelved until the immediate objectives had been secured.[134]

Thomas Lord Fairfax never declared for Charles Stuart. Although his rising was the first in a series of events which led ultimately to the restoration it is highly unlikely that he rose in the King's favour. His real and declared intention was in favour of a free parliament. He must have been aware that this might unavoidably lead to the return of Charles Stuart, but the nation had to be freed from restricted, unstable and arbitrary rule. The essence of the parliament which Fairfax wished to return to power was that it was freely elected and could conduct its business in freedom. Thus it was essential not to impose conditions upon it, not even that it should prevent a restoration. The other significant point about Fairfax's desire for a free parliament is that he favoured that of 1648 before the army's interference with its membership. Presumably therefore he would not have favoured an unconditional restoration. In Richard Cromwell's parliament Fairfax had favoured limitations on the single person and keeping certain powers, such as the disposal of the militia, in parliament's hands. He would no doubt have hoped that the same principles would be adhered to if Charles Stuart returned. Fairfax gave Charles II a horse upon which he rode to his coronation. This has been seen as a symbolic gesture to the new King and also as a reminder to Charles of how much he owed to Fairfax for his restoration. Equally, since the mare's dam was the horse which Fairfax himself rode at Naseby, it may have been a symbolic reminder of what happened to monarchs who ignored the people's grievances. [135]

Monck crossed the Yorkshire border on 9 January. Several gentlemen accompanied him on his progress to York, the high sheriff, Robert Walters, meeting him at his quartering places at Northallerton and Topcliffe (near Thirsk). Monck arrived in York on 11 January where he paused before moving onto Ferrybridge on 15 January and so on towards London. [136] Lord Fairfax had entered York on 2 January where

there is very much resort to him by all sorts, and I fear not anyone is excepted against except those that have been in arms with the King of Scots. [137]

Fairfax then was maintaining his aloofness from royalists. He did little other than keep the peace in York until Monck's arrival. In this he was aided by Colonel Smithson who had been given command of the forces in York on 5 January by the Council of State. [138]

When Monck arrived in York there were few of Lambert's forces left to deal with, the majority having dispersed in the face of defeat. On

about 2 January Lambert himself was at Northallerton with about fifty troopers. Many of the others had repaired to their quarters on orders from the Council of State. Adam Baynes's troop for instance marched to its old quarters at Skipton. By the time Monck had crossed the border into Yorkshire Lambert had declared already for the Rump and arrived in London. [139] Lilburne sent a letter of submission also but remained in the north. [140] By 13 January Monck had dismissed Major Creed and most of Lambert's troops. [141]

Those officers who had been prominent in Fairfax's rising were now favoured by Monck. Colonel Hugh Bethell was given Lambert's regiment of horse and Major William Goodricke was restored to his command. Colonel Smithson received Lilburne's regiment. Colonel Charles Fairfax, when Monck left York on 15 January, was left behind with his foot regiment to garrison the city. Overall command of the forces remaining in the north was placed in Colonel Thomas Morgan. Thus when Monck headed for London on the parliament's order York and the surrounding district were in the hands of trusty officers commanding acquiescent troops. [142]

The situation in Hull was rather less satisfactory. Monck received a report whilst in York that Overton appeared to be preparing for a siege. [143] Monck sent a letter by Adjutant-General Jeremiah Smith on 12 January asking for "a full and free declaration of your adherence to the parliament in their present constitution". Overton replied the next day, rather tartly, that he did

perceive that report renders Hull as doubtful to you as it did your design dangerous to us and others; but I am very glad to hear that you adhere to this parliament in their present constitution against the readmission of the secluded members, a free parliament, or single person, one of which hath been continually charged upon you as the common cry of your army.

As for a written declaration his "actions and words before and since the parliament's interruptions have so sufficiently declared my adherence to them" that they made any further written declaration "very much below" him. Overton mentioned that there had been a plot to secure him and his Major which explained his recent wariness. He had some reason to be concerned for his security and that of the garrison. A report of 20 January claimed that the garrison would be surrendered to Fairfax and that even if Overton resisted his own soldiers, thanks to the efforts of Lord Willoughby, would deliver up the governor too. Monck ended the correspondence for the time being on 14 January saying

that he was glad that the "misinformations on both sides are cleared" but that if Overton had acquainted him earlier with the information he had given in his letter then these mutual suspicions would not have arisen. The tone of their exchange was terse to say the least. [144]

Monck arrived in London at the end of January and during February the Rump once again set about re-organising its army. [145] Those officers and soldiers who had adhered to Lambert and Lilburne who were still in Yorkshire were uncertain of their fate at the hands of the parliament which they had opposed. Robert Baynes however claimed that his comrades in York were now ready to serve parliament. [146] On 8 February Smithson was confirmed in his colonelcy of Lilburne's former regiment. Thomas Strangeways was made his major and Francis Wilkinson a captain. Thomas Lilburne was restored to his command. The latter appears to have influenced Haselrige and his associates on the army commission in their appointment of officers in the regiment. One surprise was the keeping on of William Peverell whose troop had supported Robert Lilburne but generally speaking the Rump confirmed the changes which Monck had already made. Although the Rump had intended Lambert's regiment for Colonel Philip Twistleton it was given to Colonel Hugh Bethell on Monck's recommendation. [147]

Before his departure Monck had private discussions with Fairfax at both York and Nun Appleton. The reluctance of both men to make their intentions public led to great speculation. Monck was deliberately evasive giving only a "general answer" to gentry who questioned him on his way to York that "his endeavours should never be wanting for the welfare of his country". [148] By the time he left York the gentry were no wiser. Sir Thomas Gower, who attended Monck on his departure, described the General as "so close that not anything can be guessed of his intentions" and that now no news could be expected from Yorkshire since everything would happen in London. [149] Fairfax's own silence gave rise to similar speculation. It was rumoured that Monck had offered his command to Fairfax which the latter refused and that Fairfax had impressed upon the General that the country desired a free parliament. Monck later claimed that Fairfax had promised that he would oppose a restoration of Charles Stuart which was prompted by "the jealousy upon the Lord Fairfax in some men's spirits". Fairfax's rising had an uncertain reception in London. As Sir Thomas Gower said, "whether the country shall have thanks or no is the question". Monck felt it necessary to write to parliament that

Fairfax did nothing in the late rising without his privity and consent, which hath removed the jealousy he lately lay under for that action.

Fairfax laid low throughout January probably not wishing to give any further rise to suspicion in London of his actions. [150] Yet the very least which Fairfax expected from his rising was the readmission of the secluded members to parliament. It gradually became clear that the Rump had no intention of satisfying this desire. The qualifications to be imposed upon voters and candidates made the proposed recruiter elections an empty gesture. Parliament's treatment of the City of London and other promoters of declarations in favour of a free parliament gave an indication of the Rump's likely reaction to Yorkshiresmen, if they followed suit. [151] The assessment commission issued at the end of January gave no sign that the restored government appreciated the efforts of those gentlemen in Yorkshire who had risen with Fairfax in its favour. [152] Eventually the government's suspicions of Fairfax and his supporters were made obvious. On 10 February the Council of State issued orders to Colonels Smithson and Charles Fairfax that meetings in York which tended to disturbance should be suppressed, their promoters and attenders arrested. On the same date it was reported that Fairfax would be secured by parliament. [153] Then, a number of Yorkshire gentlemen came under more serious suspicion. It was reported to Luke Robinson on 14 February that Sir Henry Cholmley of West Newton had three hundred cases of pistols and that Charles Tancred of Arden, Colonel Hugh Bethell of Rise and Thomas Legard also had arms in their possession or were having them hastily dressed. On 18 February the Council of State ordered Smithson and Fairfax to investigate these allegations and to arrest Sir Henry Cholmley if necessary. [154]

The government acted too late. On the 10th gentry from all corners of the county were already assembling at York. Colonel Fairfax and Major-General Morgan, who postponed his journey to Scotland because of the impending crisis he envisaged, made repeated attempts to dissuade the gentry from taking any action which might lead to renewed bloodshed, give offence to parliament or upset the soldiers in York. The gentry paid no heed to these warnings. They were in militant mood. Thomas Lord Fairfax promised his uncle, the Colonel, that there would be only thirty present at the meeting. The latter counted about forty, and fifty gentlemen actually signed the declaration, besides six clergymen and the aldermen and common council of York. [155] They were men of

"quality and estate". There were two peers (Fairfax and Fauconberg), six baronets, a knight of the bath, and two knights. The rest were esquires, many of them to be raised in status after the restoration. Cavaliers were not invited to attend but there were some sons of cavaliers and others, such as Fauconberg, William Gee of Bishop Burton, Sir Henry Cholmley, Sir William Cholmley and his son Hugh who were known to have had contact with the exiled court. Hugh Cholmley had been involved with the Northamptonshire petition for a free parliament in January. Presbyterians were strongly represented by Fairfax himself and the ubiquitous Edward Bowles. Army officers were notable only by their absence - this was a gentry meeting intended to promote a county concern.

Three documents were produced at this meeting - a letter to Monck, a declaration directed to him and a short letter to the mayor and common council of London. [156] The gentry were short and to the point. They claimed not to have any "representative to express and remedy our grievances", an indication that they did not recognise the legality of the Rump parliament then sitting. They demanded that if the present parliament was continued then the secluded members should be readmitted and vacancies filled. Alternatively a new parliament should be called without oaths, engagements or qualifications except those which had been in force prior to 1648. Until one of these recommendations was fulfilled a tax strike would be imposed

we not enjoying the fundamental right of this nation to  
consent to our own laws by equal representatives

thus once again stressing that they did not recognise the Rump as a legal parliament.

In a personal letter to Monck written from Nun Appleton on 14 February Thomas Lord Fairfax urged him to give the bearers of the declaration - Sir Thomas Wharton, John Dawney, Thomas Harrison and John Legard - a friendly reception. The Yorkshire gentry, he wrote, were relying on Monck to bring about a peaceful settlement of the nation's grievances by reasserting their ancient rights and freedoms. The gentry had been careful not to inflame passions or to bring suspicion upon their proceedings. Again cavaliers had been purposely barred from attendance and the meeting kept small to avoid giving "occasion of jealousy to the soldiers". Thousands who would have concurred had not been invited to subscribe in order to avoid suspicion. [157] Yet there could be no doubt that the Yorkshire gentry intended their declaration to have an



impact at the centre. It was rumoured that it would be backed by arms and the gentry were said to be "extreme high in their language". [158] They had risen once. There was no doubt that they could do so again. The army in Yorkshire could have done little to prevent an insurrection had it occurred. In panic stricken letters Colonel Fairfax and Major General Morgan urged Monck to send another regiment of horse for security. Commissions were needed for vacant commands. Colonel Bethell and Majors Strangeways and Goodricke were absent from their commands and Morgan was about to leave for Scotland as ordered. Colonel Fairfax, though cordial and diligent, was "ancient and infirm" and needed replacing. The soldiery also had their grievances. The garrison soldiers at Scarborough were reported to be "faithful but in great want of pay". Colonels Bethell and Fairfax complained for their regiments. [159] If Fairfax had risen again the army would have been powerless to stop him.

Although the declaration and letters produced at the gentry's meeting gave a show of collective force there were divisions amongst them. When Fairfax had first secured York in favour of Monck it was said that the troops in the north offered to be led by him. Fairfax, instead of trying to

make himself great, and the nation quiet by a free parliament ... chose rather to sit down contented with the thanks of the house than to make use of these great opportunities. [160]

Sir Thomas Gower, who made this comment, obviously expected Fairfax to take a stronger lead in demanding a free parliament as soon as the rising had been successful. Fairfax however was very reluctant to commit himself to any one party. Those who had risen with him were so disunited in their ultimate aims that he perhaps feared causing an irreparable breach amongst his supporters. Although Fairfax was said to have "summoned" the gentry to York Major-General Morgan told Monck that he had been "wrought upon by three or four persons" but believed that he "may be easier drawn off from further joining and appearing in the pre-named particular than he hath already been brought to it". [161] This suggests that Fairfax was not entirely happy with some of the gentry's proposals and the fact that the declaration included alternative proposals - either the reinstatement of the 1648 parliament which Fairfax was known to favour, or a completely new parliament - also indicates a divergence of views.

Certainly not everyone was in agreement with the declaration. Morgan told Monck that "several honest gentlemen" were willing to draw up an alternative petition if they had encouragement from the centre. One of these gentlemen was Richard Sykes, an active West Riding J.P. and a militia commissioner in July 1659. [162] In York itself, although the common councilmen were ready to subscribe immediately, several aldermen and seventeen of the "twenty-four" decided, after deliberation, not to sign. [163] What appears to have happened in Yorkshire during the first two months of 1660 is that gentry who had taken little or no part in the rising against Lambert now jumped on the political bandwagon set in motion by Fairfax. Few of those who signed the declaration were prominent in Fairfax's rising. Meeting on 10 February these gentry had given Monck but little time to assess the political situation in London. They were taking their lead from other gentry nationwide rather than from the present leader of the army or parliament. Sir Horatio Townsend came up from Norfolk and Sir Thomas Wharton from Lincolnshire to attend the Yorkshire gentry's meeting. Monck replied to the declaration by informing the Yorkshire gentry that he had persuaded the Rump to issue writs for recruiter elections and that the secluded members would be readmitted. Although this did not satisfy their demands exactly he hoped that they would not cause any disturbance. The news of Monck's letter to parliament instructing it to provide for fresh elections was met with wild celebrations in York. [164]

Thus the Long Parliament was restored and with only a few hitches obeyed Monck's orders to settle the nation and then dissolve itself. [165] The militia commission issued on 12 March 1660 reflected the attitude of the members in their final session. That for Yorkshire included 132 commissioners, over twice the number in the Rump's last commission. Army officers were swept aside along with republicans and religious sectaries. Not surprisingly Richard Sykes lost his place. In their places ninety-one new gentlemen were commissioned. Signatories of the declaration feature large. The list reads as a roll-call for those who were to take over the government of the county in the Restoration period. [166]

During March 1660 an uneasy calm descended upon Yorkshire. Whilst the issue of writs for the new parliament and the prospect of the Restoration brought hope and confidence to many gentry, certain sections of the community bristled with discontent. Colonels Bethell

and Fairfax informed Monck from York on 2 March that they were troubled by "the fanatic party" and expected a design. [167] In addition there was cause for concern at Hull. Robert Overton, still governor, had taken a stand against Monck and "declared for Jesus Christ". In open letters to Monck and the forces in York the garrison at Hull expressed their fears that the commonwealth was lost and the return of Charles Stuart imminent. They, however, would "live and die" for the "true cause". The messenger who carried the letter to York was promptly arrested. Hull garrison therefore met to frame a declaration for a commonwealth without king, single person or lords. They thought of sending it to Monck but decided against it, affecting to believe that both Monck and the army would prevent the fall of the commonwealth. In a covering letter to Monck dated 6 March Overton explained that they could hardly be blamed for their reaction since Lincolnshire cavaliers were boasting "it shall not be long before they drink healths in Roundhead's blood". But Overton probably knew by this time that he had taken his last stand. Matthew Alured, a republican with close links with Hull and Jeremiah Smith, an old friend of Overton, were sent to persuade him to comply with the army in London. Smith also had orders

privately to deal with some officers and soldiers under Overton who loved him not, to bring him to reason, if upon orders for his remove, he should be disobedient to them.

Charles Fairfax drew a force up to Beverley to make the point that Overton had to submit. He did so gracefully. Colonel Fairfax took possession of Hull on 12 March and took over as governor whilst Overton made his way to London as ordered. [168]

Overton's letter to Monck of 6 March also indicated a further cause of unease - the payment of the army. The soldiers in Hull were in debt both to the townspeople and their officers and Overton requested that the newly commissioned officers should not take up their commands until the arrears had been settled. He had used customs and excise duties to meet some of these arrears already. [169] Grievances about pay were echoed in York. Colonel Bethell's regiment, though happy with the change of officers, "will yet need encouragement by a speedy receipt of their pay". [170] Both the forces in York and in the county had orders not to compel private householders to give quarter but in April the mayor of York mediated with the citizens to persuade them to give soldiers quarters in private accomodation. By the middle of that

month Colonel Fairfax was pleased to report that the forces at Hull, Scarborough and York "each pays for his bed what his landlord exacts". Yet another problem had been ironed out. [171]

In the spring of 1660 the Yorkshire gentry elected a representative who, it was hoped, would settle the nation. There was keen competition for seats. Six of the fourteen boroughs were contested and three resulted in double returns. At Hull there were six candidates. [172] Most however were carried out as peacefully as that for the knights of the shire. John Dawney of Cowick, the gentleman who had not pursued the seat for Richard Cromwell's parliament when he had doubted the certainty of his success, now stood for the junior seat. He was elected with Thomas Lord Fairfax "by a very great appearance of freeholders ... there was no opposition made by any, though it was suspected". Sir George Savile's electoral agent, Robert Turner, believed that he could have carried it had he stood, but Savile preferred to concentrate his energies in Pontefract where he had a family interest. [173]

John Dawney was one of the four gentlemen who had presented the Yorkshire declaration to Monck. Involvement with Fairfax's rising or with the declaration was a definite asset in these elections. Robert Turner believed that William Lowther, who was standing for Pontefract was "well fortified ... having been very serviceable in the business of the Lord Fairfax". [174] Others associated with the gentry's stand in the previous winter were successful too. Sir Hugh Bethell of Rise was elected at both Beverley and Hedon. His partner at the latter was John Clobbery, a non-native gentleman much favoured by Monck and probably promoted by Bethell himself. [175] Henry Arthington was elected at Ripon and John Legard at Scarborough. Both had risen with Fairfax in January. [176] Barrington Bouchier of Beningborough who had been in league with Fairfax since the elections to Richard's parliament and aided the rising and declaration, was returned at Thirsk. He was described as

the only martyr for our county's declaration to general Monck for he lost his office for his subscription which would have been worth 1000l. [177]

Here then is yet another indication that Fairfax's efforts in the north were not necessarily welcomed by central government.

The contested election at Pontefract is illustrative of the attitude of the electorate towards qualifications against cavaliers and their

sons which had been imposed on these elections. Sir George Savile and William Lowther of Swillington, favoured by the majority of the electorate, had dubious claims to candidature. Sir George's father had been prominent in the King's cause and in February 1660 it was reported that Sir George himself would provide arms for royalists. [178] Lowther had been involved with raising money for the King's forces during the civil war and later for the exiled court. He was said to have compounded but paid no fine. [179] John Hewley, the recorder and M.P. in 1659, consistently objected to Lowther on the grounds of qualifications. Savile's qualifications do not appear to have been questioned although Sir John Bright of Carbrook thought of standing against him. However he satisfied himself with supporting Lionel Copley of Wadworth who had a personal grievance against the Saviles. Indeed he used such reproachful language that one Mr Hutton "but for some that interposed had given him a cudgelling". Hewley, a lawyer, preferred to keep the contest on much firmer legal ground. Having failed to ingratiate himself with the townspeople he insisted that the qualifications be read in public both at the town cross and twice in the hall where polling took place. This "wrought but little with the country and town" and the shouts were deafeningly loud for Lowther and Savile. Hewley therefore insisted upon a double return which showed fifty-two votes for Lowther and Savile and only fifteen for Hewley and Copley. [180]

Other Yorkshire boroughs ignored the qualifications concerning royalist backgrounds. At York Metcalfe Robinson, the son of Sir William, a colonel in the King's army, was elected with Sir Thomas Widdrington. Hewley had thought of standing at York but it was said that he could have not prevailed against the interest of these two gentlemen. [181] Solomon Swale had been a royalist compounder, although he paid no fine. He was elected at Aldborough with Francis Goodricke by eight of the nine burghage holders. [182] In some cases candidates with royalist backgrounds stood against gentlemen who had risen with Fairfax. At Thirsk William Stanley, son of the royalist sixth Earl of Derby was involved in a double return with Thomas Harrison, one of those who presented the Yorkshire declaration to Monck. [183]

Royalists themselves however still had to be content with a secondary role and it was obvious that if there was to be one dominant interest it was that of the presbyterian Lord Fairfax. Hyde advised royalists

with electoral influence in Yorkshire, such as William Earl of Strafford, Lord Belasyse, Thomas Viscount Fauconberg and Sir George Savile, to unite under Fairfax's leadership, which indicated the relative strengths of the royalists and presbyterians on the eve of the convention parliament. This was echoed in Yorkshire by Sir Thomas Ingram and Hugh Cholmley who advised cavaliers to remain quiet "while the presbyterian game is playing". [184] The royalists themselves were disorganised and disunited. When a plan to prepare the ground for a restoration necessitated the choice of a leader from Yorkshire a row broke out between the Belasyses and the Darcys concerning the suitable candidate. John Lord Belasyse argued for Sir Henry Cholmley, a relatively new convert to royalism but one who would be acceptable both to Fairfax and the Bethells. The Darcys preferred an old cavalier. Such disunity did little to enhance the royalists' chances of influencing these elections. [185]

The Yorkshire electorate was said to be "generally against all swordsmen and statepurchasers". John Hewley, standing at Pontefract was supposed to be guilty on both counts. [186] Army officers who had stood in the way of the moves for a free parliament found no place in these elections. Only Lambert was returned when his supporters forced the mayor of Ripon to make a second return in his favour even though Henry Arthington and Edmund Jennings were clearly elected by the majority of voters. [187] Lambert, recently escaped from the Tower, indirectly added a spark to the election at York on 16 April when suspicions were aroused by "many single troopers" coming into the city. The mayor raised the alarm in the evening and about 120 men were found armed and "in their clothes". They had been ordered to march into York by two officers in Captain Peverell's troop belonging to Smithson's regiment. A former lieutenant in the troop, Merrey, was the chief agitator and had designed to "corrupt several others from their duty and obedience". Colonel Bethell and the mayor acted swiftly by securing thirty of "the most refractory". A similar futile attempt to stir mutiny at Hull was also prevented by the good relations existing between the garrison and the citizens. By 22 April Lambert had been recaptured and returned to the Tower. [188]

Objections to statepurchasers was a niggardly question. Hugh Bethell had expressed his concern at the time of the winter rising that should the King return he might loose his newly acquired properties. [189] Many of those old parliamentarians who had risen, including Fairfax

himself, had gained by the royalists' defeat yet they were returned to the convention parliament. [190] The Yorkshire electorate was really imposing its own qualifications - no swordsmen and statepurchasers unless they had been in favour of the rising and a free parliament. But even the electorate's objections to certain odious representatives of the old regime could not prevent their election. Family and local interest still had their parts to play. Thus Francis and Thomas Lascelles, both swordsmen, statepurchasers and radicals, were returned for Northallerton on the family interest. [191] The republican Slingsby Bethell secured a Knaresborough seat for his brother Henry. [192] Vice Admiral Lawson's interest in his native town of Scarborough was sufficient to ensure the election of Luke Robinson despite fierce opposition. [193]

The Yorkshire representative to the 1660 Convention parliament was young and inexperienced. Over half had never sat in a parliament before. [194] They were gentlemen who favoured traditional tripartate government, some of them preferring monarchy. Edward Gower said "we shall not have above three scabbed sheep in our flock". [195] The handful of republicans were soon sifted out by the Commons when it met. Francis Lascelles was discharged from sitting for Northallerton on 9 June. The by-election in July resulted in a double return of Sir Francis Holles, a non-native, and George Marwood of Little Busby, a former Northallerton M.P. The case was never heard by the Convention parliament and it is unlikely if either of them sat. [196] Henry Arthington and Edmund Jennings were confirmed as members for Ripon in spite of the indenture which had returned John Lambert. [197] Luke Robinson was disabled from sitting for Scarborough on 11 June. John Legard, the other Scarborough M.P., also lost his seat on petition by William Thompson who was declared duly elected. At the by-election in July Legard secured Robinson's vacant seat although the Duke of York had recommended Hugh Cholmley. [198] The double return at Thirsk between William Stanley and Thomas Harrison was decided in the former's favour on 3 May. [199] The Convention parliament therefore showed its favour to the son of a royalist rather than a supporter of the declaration which had contributed to their sitting. John Hewley, who was contesting the Pontefract election, probably realised that the issue of qualifications would not weigh heavily with this parliament. Therefore he had new indentures signed and was reduced to arguing his case upon technicalities in the wording of the indentures and personal

attacks on Savile and Lowther. But it was all in vain. As Lowther's supporters commented "Your adversaries may be barking, but they have not teeth to bite". On 16 May the committee of elections declared for Savile and Lowther on the basis of the number of votes. [200] The Long Parliament ordinance concerning qualifications was redundant. The electorate had ignored it in their choice of representatives and now those members ignored it in their dealings in the committee of elections.

The most niggardly question about the Yorkshire representative to the Convention is how far it was 'royalist' and how far 'presbyterian'. Louise Farago Brown argued that in Yorkshire "the elections were not royalist merely but anti-presbyterian". Roy Carroll admits that the success of royalists in these elections was "rather remarkable". Of twenty-nine members, thirteen were themselves cavaliers or members of staunch royalist families. The summer by-elections added three more. Presbyterians on the other hand did less well. However Carroll argues that there was no real antithesis between royalists and presbyterians since both desired a restoration of monarchy. This conclusion is supported by Woolrych who defines presbyterians politically as those moderate parliamentarians whose representatives were expelled from the Long Parliament in December 1648. He argues that by the end of 1659 the distinction between those who conformed to the protectorate and active royalists was becoming "nugatory". [201]

However during Fairfax's rising and the drawing up of the Yorkshire declaration it was clear that there were differences in the ends being sought. It is being suggested here that by the time of the Convention elections the return of Charles Stuart was hardly in doubt but that the terms upon which his restoration was to be based were not clear. The real distinction between royalists and 'political presbyterians' was that the former wanted to get the King back and worry about the constitution later whereas the latter preferred a negotiated restoration. Being in arms for parliament was not a necessary precondition of the latter position. Sir John Hotham's father and grandfather had both been executed for royalist intrigue in January 1645, having transferred their allegiance from parliament to the King. Sir John, the second baronet, came of age in 1653 and was soon acting in local government. He signed the Yorkshire declaration in February 1660 and at the restoration was appointed custos rotulorum, of the East Riding. Yet his subsequent career showed him to be a severe



critic of Charles II's government. He was implicated in the 1663 plot and later removed from local office. Had the restoration been negotiated Sir John Hotham would almost certainly have had a more amicable relationship with Charles II's government. [202]

The Commons' refusal to remove unqualified members gives a clear indication of the mood of the House when it met on 25 April. Davis estimates that ninety percent of members were in favour of the restoration of Charles Stuart. [203] Against this tide of ardent royalism stood the 'Presbyterian Knot', a group of lords and gentlemen who wanted to secure a conditional restoration. One means of doing this was to remove unqualified members, but the Yorkshire evidence shows that the prevailing mood in the Commons was in the opposite direction. In the Lords they hoped to prevent the entry of the 'young lords' who had been too young to take part in the civil wars but had succeeded to their titles since then. [204] William, the second Earl of Strafford was one such young lord from Yorkshire. Having encouragement from royalists and the commons alike that they would be able to assert their privileges. Strafford wrote to Monck on 26 April

I shall not offer to go into the House till I know certainly from your lordship that I am free in what was permitted ...

Strafford promised to attend Monck that evening and it was no doubt then that he heard that the young lords would not be prevented from taking their seats. They did so the next day and the invitation to old cavalier lords to enter the lords at the end of May defeated the hopes of the 'Presbyterian Knot'. [205]

Expectations of the Convention parliament in the county were high. The supporters of Savile and Lowther in Pontefract hoped that it would set the nation "upon a right and lawful basis". [206] The pro-restoration mood of the parliament meant that the electorate was not going to be disappointed. Charles's Declaration of Breda was the signal which parliament had been waiting for. On 1 May the government was declared to be in King, Lords and Commons. On the 8th Charles Stuart was proclaimed in London. [207] Three Pontefract burgesses rejoiced at the "mutual correspondence" between King and parliament. The Declaration of Breda

seems to us like the balm of Gilead, a cure for all sores.  
God Almighty grant that we may make a right use of them.  
[208]

On 8 May, anticipating the King's proclamation, Hull corporation ordered that the commonwealth arms should be replaced by those of the King. On 11 May Charles was proclaimed in the town amid "great acclamations" with "drums beating, bells ringing and the great ordnance playing". The corporation invited garrison officers and local worthies to a feast at the mayor's house whilst common soldiers were given £10 to make their own celebration. It was a generally happy affair, "only one soldier", wrote Colonel Fairfax, "more hinting than expressing his disassent [sic.] by not firing in course - may give us the trouble tomorrow to cashier him". [209]

In May 1660 the gentry had succeeded in their short term aim. Amid scenes of frenzied rejoicing Charles Stuart was welcomed back as a King with no constitutional bounds to his power. The lessons of the Civil Wars and attempts at interregnum settlements were swept aside in a blind desire to return monarchy to England. However allowing emotion rather than pragmatism to determine politics in the spring of 1660 had a legacy, the results of which were to be felt for the next twenty-eight years.

CHAPTER TWO

• TOWARDS SETTLEMENT: 1660 - 1667.

Introduction : Yorkshire and the Restoration

On 29 May 1660, the day of the King's triumphal entry into the City of London, a gallows was erected in Hull market place. From it were hung symbols of the interregnum - the commonwealth arms, effigies of Oliver Cromwell and Judge Bradshaw. After hanging there all day they were dragged through the streets and finally burned, citizens and soldiers looking on. [1] Such scenes, repeated all over England, mirrored in theatrical style the fate which some hoped would befall servants of the old regime. Some fairly disgusting acts attended the restoration of Charles Stuart. Sir William Constable, a regicide, but once the lord of the manors of Holme and Flamborough, had died in 1655. He was exhumed from Westminster Abbey on 14 September 1660. [2] Old civil war rivalries sparked off a drunken brawl in a New Malton inn in August 1661 when one man was fatally wounded. [3] John Hodgson of Coley Hall, a lieutenant in Colonel John Bright's parliamentary regiment of foot, was harassed by one Daniel Lister who had been bound over to good behaviour by Hodgson in his capacity as an interregnum J.P. Lister promised that if times changed he would "sit on Hodgson's skirts". In January 1661 he made a deposition against Hodgson which led to his arrest and imprisonment for five months before being acquitted. [4]

The most obvious targets for attack in 1660 were the regicides. Of thirteen commissioners appointed to try Charles I from Yorkshire, six were signatories to the death warrant. Only Thomas Chaloner of Guisborough was still living in 1660. He surrendered himself according to the King's proclamation, having already made an effort in print to convince people of his conversion to the idea of monarchy. Despite this he was excepted from the Act of Oblivion and his only salvation lay in flight abroad. He died in Zealand in 1661. [5] By the time that the Convention parliament passed the Act of Attainder after reconvening in November 1660, Chaloner was out of reach. However, the estates of regicides were not and this Act confiscated the property of those both in exile and long dead. [6] Even here though there had to be exceptions. Sir Richard Mauleverer of Allerton Mauleverer was the only son of Sir Thomas, an inveterate parliamentarian and regicide, who had died in 1655. Sir Richard himself had been an ardent royalist. Although his father was exempted from the Act of Indemnity Sir Richard was confirmed in his title and estates by the King. [7] This case was

straightforward enough. No-one expected that cavaliers should suffer. Barrington Bouchier's case however illustrated some of the problems with indemnity and the land settlement. His father, Sir John, refused to repent his sin of regicide on his death bed and Barrington had assisted his father on the county and sequestration committees. However he had later been active in promoting the restoration. Sir Henry Cholmley, an uncle, claimed in December 1660 that he had given Barrington an assurance that if he assisted Charles Stuart his father's faults would be no prejudice to him. Cholmley petitioned for a fine out of Bouchier's estate as reward for his own services to the King and for the remainder of the estate to be confirmed on his nephew. On 2<sup>nd</sup> February 1661 Lord Treasurer Southampton recommended that the King grant Cholmley £1000 out of Bouchier's estate "and free him from all pretences". In March Bouchier's request that he be allowed to inherit his lands was granted, notwithstanding his father's exemption from the Act. [8] Others, like Bouchier, had expected confirmation of their lands and indemnity for their parts in securing the restoration. Sir Hugh Bethell was assured by Sir Philip Monckton that he would not lose his purchases of confiscated lands if Fairfax's rising ultimately led to the restoration of monarchy. Such confirmations could only cause rancour amongst the old cavaliers. Whilst the crown and church were able to repossess their lands with little difficulty, ordinary gentry had to fight for their estates through the law courts and there was no redress for those who had sold estates to pay fines. Although few Yorkshire royalists were financially ruined by their loyalty to the monarchy, the knowledge that the King's old enemies were still enjoying their estates must have caused considerable resentment. [9]

On his restoration Charles II had a limited number of places, rewards and gifts and an almost unlimited number of petitioners. There was no shortage of requests from Yorkshire royalists, each petitioner detailing the particular sacrifice which he or his family had made in the King's service. [10] But many of those who deserved recognition for their services in bringing about the restoration were not old cavaliers. As detailed earlier the Yorkshire royalists had signally failed in their own attempts to force a restoration and in Fairfax's rising and the declaration for a free parliament had played but a secondary role to presbyterians and parliamentary army officers.

Favour shown to such gentlemen was seen as being at the expense of those who had remained loyal. Sir Thomas Gower wrote on 14 June 1660

Those who gaped for preferment and offices in this late great change fail of their account; for they were divided between the old servitors abroad and the new cavaliers at home long ago, and before either could hope for so happy change; and at present all gratifications and favours are the Presbyters' portion; if any of the King's party get anything it is inconsiderable. [11]

This was not entirely a fair comment. Gower himself was granted the reversion of New Park, Galtres Forest in October 1660 and many other Yorkshire royalists were granted lands and offices. [12] Between 1660 and 1665 nineteen baronetcies were granted to Yorkshire royalist families. But Gower was right that such rewards were not the preserve of old cavaliers. Baronetcies were also granted to old parliamentarians such as John Bright of Badsworth and George Marwood of Little Busby. [13] Sir Hugh Bethell of Rise was granted the lease of Hempholme Manor for £5 on account of his "eminent services". Colonel Charles Fairfax received an annuity of £100 out of Hull's customs for his life and his heirs, no doubt in part compensation for his loss of the office of governor to John Lord Belasyse. [14] Whilst Sir Thomas Gower recognised that many royalists were being niggardly in their exceptions to individuals mentioned in the Bill of Indemnity and Oblivion he believed that it stemmed "from discontent, which ariseth from their opinion that the presbyters engross both profit and favour". The cavaliers' old enemies, who had already profited during the interregnum, continued to do so under the new monarchical regime too. [15]

Thus although the Act of Indemnity might have been "an almost completely formal success" and parliament bowed to the government's wishes for a settlement based on the rule of law, a sour taste was left in many a royalist's mouth. The settlement did little to pacify those royalists who believed that they had been insufficiently rewarded for their own sufferings and that old parliamentarians and presbyterians, regardless of their part in securing the restoration, should be scorned and feared rather than patronised. The act, and the government's example, could never wipe out the bitterness smouldering in some men's hearts in the localities. [16] In the New Malton inn brawl Major John Nary, an officer in Robert Overton's former regiment, told Major Ralph Constable, a cavalier, that he should be careful of slandering roundheads since all had been pardoned by the Act of

Indemnity. Constable replied "he valued not a fart the Act of Indemnity". [17] Captain John Hodgson of Coley Hall was finally acquitted at York Assizes after five months' imprisonment on the basis of a charge brought against him by one bearing a grudge from the interregnum days. The foreman of the jury commented that if such informers "were suffered to go on, there would be no living for honest men". [18]

Yet many old parliamentarians and supporters of the Cromwellian regimes could never lose the stigma attached to their former activities despite pardons from the King and the Act of Indemnity. Some tried hard to gloss over their former activities. Francis Lascelles, for instance, claimed that he had sat at Charles I's trial only with the intention "to serve the King with his negative voice". Finding himself in a minority he had withdrawn and was subsequently kind to cavaliers. [19] Such gentlemen found themselves constantly harrassed during the first few years of Charles II's reign. A warrant to search the mail of thirteen North Riding gentlemen at Boroughbridge in November 1661 included Francis Lascelles of Stank Hall and Sir William Ayscough of Osgodby Grange, both pardoned by the King at the restoration. It included Thomas Harrison of Allerthorpe and George Smithson who had risen with Fairfax and promoted the call for a free parliament, as well as Ralph Rymer of Brafferton, Matthew Beckwith of Tanfield and Thomas Lascelles of Mount Grace Priory, all of whom had supported the commonwealth. Warrants issued for the arrest of suspicious persons in August 1665 and August 1667 included many of these same gentlemen and in 1667 a list was drawn up of old roundhead officers, presumably with a view to keeping a constant check list of the suspiciously disaffected. [20]

Such harrassment stemmed partly from latent grudges but also from a real fear of rebellion. The discovery of a plot in 1663 uncovered the seditious activities of a number of persons in Yorkshire and other northern counties. [21] Colonel Robert Walters, high sheriff of Yorkshire 1659-1660 and M.P. for Knaresborough in 1659, Thomas and Francis Lascelles, Ralph Rymer and his son Ralph, Henry Darley of Buttercrambe, Sir John Lawson of Scarborough and John Hodgson were all implicated in the plot. [22] Ralph Rymer was executed for his part in the following year and his forfeited Brafferton estate was granted to Sir Thomas Osborne and then, on payment of £2000 to Osborne, to Sir

Jordan Crosland. His son suffered a long imprisonment until July 1666.

[23]

In some cases though the persons implicated were imprisoned on very spurious grounds. The plotters found Francis Lascelles "not to be dealt with". Thomas Lascelles was imprisoned even though there was no firm evidence against him. Robert Walters and Ralph Rymer tried to bring William Stockdale of Bilton Park, then M.P. for Knaresborough, into the plot but far from encouraging them Stockdale attempted to dissuade them from engaging. In spite of this he was imprisoned and Sir Thomas Gower, the high sheriff, was eager to bring him to trial, especially since he was an M.P. [24] Gower was particularly zealous in discovering the plot. There were complaints that he pretended to be the conspirators' friend and encouraged spies to engage certain persons so that they could be prosecuted later. When one Mr Walkerley, a quaker, informed Gower of one such attempt his letter was allegedly suppressed. [25] George Smith, a prisoner in York Castle, made similar allegations against Sir Solomon Swale. [26]

Gower's line was that it was better to be over cautious than to risk a debacle by negligence but his activities were not approved of by all the Yorkshire gentry. In a letter to Secretary Williamson in March 1664 he requested information about the plot that could be had from the Duke of Buckingham but asked that he remain anonymous "for I am sufficiently out of favour already for being too inquisitive in the like nature". [27] Thomas Lord Fairfax was one gentleman who disliked proceedings such as Gower's. As early as October 1663 he expressed concern for the innocents who were being victimised in the discovery of the plot. In a letter to his son-in-law the Duke of Buckingham, lord lieutenant of the West Riding, he stressed that he had no sympathy for the real rebels but implied that the authorities were persecuting gentlemen, perhaps such as William Stockdale and Thomas Harrison, whose only fault was their past associations with the interregnum regime. When the authorities could

find out the real offenders rather than suppose them, these distempers will soon blow over, and bring those offenders to light which now escape clear, under the shadow of some innocents, but suspected criminals.

Fairfax was concerned that men like Gower by "private passions, under colour of doing public service",

destroy the unity by keeping up distinctions which both the King and the Parliament in great wisdom have thought fit to



bury in oblivion, and this I doubt not hath caused many to seem enemies which are real friends.

Others, such as William Lowther who had argued for as wide an indemnity as possible, no doubt shared Fairfax's sentiments. [28] Yet men like Gower had no wish to create a regime in which gentlemen of all persuasions, political and religious, could work in unity. They strove for a well regulated, secure state in which proven adherents of monarchy and the church as established by the Cavalier parliament had a monopoly of power. [29] In order to achieve this local government had to be placed firmly in the hands of their supporters. Parliamentary legislation had to reinforce their power and ultimately the King had to provide sufficient backing to make their ideal a reality. The movement to establish such a regime and the efforts of some to prevent it occupied the gentry for the first seven years of Charles II's reign.

#### Local Office Holding

Charles II's restructuring of local government in the first few years of his reign placed control in Yorkshire largely in the hands of men of proven loyalty. The overwhelming majority of those chosen for the shrievalty, the commissions of the peace and the lieutenancy came from royalist backgrounds. In the few cases where this was not so the gentlemen placed had been prominent in Fairfax's rising or the declaration for a free parliament. There was no shortage of candidates for local government offices. The Yorkshire gentry were generally enthusiastic about settling county government, particularly since this meant that they would be regaining the control which their families had lost during the interregnum.

Before the Civil Wars the shrievalty was regarded as an expensive and time consuming office. [30] The demands of the office were no less in the restoration period but Yorkshire gentlemen were less reluctant to be chosen. Sir Francis Cobb of Ottringham, Sir Thomas Osborne of Kiveton and Sir John Reresby of Thrybergh all lobbied for a second term of office. Osborne was pricked in 1661 from a list of five candidates. [31] As the traditional gentry families emerged from the

backwaters of the interregnum the shrievalty offered the opportunity for public display of wealth and prestige and some minor patronage in the county. Reresby entertained the gentry for ten days in a house which he had rented in the Minster Yard for the duration of the assizes in March 1667. His friends sent him between two and three hundred liveries. He kept two coaches, brought his violinists from Thrybergh and provided a ball and other entertainments for the ladies in town. The assizes cost him some £300. [32]

The sheriffs pricked between 1660 and 1667 were royalists or came from royalist backgrounds. [33] They were all young men except for Sir Thomas Gower, who was aged about fifty-seven when he took on the office in 1662. At least some of the appointments seem to have been politically inspired. When chosen, Sir Thomas Osborne, Sir John Reresby and Sir Richard Mauleverer were adherents of Buckingham, lord lieutenant of the West Riding from September 1661. Reresby fell foul of Buckingham during his term of office by publishing the proclamation for his arrest. It perhaps came as no surprise to Reresby that when he applied for a second term as sheriff, by which time Buckingham had been restored to the King's favour, he was refused and instead found difficulties in getting his accounts passed by the commissioners of the treasury. [34]

Like the shrievalty, the commissions of the peace for the three ridings were dominated by young men of cavalier backgrounds. There was very little continuity in Yorkshire with the interregnum commissions of the peace. Survivors from the last Cromwellian commission accounted for fourteen per cent of the first West Riding Restoration commission, seventeen per cent of the North Riding and twenty-two per cent of the East Riding. These figures were boosted by gentlemen listed on the nomina ministrorum dated c. November 1659 - March 1660 to twenty-three, twenty-nine and twenty-seven per cent respectively. Although the latter figures accord with John Morrill's figure of twenty-seven per cent continuity from a survey of eight other benches, the higher percentages in Yorkshire seem to represent an influx of 'moderate gentry' onto the benches during the last two years of the interregnum. However, these gentlemen do not appear to have acted at quarter sessions. Forster has shown that there was little continuity in Yorkshire between those in the commissions throughout the interregnum and inclusion in the first Restoration commission. [35]

In 1660 the three benches were inundated with gentlemen from staunch royalist backgrounds. From an analysis of justices whose civil war allegiance could be ascertained, it was found that cavaliers themselves accounted for at least fifty-six per cent of the new commission of the peace for the East Riding, thirty-nine per cent of the North Riding and forty per cent of the West Riding. They were joined by young men with royalist antecedents which brought the figures up to seventy-eight, sixty-seven and eighty-two per cent respectively. Many of the families included in the new North Riding commission had served before the civil wars. [36] The obvious desire in 1660 was for royalism and continuity with the pre-interregnum tradition to be the hallmarks of the commissions of the peace. This was rather at the expense of experience since some competent lawyers, such as John Hewley, were lost from the benches. However, what the Yorkshire benches lacked in experience, they made up for in enthusiasm. On 2 October 1660 eight North Riding justices met at Thirsk, acting upon the new commission. They adjourned their sessions to the 17th when a further eleven gentlemen joined them. It was an almost symbolic turn-out of the gentry who were to administer justice in the North Riding for the rest of the reign. [37]

Up to 1667 few changes were made to the Yorkshire commissions of the peace. Only six gentlemen were removed throughout the entire county. Most additions were piecemeal, filling gaps on the benches as the need arose. The largest block appointment came in February 1661 when fourteen West Riding justices were added, presumably on the recommendation of Lord Langdale who had been acting as lord lieutenant since October 1660 and by this time would have had time to assess the local gentry's loyalties. Gradually, a few of those who had served during the interregnum were added to the benches. John Hewley was appointed to the West and North Riding benches in March 1663. William Spencer, who was listed for the West Riding in both 1657 and 1659, was left out of the first Restoration commission but appeared on the liber pacis of May 1662 and the nomina ministrorum of 1663. He acted at the Barnsley sessions in January 1661. The re-emergence of such gentlemen on the Restoration benches perhaps reflected the need for experienced justices in the early Restoration period. [38]

When Charles II chose his lords lieutenant in the summer of 1660 he departed from the pre-interregnum practice of appointing one lord for

the whole of Yorkshire. Instead he appointed a lord lieutenant to each of the three ridings. However, he neither chose "the leading local magnate, irrespective of civil war record" nor, "where the dominant family had died out", took the "opportunity to elevate a man who had worked for the restoration". [39] Thomas Lord Fairfax was overlooked in the West Riding in favour of Marmaduke Lord Langdale who had spent the majority of the interregnum in exile abroad and whose principal seat was at Holme-upon-Spalding Moor in the East Riding. Fairfax's age and infirmity may have gone against him, yet Langdale was fourteen years older and had recently suffered ill health. Similarly, William, second Earl of Strafford was a possible candidate for the West Riding. He was young and inexperienced, although Thomas Viscount Fauconberg, appointed to the North Riding, was a year younger. Fauconberg's own appointment was over the head of Conyers Lord Darcy of Hornby Castle, a suitable candidate in terms of loyalty, wealth, age and experience. In the East Riding Ricard Boyle, second Earl of Cork and Baron Clifford of Londesborough, was overlooked in favour of the catholic John Lord Belasyse of Worlaby, Lincolnshire who was Fauconberg's uncle. [40]

Before the Militia Act was passed, Marmaduke Lord Langdale died. On 3 August it was reported that illness had kept him from York assizes and he died two days later. The following month George Villiers, second Duke of Buckingham made his debut as lord lieutenant of the West Riding. His chequered career, with his ability to fall in and out of the King's favour, brought instability to the West Riding lieutenantcy. In March 1667 he lost his offices and was briefly imprisoned in the Tower. By October he had been reinstated but was again removed in 1674. [41] The East and North Ridings were more stable. John Lord Belasyse continued in the East Riding until the Test Act drove him from office in 1673. Fauconberg managed to survive in the North Riding throughout Charles II's reign.

The decision to separate the county into three lieutenantcies diffused aristocratic power in Yorkshire. No one man could wield as wide an influence as pre-interregnum lords lieutenant had. The post-Restoration situation was underlined with the failure of moves to re-establish the Council of the North. Buckingham appears to have been the prime mover behind the scheme. He had already started to build up support from amongst young West Riding cavaliers and no doubt wished to extend his interest on a county-wide basis. Pressure for the re-

establishment came also from northern gentry and freeholders. The need to maintain order and security in the first few turbulent years of the Restoration no doubt inspired some to favour a northern court of judicature. Also though, the Council of the North would provide another avenue for prestigious office holding. Buckingham's rival for the presidency was William, Earl of Strafford who doubtless wished to acquire some of the influence which his father had wielded in the 1630s. Strafford's pretensions were opposed by the Yorkshire gentry who were said to be alarmed when it was rumoured that he would be lord president in December 1661. Charles and Clarendon were aware that Strafford was "not at all beloved in that country", although Charles felt that he would be hard put to appoint anyone who would suit the whole of the gentry. There was also rivalry for the post of vice-president. Lord Mansfield urged Sir George Savile to "think of your friends" and to press for the place: "if you be not Vice-President, some of the Lords will have it". John Lord Belasyse also fancied the position, although Buckingham clearly favoured Savile. He offered Belasyse "some other title than Vice-President" which Belasyse refused, "not thinking it suitable to his quality". However, by the time of this exchange, in October 1664, Belasyse was convinced that the Council of the North would never be re-established anyway. [42]

Why the scheme was dropped is unclear. Bills had been discussed in both the Lords and Commons, northerners had petitioned for it and Charles II appeared to be in favour. Possibly the rivalry for the presidency could not be settled, therefore Charles decided to suit no-one rather than cause further division by favouring one lord over another. Equally though Buckingham's claim that there was widespread support for the scheme is open to question. An acrimonious row developed in the Lords when the former parliamentarian Earl of Northumberland claimed that only a few justices supported the scheme out of self-interest. Buckingham countered that only those who had been against the King in the civil war were now against the Council. However, when the matter was debated in the Commons, some northern gentry spoke out against the re-establishment. Equally, central political rivalries could have been at work too. Buckingham was inclined to blame Clarendon for the failure of the scheme, and there is some evidence to support his accusation. However, Belasyse's son, Sir Henry, commented that "The Duke of Ormonde has attained his ends and now the Duke of B[uckingham] may even get his as he can". No doubt

all these reasons contributed to the Council's not being re-established. However, the important point is that neither Buckingham nor anyone else would be able to exercise political influence over the entire county. [43]

In the summer of 1660 the lords lieutenant were instructed to equip themselves with well affected deputies. [44] In Yorkshire the choice was a matter of negotiation between the lord lieutenant and the leading county gentry. Langdale met with West Riding gentry in London in July 1660 to "put the ancient trained bands of the West Riding under such gentlemen of the country as were most proper and fit to be trusted with that charge". He wrote to Sir George Wentworth of Woolley, who had been a deputy before the interregnum, for his comments on a provisional list which these gentlemen had drawn up. [45] The deputy lieutenants were chosen according to former practice, selecting gentlemen from the wealthiest and best established families. A series of what appear to be working lists dating from the summer of 1660 to the following summer reveal that the deputies were also loyal supporters of the restored monarchy. Several, such as George Viscount Castleton and Sir George Savile appointed in the West Riding, and Sir Hugh Cholmley appointed in the North Riding, had engaged in royalist conspiracy or had financed royalist schemes during the interregnum. Sir John Dawney and Sir John Hotham, appointed in the West and East Ridings respectively, had acted in local government during the interregnum. However, they appear to have maintained a distinction between performing the traditional functions of leading landed gentry in their own localities and actually supporting the regime. Both were prominent in the call for a free parliament in Yorkshire. [46]

It was taken as a rule that those appointed as deputies were not to command regiments, "thereby to engage more gentlemen in the county", although clearly this was not always possible. [47] Whilst more families could be involved, the provision also reinforced the hierarchical nature of the lieutenancy. The Yorkshire deputy lieutenants were the cream of county society and were to remain prominent in local and national politics throughout the rest of the seventeenth century. The colonels were drawn from the next layer of gentry society. There was some movement within the hierarchy. Godfrey Copley of Sprotborough started out as a lieutenant-colonel under Sir Thomas Osborne. The latter was made a deputy and Copley was given

command of another regiment. He was made a baronet in June 1661 and shortly afterwards Buckingham made him a deputy. Henry Arthington was elevated from the second in command of Sir Thomas Wentworth's regiment in Strafford and Tickhill to full command of the regiment in Barkstone Ash and Skyrack. [48]

In deciding on the commands for the militia there was a great desire for continuity of families traditionally associated with particular regiments. From the London meeting, Langdale wrote to Sir George Wentworth that

we were all of opinion that it were injustice in us to dispose of that regiment wherewith you have in the late wars so faithfully served his Majesty, but considering some of your friends alleged your desire of ease and no further trouble in military affairs, we propounded for you that it might be disposed by your approbation upon Sir Thomas Wentworth, your kinsman, by which means in succeeding times, the right of your family to that regiment might be preserved. [49]

The regiment concerned was based in the wapentakes of Strafford and Tickhill, Osgodcross and Staincross, Wentworth's own locality. He had been colonel of the regiment during the civil wars. Sir George agreed to this arrangement on condition that he should not be thought to be refusing the King's service and offered to serve as a corporal should the need arise. At the same London meeting however, the young Sir Thomas Osborne suggested that he be given command of the regiment in Strafford and Tickhill and that the Wentworths take responsibility for that serving neighbouring Barkstone Ash and Skyrack, on the grounds that the Wentworth estates were more conveniently placed for the latter. Sir George Wentworth disagreed about the convenience but also revealed his inclination to maintain tradition. He said of Osborne: "it was hard he should desire it; his father refused it when I took it". [50] The same awareness of continuity and tradition existed in the North Riding. Conyers Lord Darcy was made a deputy lieutenant and his former regiment in Richmondshire was put under the command of his son-in-law, Sir Henry Stapleton. Sir Robert Strickland, also elevated to a deputy, was succeeded in his command of the Northallertonshire regiment by his son, Sir Thomas. [51]

In the North and East Ridings the deputy lieutenancy and militia commands remained stable throughout the 1660s. The East Riding lieutenancy was small, an early list showing only three deputies, five colonels and two lieutenant-colonels. In December 1663 John Lord

Belasyse recommended Thomas Grantham, John Vavasour and George Mountaigne as deputies. The latter was already serving as a lieutenant-colonel in Dickering wapentake. These three gentlemen were rather obscure and Belasyse's proposal probably reflects a shortage of suitable deputies from amongst the upper gentry. [52] In the East and North Ridings the gentry chosen to lead the militia settled down into a good working relationship with their lords lieutenant and no-one appears to have been removed once placed.

In the West Riding Buckingham created a lieutenancy which was more partisan and less stable. In October 1661 he promoted Sir Godfrey Copley and Sir Richard Tancred to the deputy lieutenancy and brought in Sir John Reresby. John Wentworth of Woolley received a commission in November 1662. [53] When Buckingham took over the command from Langdale there were about ten deputies. By April 1667 there were at least nineteen. [54] Buckingham had been building up a faction in Yorkshire since his marriage to Thomas Lord Fairfax's daughter in 1657. [55] As lord lieutenant he continued the flattery he had begun at Nun Appleton. By displaying his wealth and influence he attracted around him a group of young ambitious gentlemen whom he was willing to support politically. In 1665 he backed Sir Thomas Osborne's candidature at the York by-election. [56] When he was in the county, Buckingham lavishly entertained his adherents. There was spectacular entertainment in York in 1666 when Buckingham's newly raised select militia troops were quartered there. Thomas Viscount Fauconberg came to dine with Buckingham but a quarrel arose which led to a duel. Buckingham chose Sir George Savile as his second, although Reresby had offered his services. This was the occasion of Reresby's first falling into Buckingham's disfavour. At the duel Buckingham accepted a verbal apology from Fauconberg. Reresby was disappointed that no fight had taken place and related the story to his friend Sir Henry Belasyse. Eventually Reresby's indiscretion was reported to Buckingham who believed that his courage had been called into question. Thereafter he held a grudge against Reresby. Thus Buckingham showed that in return for his patronage, he expected undoubted loyalty from his deputies, both personally as well as politically. [57]

In early 1667 Buckingham was in the King's disfavour and he lost the lord lieutenancy to the Earl of Burlington. His supporters' loyalty was put to the test. Reresby was in a more awkward position than most since he was high sheriff when the proclamation for Buckingham's



arrest was issued. Reresby acknowledged that thus far Buckingham had advanced his career but he also felt that he had a loyalty to the King as high sheriff. Reresby even had an excuse not to publish the proclamation since he had received no orders to do so. However, after advising with the judges of assize, Reresby decided that his duty to the crown should be uppermost in his priorities and he published the proclamation. [58]

Sir Thomas Slingsby of Scriven also suffered a crisis of conscience at this time. He was a much respected member of the Yorkshire gentry. His estate, lying near York, was so placed that he could maintain contacts in all three ridings. His father, Sir Henry, had died a martyr for the royalist cause. Slingsby's prominence in Yorkshire was recognised in his appointment to a variety of local offices, not least of which was as deputy lieutenant of the West Riding with special responsibility for York and the Ainsty. Therefore when he threatened to lay down his command on Buckingham's fall, his uncle, John Lord Belasyse, and his brother-in-law, Sir John Talbot, were appalled. Belasyse warned him that if he refused a commission from Burlington

you will be reduced both less considerable in your country  
and esteemed less meriting and loyal than you have been.[59]

At this time Slingsby was soliciting for an independent troop through the offices of Sir John Talbot who told him frankly that unless the rumour of his disaffection was disproved, he stood no chance of further favours from the centre. [60] Other friends advised him not "to refuse anything that's offered you". Slingsby eventually bowed to this advice and accepted Burlington's commission. He was also successful in his bid for an independent troop. [61]

Sir Thomas Osborne showed a greater loyalty to his patron by refusing to act under Burlington. So too did Sir George Savile and possibly Ambrose Pudsey. [62] Burlington anticipated some of the hostility which he encountered and attempted to build bridges before his arrival in the county. He targeted Sir John Reresby as a potential supporter, probably on the grounds of his uneasy relationship with Buckingham. Burlington admitted to Reresby that some of the West Riding gentry were strangers to him but was confident of success:

when I consider how many persons of honour and worth that  
country contains, who I assure myself will join in promoting  
the King's service.

In the hope that Reresby would present him in a good light to other gentry, Burlington stressed that he had not solicited for the lieutenancy. Shortly after his arrival in Yorkshire in early April 1667 he reported that "a very numerous appearance of the most considerable gentry" in York were ready to serve under him. He issued commissions to such gentlemen according to the King's orders. Reresby had

very prudently suppressed the seeds of some discontent which upon the first news of the change of the lieutenancy were sowed at York.

At this early stage however, Burlington was unsure whether all the old deputies would take commissions. Many were in London and he awaited news of their resolutions. [63] At least three, as noted above, refused. Most of Osborne's and Savile's officers laid down their commands with them and officers were wanting for their regiments as well as Pudsey's as late as 15 June. [64] Burlington offered Osborne's regiment to Reresby. He refused it but suggested instead Sir John Lewis of Ledston with Sir Gervase Cutler as second in command. [65] Thus, although Buckingham's removal had caused a split in the West Riding lieutenancy, Burlington did engage in a little faction building himself, relying on Reresby for its formation. In addition, he flattered the key gentleman Sir Thomas Slingsby in an attempt to win him over, by making favourable comments about him to the King. [66] Burlington's time as lord lieutenant was short lived. On 21 September 1667 Sir George Savile informed Reresby that Buckingham was bound to be restored to his commands. [67] In October Burlington 'resigned' the lieutenancy, assuring Reresby that it

was not only my own act but received with a profession from the King that I had so faithfully served him he could never have asked it of me and yet I had some reason to do it. [68]

Reresby claimed that once restored, Buckingham made a clean sweep of those who had served Burlington. This was not entirely true since the majority of deputies appear to have continued to serve. Sir Thomas Slingsby and John Wentworth received new commissions in August 1668 which suggests that Buckingham had ignored them initially but then reinstated both gentlemen after a suitable period of penance. [70] For Reresby however, Buckingham's return marked the beginning of a prolonged period out of the limelight. In his Memoirs Reresby affected not to care about such harsh treatment:

for having gained his displeasure for nothing but preferring the King's service to his friendship, I was not sorry that he frowned upon me for doing my duty. [71]

At the time though, as his correspondence shows, Reresby was more concerned and solicited Burlington and Sir George Savile to present his case to Buckingham and the King. Savile, in a sympathetic letter, said that Buckingham

is possessed against you to such a degree that I would not advise you to make any steps to regain his favour until I find him in another temper.

Yet Savile was not willing to spoil his own good grace with Buckingham on Reresby's behalf, telling the latter diplomatically that

When the deputy lieutenants are to take new commissions I will not mention you that I may not be thought to solicit so little a thing for you and be denied it.

But as Savile well knew, loss of a deputy lieutenant's commission was no small thing. Burlington's solicitations on Reresby's behalf were equally fruitless. Although the King spoke kindly of Reresby, whilst ever "so powerful a person" as Buckingham commanded the West Riding lieutenancy, Reresby's position was circumscribed. [72]

The changes brought about by Buckingham's removal and reinstatement bring into sharp focus the essentially political nature of the lieutenancy. Buckingham's lieutenancy was partisan, and he made no secret of it when choosing his deputies and officers. Yet the county gentry were already showing signs that they believed that they owed a loyalty to the King's government. In some cases this might mean sacrificing honoured positions in the county. The fusion of interests and loyalties could make life difficult for gentry trying to juggle duty to the crown with self-interest, patronage and the demands of local office holding. Reresby had upheld the King's command by issuing the proclamation against Buckingham but was penalised for doing so when he lost his local office. The inherent contradictions in the relationship between the gentry and the crown were a reoccurring theme throughout the reigns of Charles II and James II. Essentially it was a struggle by the county gentry to marry their interests with those of the crown into a mutually supportive relationship. For the most part they were unsuccessful. Even when Charles II did court the gentry, it was usually towards only a marriage of convenience.

Between 1660 and 1667 the Yorkshire gentry were reinstated as the leaders of county society. As a group they were united in their adherence to monarchy. Few presbyterians found a place in the new regime and certainly they were not prominent in local government in Yorkshire. The general mood in the county at the Restoration was one of resentment against those who had supported the interregnum regimes and this even extended to some who had aided Fairfax's rising and the declaration for a free parliament. Those selected to exercise power were eager to settle both the nation and the county. How far they were able to do so according to their wishes depended on proceedings in parliament and the attitude of the crown.

#### The Yorkshire Gentry and the Municipal Corporations

As news of the King's restoration reached Yorkshire the chartered corporations flew into a frenzy of activity to prove their loyalty to monarchy. Celebrations attended his proclamation, his entry into London and the coronation. Loyal addresses were presented along with fee farm rents. [73] Such attestations of loyalty to the monarchy stemmed not a little from the apprehensions of some interregnum corporation officers of their fate under the new regime. In many cases it was not so much the crown's vengeance which they had to fear but that from within the corporations themselves. Benjamin Wade, a pre-interregnum alderman of Leeds, led a campaign against the existing bench complaining that loyal gentlemen had been excluded from office by "a succession of magistrates illiterate, illaffected to your Majesty and of mean rank". [74] Local initiative was probably behind the removal of the only three surviving Hull aldermen who had displaced royalists in the early 1650s. [75] In York there were complaints that the bench had been mostly against Charles I. The mayor defended his brethren by arguing that all elections since 1645 had been perfectly legitimate. [76]

Such internal divisions within corporations gave the King the opportunity to patronise royalists and to remove the disaffected at the same time. However the Yorkshire evidence supports Miller's argument that the crown's policy towards the corporations was neither comprehensive nor consistent in the early 1660s. [77] In Leeds's case

it was clear that evidence from both the vengeful loyalist Wade and the supposedly disaffected present corporation was heard before a new charter was issued. The crown's nomination of first officers included representatives from both factions. [78] In York royalist municipal officers who had been ejected during the interregnum petitioned the King for their reinstatement which originally resulted in a letter from Charles II ordering this and the displacement of those who had been elected in their places. However the bench outlined their objections in a letter to Secretary Nicholas and presumably after this evidence had been taken into consideration the King's orders were revoked. The royalist faction then attempted to bring about quo warranto proceedings against the charter. [79] Hull's charter was issued whilst the Corporations Bill was being debated. It accorded closely with the more aggressive policy towards corporations as outlined in the government directive of 7 May 1661. The crown was to have the right of nomination of the high steward, recorder and town clerk. [80] Crown nominations of officers for Doncaster corporation were restricted to the mayor and recorder, at Ripon to the mayor, recorder and town clerk and at Hedon to the recorder and common clerk. A curious clause in Hedon's charter prohibited quo warranto proceedings being taken against the corporation. [81] Thus there appears to have been no overall central plan in relation to the issue of new charters but rather the evidence suggests that each was judged on its own merits and local circumstances.

The inconsistency of the crown's policy did not preclude its capacity for meddling in municipal affairs. York felt this very keenly in the early restorations period. On 2 January 1662 the King recommended John Turner as recorder should the existing recorder, Sir Thomas Widdrington, think to resign the position. Widdrington was not on particularly good terms with the corporation at the time but it seems that the crown's interference hastened his removal. [82] On 24 December 1662 Charles requested York bench not to put one of their M.P.s, Sir Metcalfe Robinson, to the "new and expensive trouble" of alderman to which he had been elected recently. Robinson believed that his election was the work of the "fanatic humour" in York who wished either to make him pay the fine for refusal of municipal office or get him suspended from parliament in order to take up the place. [83] Later, in 1664, Charles II recommended Sir Henry Belasyse to the freedom of the city, presumably with a view to enable him to stand in

the parliamentary by-election, although he does not appear to have done so. [84] Both York and Hull were keen to defend their privileges and their liberties, particularly since both were counties in their own right by virtue of their charters. They both objected to being included in the lieutenancy commissions for the ridings in which they lay and Hull was successful in obtaining a wholly separate commission. [85] When the Corporations Act was about to be implemented George Crowle, the mayor of Hull, wrote to Sir William Lowther to remind him that unless the Act specifically mentioned Hull, he hoped that the Yorkshire commissioners would not infringe their liberties by operating there since Hull was a distinct county. It was noted that a commission was drawn up as the mayor desired and had been sent to Lord Belasyse. [86]

York and Hull also had to cope with interference in their affairs from their governors. In both these places and in Scarborough either the governor or his deputy were elected M.P.s to the Cavalier parliament. John Scott, elected at York, had to be given his freedom of the city beforehand. As a commissioner of both assessment and corporations he wielded an influence over the civilian concerns of the city. In June 1661 he reported his suspicions of members of the corporation bench to the government. [87] However York did not have to suffer Scott for long. He died in 1664 but even before then he does not appear to have been in York very often. John Lord Belasyse made a much greater impact on Hull. Although the citizens had hoped that the town would not be garrisoned under the new King, once it was a reality they settled down into a cordial relationship with the governor and his troops. Belasyse supported the town's claim for a separate commission of lieutenancy and was willing to indulge their desire to raise two companies of militia in April 1661. He generally acted as the town's patron. [88] For their part the corporation entertained Belasyse when he was in town and sent gifts to him when he was absent. [89] It became clear though that Belasyse expected more than gifts of wine and fish in return for his good offices. Anthony Gylby's election to the Cavalier parliament was no doubt at his recommendation. In 1663 Belasyse attempted to gain control of the other seat by suggesting to the corporation that Andrew Marvell's absence abroad gave them grounds to choose another in his place. The bench replied that they had been in contact with Marvell and warned him that if he did not return shortly to resume his parliamentary duties they might take up

Belasyse's offer of procuring a new election. Belasyse was very pleased with this answer and assured the corporation that he would recommend someone to them who be serviceable to the town and would assist them all he could in their choice! It is doubtful whether Belasyse could have carried off his plan since Marvell was abroad on the King's service. It is also questionable if Hull really wished to lose him as their M.P. He was diligent in promoting the town's concerns and regularly sent reports of parliamentary news. Significantly in December 1663 the corporation paid him his parliamentary wages for the last session even though he had been on a diplomatic mission, since July. However the case serves to illustrate the power which the governor could wield over civilian concerns. [90]

The restoration brought also an increasing interference of local gentry in municipal affairs. Leeds's own nomination for first officers under the proposed new charter came with the recommendation of the Earl of Cork, Viscount Fauconberg and eleven local gentlemen. [91] Michael Warton of Beverley raised objections to the renewal of the town charter in 1663. [92] In some cases the entrenchment of local gentry into municipal affairs had the crown's backing. In December 1661 York corporation complained of a recent invasion of their privileges when four country gentry - Sir Thomas Slingsby, Sir Miles Stapleton, James Moyser and Richard Roundell - were commissioned as justices of the Ainsty. This small wapentake had been "annexed and united" with York by a charter of Henry VI and the mayor and aldermen of the city made justices there. The bench argued that there was no precedent for the commission and neither was it necessary. The Ainsty was a small area and fourteen city justices administered it already. Neither was the commission convenient since the commissioned justices would have no jurisdiction in the city where the chartered justices acted. There was no suitable place in the Ainsty to hold sessions and amercements arising from the administration of justice in the Ainsty, which had been used hitherto for York's poor, would be lost. Initially the city fathers presented their case by their high steward, the Earl of Northumberland, but it was eventually referred to the northern assize judges who found it "reasonable and expedient that a commission of association be made to some gentlemen living within the wapentake making them justices there". [93]

However the entrenchment of the gentry into municipal corporations was given its best opportunity with the Corporations Act and the

regulating of corporations by local gentry. [94] The commissioners could remove at will anyone whom they thought unfit and replace them with well affected officers. The gentry themselves could be included in the corporations although as Sir Metcalfe Robinson's objections to being elected an alderman at York showed, few country gentlemen would wish to be encumbered with municipal as well as county office. [95] However, there was the opportunity to place men within the corporations who were not only well affected to the government but also to local gentry. At Ripon for instance the five commissioners were Sir Robert Strickland, his son Sir Thomas, Welbury Norton, Sir John Yorke and Roger Talbot, all gentry with interests in the area. They displaced eight aldermen. Four of the vacant places went to well affected local gentlemen. Sir Edmund and Jonathan Jennings both lived in Ripon and their inclusion on the bench initiated a long period of entrenchment within the corporation. Sir Edmund was elected M.P. in a 1673 by-election. He was the first mayor following the regulation and his brother succeeded him the year after. Walter Strickland followed Jonathan Jennings in the mayoralty. He was the son of one of the commissioners, Sir Robert Strickland. Walter Lister was the fourth local gentlemen placed in the corporation and he succeeded Strickland as mayor. Thus, not only were local gentlemen intruded upon the corporation but they also held the mayoralty for the first four years after the purge, further entrenching themselves into municipal life. [96]

There were sixty commissioners for Yorkshire, all drawn from the county's most prominent gentry families, including twenty-eight of the thirty M.P.s. [97] They met at York on 3 September 1662 and divided into small groups of five or six to deal with a corporation where they might have local knowledge. [98] Lord Belasyse headed the commissioners for Hull which included four local gentlemen. Pontefract was dealt with by six commissioners whose estates circumscribed the town. [99] The criteria used to decide on the regulations differed from corporation to corporation. Where a town had already received a new charter there might not be very much work to do. At Hull for instance the only two displacements were of men who refused to renounce the Covenant. Yet at Pontefract the commissioners relied not only upon the statutory requirements for continuation of office but also on their own discretion. Three aldermen were removed for refusing to sign the declaration against the Covenant whilst a further three



were removed for other reasons. William Oates was found to have been unduly elected. John and Gervase Cowper were considered simply "unfit". Yet even in Pontefract some men who had served on the corporation during the interregnum survived the regulation unscathed. Similarly at York five aldermen who had been elected since 1645 were removed whilst four of their interregnum colleagues remained. At Ripon by contrast all the surviving aldermen who had served as mayor between 1653 and 1661 were removed. There were also inconsistencies in the administration of the act. At Hull those who were absent on the commissioners' first visit on 20 September were allowed to take the oaths on 16 October. At Pontefract the commissioners immediately displaced six aldermen for their contempt in not attending them. [100]

The Corporations Act allowed for gentry influence in the corporations yet it was but one aspect of a broader movement of gentry interference in municipal life. The obvious advantage of entrenchment in the corporations was electoral interest although not all municipal corporations enjoyed parliamentary representation. Some parliamentary boroughs were not chartered. Thus the pursuit of electoral interest does not explain every case. Rather the gentry invasion of the corporations was part of the wider process of their creation of a monopoly of power in the county. During the Restoration the Yorkshire gentry were determined to exert their will and influence on all aspects of county life in order to secure a stable regime under their control. Although their invasion of the corporations was to be more keenly felt later in Charles II's reign, the process was started in the early 1660s.

### Parliamentary Elections

The royalist gentry's re-establishment as the leaders of county society in the early 1660s, attested by their monopoly of local office holding, was reinforced by parliamentary elections. The Yorkshire representative to the Convention parliament was largely young, relatively inexperienced and royalist. All these features were confirmed in the by-elections which were held during 1660 to replace discharged members and fill other vacant seats. [101] In the Cavalier

parliament elections almost all the last vestiges of the interregnum were swept away as gentlemen associated with the old regime failed to find re-election. Thomas Lord Fairfax found no encouragement from the Yorkshire gentry to stand as knight of the shire. Instead a gentry meeting at Doncaster in mid-March pitched on Sir John Goodricke and Conyers Darcy, two prominent examples of leading royalist families. Fairfax was not present at the meeting and it is doubtful whether he was even invited to attend. Fairfax also thought of standing for York City but again the possibility of his candidature aroused no indication of support. By the time of these elections Fairfax's influence in the county had already become negligible. [102]

In place of the Fairfax-presbyterian interest, a group of young cavaliers dominated the elections to the Cavalier parliament. Negotiations took place between Sir Thomas Osborne, Sir George Savile, Sir John Dawney and Sir John Goodricke before the gentry meeting at Doncaster in March 1661. On 19 February 1661 Sir Thomas Osborne wrote to Sir George Savile indicating that he had received encouragement to stand for one of the county seats. Sir John Dawney had offered Osborne his own interest for the county and he had such other support that

I am made believe I should find no opposition and in that case I could wish your interest were not engaged, though I will not forestall it, because I do not resolve to stand unless the way be extreme easy. [103]

Savile's approbation appears to have been essential. It was said that many gentlemen who had been "solicited for their voices for chief gentlemen suspended their answer till they should hear from you." [104] Sir John Goodricke, who also intended standing for the county, offered to stand down if Savile wished to try for a county seat or to desist if he had pre-engaged his interest to Thomas Lord Fairfax "to whom he was informed you had given it, wherein I have satisfied him...". This comment by Robert Turner, Savile's electoral agent, implies that Savile did not intend to support Fairfax. By this time, 27 February, Osborne appears to have been out of the running for a knightship. It was said that the county had "a very high esteem of Sir John Goodricke but not so of Mr Darcy". However, at the gentry meeting at Doncaster in mid-March a gentleman who "spoke in the name of Sir John Dawney" proposed Goodricke and Darcy "which was well resented by a show" and they were elected on 25 March 1661 without opposition. [105]

The influence of these gentlemen also extended to the Pontefract election. It is possible that Sir Thomas Osborne had thoughts of standing there as a back-up should he fail in his bid for the county. The main interests in Pontefract were exercised by Sir John Dawney, Sir George Savile and William Lowther of Swillington, who had represented the borough in the Convention parliament. Osborne was careful not to challenge these interests too far telling Savile that he had written to Lowther, presumably to find out whether he intended to stand for Pontefract and also that "I intend not to oppose any pre-engagement of Sir John Dawney". Again Osborne's candidature appears to have been dropped, presumably because Dawney and Savile had already offered to support Lowther for the junior seat. [106]

In the county generally there was some continuity with the last representative. Aldborough and Beverley re-elected both their Convention members and seven other boroughs re-elected one of their former M.P.s. Sir John Dawney, who had represented the county in the Convention, took the senior seat at Pontefract where he held the dominant interest and Conyers Darcy transferred from being senior burgess at Boroughbridge to senior knight of the shire. [107] The majority of the gentlemen who were successful were elected on their personal, landed or family interest in the borough concerned. Gentlemen who were to be associated with particular boroughs throughout the rest of the second half of the seventeenth century affirmed their interests in the boroughs from the start of Charles II's reign, or even in the Convention elections. Sir Thomas Slingsby controlled one of the seats in Knaresborough

being landlord to most of the burgesses for grounds though not for their tenements, if he have not somewhat lost them by a late improvement of his rent, as is reported, to a great height.

Slingsby did not stand himself in 1661, probably because he was then serving as high sheriff, but he gave his interest to his brother-in-law, Sir John Talbot, who was elected without contest. For the rest of the period the Slingsby interest in Knaresborough guaranteed one of the seats to the family or their nominee. [108] Sir John Dawney remained dominant in Pontefract even after his elevation to the peerage in 1681. A member of the Hebblethwaite family represented Malton from 1660 to 1679. Similarly Sir Hugh Bethell of Rise represented Hedon in every parliament up to his death in 1680. William Stockdale had the longest run of any Yorkshire M.P. in this period,

representing Knaresborough in the 1660 and 1689 Conventions and all the parliaments inbetween. The examples are numerous but the pattern is the same. The Cavalier parliament elections saw the entrenchment of the Yorkshire gentry in the parliamentary representation of the county. [109]

The dominance of local gentry influence in Yorkshire boroughs could even override crown nominations. The queen had an interest in the Honour of Pontefract and recommended Sir Peter Ball, a Devonian. The recommendation arrived only an hour after the townsmen had decided to elect Sir John Dawney and William Lowther and although the queen's request put them "upon a new deliberation" they would not waver from the two local gentlemen. [110] At Knaresborough the Queen Dowager's interest in the Forest led to initial speculation that her nominee, Mr Hervey, would be elected unopposed. However, by mid-March an excuse was found to ignore the nomination

by reason of the Queen's recommendation is not regularly pursued, for it should have been to my Lord Cork, their high steward ... Her Majesty's command is not so much there as in the forest, which little concerns the town. [111]

In boroughs where local gentry influence did not predominate there was room for an outside interest to move in. At Ripon the interest of the Jennings family was not yet strong enough to counter the influence of the Archbishop of York. Thomas Burwell, the Archbishop's chancellor, took the senior seat whilst Secretary Nicholas's son John "kept an ill man out" of the second seat. [112] At Northallerton the influence of the Lascelles family was destroyed by their civil war allegiances and support of the commonwealth. At the restoration Roger Talbot of Thornton-le-Street, a local gentleman, was elected to the junior seat but the senior seat went to Gilbert Gerard, son-in-law of John Cosin, Bishop of Durham, lord of the manor. [113] In addition the government's influence was felt in the three garrison towns of York, Hull and Scarborough where, in each case, one of the seats was secured by either the governor or his deputy. [114]

The Yorkshire representative to the Cavalier parliament was again relatively young and inexperienced. Seventeen of the twenty-nine members returned were under forty years of age and less than half had previous parliamentary experience. [115] The King commented that the youth of the members generally "was no great fault, for he would keep them till they got beards". [116] However, only fourteen of the Yorkshire members who were elected to the Cavalier parliament or were

seated on petition actually survived to the end of it. Between 1661 and 1667 three seats became vacant by the decease of members, two in Richmond and one in York. The York by-election in 1665 introduced the Duke of Buckingham's influence on elections in the county. He supported the candidature of Sir Thomas Osborne and was probably the motivation behind the King's letter to the corporation requesting them to give Osborne the freedom of the city, which was resisted by the corporation, probably in objection to outside nominees. Sir Roger Langley, the other candidate in 1665, had attempted to prevent Osborne being granted the freedom. Langley was supported by the Earl of Clarendon and in some measure the York by-election was a trial of strength between the two rival lords. Langley was supposed to have desisted but the election went to the poll and Osborne carried it with 185 votes. He admitted that it had been no easy victory and that even some of the officers in Buckingham's regiment of horse had opposed him. [117] However, in Osborne Buckingham had another supporter in the Commons, at least until the 1670s.

In 1661 it was impossible to categorise the Yorkshire members into political groupings. Lord Wharton identified ten "friends" amongst them but they were diverse in their political and religious views. [118] He included for instance Sir John Goodricke, a staunch Anglican and Sir Solomon Swale, a conforming catholic and supporter of the Worcester House declaration. The Yorkshire members were far from being a homogeneous group except in their support of monarchy. On their shoulders rested the enormous task of settling the Restoration regime and it was only through their actions in parliament and their implementation of the settlement in the county that their divergent attitudes towards politics, religion, security and the constitution emerged.

#### The Religious Settlement.

In Yorkshire, presbyterians, independents and moderates had lived reasonably amicably under the broad umbrella of the decentralised and largely tolerant religious policies of interregnum governments. However, by 1659 the denominational co-operation which had hitherto developed began to break down. Presbyterians, increasingly alarmed by

radical religious sectarianism, supported first Richard Cromwell and later Fairfax's rising and the call for a free parliament. With the restoration of the monarchy the split became more clear cut. Leading Yorkshire presbyterians such as Edward Bowles hoped for a negotiated church settlement in which they could be comprehended. Independents maintained their call for toleration outside whatever national church was to be established. [119]

The fate of the church settlement was by no means clear in 1660. [120] Charles II's Declaration of Breda had held out the hope of liberty for tender consciences and during the Convention parliament the presbyterians won some small victories with the Act of Indemnity and the Act for Settling Ministers. They appeared to be laying low on the religious issue until indemnity had been secured. Sir Thomas Gower wrote on 30 June 1660

The presbyters begin to stir and discover their opposition to ceremonies, and their desires to keep out the old ejected clergy and 'tis believed as soon as the Act of Indemnity is finished that you will hear of greater opposition in that nature. [121]

Yet already there were signs that their hopes for a negotiated comprehensive church were unlikely to be satisfied. In his speech on the bill confirming ministers Clarendon made reference to presbyterian ministers who would remain in their livings free to preach sedition. [122] A bill introduced on 27 June 1660 'for the maintenance of the true protestant religion' was shelved for three months. [123] When the Worcester House Declaration, published on 25 October, was introduced into the Commons with a view to making it an Act it was defeated after the first reading. Andrew Marvell reported its sad fate to his Hull constituents:

So there is an end of that bill and for those excellent things therein. We must henceforth rely upon his Majesty's goodness ... [124]

It was clear from the beginning that relief for dissenters relied on the crown's support. Charles's attitude towards the religious settlement has been the subject of varied interpretation. [125] Probably the key to understanding his attitude is that he was not a religious man himself. [126] However, he was aware of the political significance of the religious settlement. His initial support of a comprehensive church no doubt stemmed from his inclination to resist reliance upon any one political group. Even after an uncompromising

religious settlement had become a reality his attempts to indulge dissenters were probably motivated by a desire to break the monopoly of power which the Anglicans held in both the Commons and the localities. For most of his reign a battle was waged between loyal Anglican supporters of the monarchy and a King who resisted their endeavours to force him to uphold both their political and religious establishment. It was a contradiction which was to marr the relationship between the King and many gentry for the next twenty years.

Charles's policy towards the church settlement however was far from consistent. At the very time that he appeared to be favouring a comprehensive church he was also allowing Anglicans to re-establish themselves in the counties. [127] In July 1660 Richard Marsh was reinstalled in the Deanery of York although the position was offered to Edward Bowles who refused it. Within three months Marsh had reintroduced the prayer book, choral music and prebendal sessions. With the enthronement of Accepted Frewen as archbishop of York in October 1660 came the reimposition of episcopal authority through church courts, visitations and excommunication. Oliver Heywood was brought before the Consistory Court in York in October 1661. In Yorkshire though, as in some other counties, the church authorities never made much impact on dissent and the real burden of prosecuting religious offences devolved upon the civil authorities in the restoration period. [128] Following the Act for Confirming and Settling Ministers thirty-eight ministers were removed in Yorkshire to make way for the old incumbents. [129] John Shaw, the presbyterian lecturer at Holy Trinity Church in Hull was removed by the King's order in June 1661 "he being one whose doctrine hath been seditious and scandalous". Yet he was allowed to retain his mastership of the Charterhouse and attracted large crowds of hearers before he was removed in 1662. [130]

At the same time, local initiatives were helping to re-establish the pre-interregnum church. In 1660 Eli Bentley's service in Halifax was interrupted by the former incumbent who simply walked in and continued the service according to the old liturgy. [131] Hull corporation bench ordered the prayer book, font and communion rail to be restored in Holy Trinity Church. [132] Edward Orde, the former minister at Cowsby, was presented at the North Riding Malton sessions in July 1661 "for obstinately making use of other ritual than that appointed to be used

in the realm of England". The North Riding justices were certainly stretching the law in this case since no statutory settlement of liturgy had yet been made. At the same time the North Riding justices reintroduced the use of the non-attendance laws. Henry Pownall Esq. was presented twice in 1661, being fined sixteen shillings at Helmsley sessions in January for himself and his wife not attending church on eight Sundays between 11 November and 30 December 1660, and a further six shillings at Malton in July 1661 for the same offence. [133] There was some support from the assize judges for such moves since three ministers were presented at York assizes for prayer book offences in 1661. [134]

As well as attempts to re-establish the old church settlement the Yorkshire gentry also took the initiative in suppressing radical religious sectaries, particularly quakers. Marmaduke Lord Langdale, who had been abroad for much of the interregnum, was alone in believing that the quakers were "persons of most exemplary course of life" and "being no offence to the government may fall within his Majesty's last concessions". Other gentlemen in the county "who are not very canonical (*sic.*)" pressed him to interrupt their meetings and imprison them. [135] Sir Robert Hildyard found the extent of quaker organisation and activity in Holderness disturbing and concluded from papers which he had seized from a quaker house that "they are an active, subtle people and it is a great mercy their designs did produce no more mischief to the Kingdom". He was determined to prevent their meetings and to "break the knot of them" in Hull and the surrounding district. [136]

West Riding justices were also determined to suppress quakerism. When William Lowther, M.P. for Pontefract, returned to Yorkshire following the dissolution of the Convention parliament he found quakers "going naked upon the market days through the town crying 'Woe! Woe to Yorkshire!'" . At their meetings they preached "strange doctrines" and they were attracting the attention of old army officers. This combination of unorthodox behaviour and doctrines with seditious and dangerous practices prompted him to take action. At the Wakefield quarter sessions on 11 January he successfully moved the issue of a general order which declared quaker and anabaptist meetings to be illegal. Copies of the order were distributed not only in the West Riding but also throughout the county. The government had issued proclamations against conventicles in January 1661 but it is clear



that the West Riding bench was acting on its own initiative. In a covering letter to Secretary Nicholas, Lowther tacitly assumed that the order would be acceptable to the government by asking if there was any addition that he could suggest. If so

you may be pleased to signify the same to us and all the justices in England; and truly such a proclamation is necessary and the effects I am confident may be very advantageous for the encouraging all to be active and strict in a time so necessary.

He added that orders to disarm those suspected of abetting Venner's rising would be useful in weakening the King's enemies and at the same time strengthening his friends. [137]

The first victim of this strict policy was a quaker, Benjamin Nichollson who was presented at the Barnsley sessions on 15 January. By this time the bench must have received the King's proclamation against conventicles issued on 10 January since it is alluded to in the order against Nichollson. In the general order issued from Wakefield the justices had suggested prosecuting offenders by either taking sureties or committing them to the House of Correction. However the Barnsley justices did neither and instead tendered Nichollson the oath of allegiance. Naturally, as a quaker, he refused, and was committed to prison in York. Before the Act designed specifically against quakers came into effect on 24 March 1662 the West Riding justices prosecuted at least nineteen other quakers for their refusal of the oath in spite of the crown's proclamation against such of May 1661. [138] At York assizes on 25 March 1661 twenty-seven men, many of whom can be identified as quakers, were imprisoned on the same grounds. [139] Thus measures which were eventually to find their way into the statute books were already being used in the West Riding on the initiative of local justices even when this was contrary to the crown's own wishes. The experience of Yorkshire members whilst in the county during the first two years of the restoration doubtless coloured their attitudes to the religious settlement formulated by parliament. [140]

In about early September 1661 the West Riding deputy lieutenants sent a statement to the government of their assessment of disaffection in the county. Basically it had two roots :

in our opinions the discontented ministers and lecturers are of most dangerous consequence who, though they do not plainly preach sedition, yet secretly as much as they can insinuate it into the minds of the people. The practices of

those whom they call Quakers we conceive not less dangerous who still continue their meetings to which we hope the passing of that bill already dispatched in the House of Commons will bring a seasonable remedy. And we shall be careful to put the known laws against both in execution. [141]

The legislation which collectively comprised the Restoration religious settlement also drew an implicit distinction between the two threats. Whilst all the acts were designed to bring about uniformity in the church the Corporations Act, the Act of Uniformity and the Five Mile Act were political in origin. They were intended primarily to render the presbyterians politically impotent by barring them from local and central office and scattering their ministers and teachers. A wholly different matter was the fear, often highly emotional in its expression, of religious sects who threatened the very fabric of society. It was this aspect which was stressed in the act against quakers and the 1664 Conventicles Act. Naturally there was some overlap in the two motives. The Conventicles Act might prevent quakers from quaking but it could also put a stop to large presbyterian meetings and thus further inhibit their political development. [142]

This distinction between the political attack on the presbyterians and the emotionally charged persecution of other religious sects was also seen in the pattern of persecution in the county. The presbyterians had been silenced by political means. They were eradicated from the parliamentary representation of the county in the general elections of 1661. The presbyterians' lack of strength generally in the Commons in part explains the successful imposition of a restrictive religious settlement by the Anglican majority. [143] They found no place on the commissions of the peace or in the deputy lieutenancy. The Corporations Act enabled their removal from municipal benches, though in York and Hull the strength of dissent ensured its survival until late in Charles II's reign. By the Act of Uniformity a further fifty-two ministers were ejected along with fifteen ejected at an uncertain date and the thirty-eight removed before 1662 thus depriving the dissenters' spiritual leaders of their livings. [144]

In the face of defeat many Yorkshire presbyterians withdrew into the background, ministering to their old flocks but avoiding antagonising the local authorities. Some remained quietly where they were and in 1672 applied for licences to preach in the same place from which they had been ejected in 1662. [145] A few conformed. Henry Moorhouse, ejected from Castleford, and Jonas Waterhouse, ejected from Bradford,

were recorded as taking the oaths in the Corporations Act at Wakefield sessions in January 1666. There is evidence though that Waterhouse continued to preach in Yorkshire. [146] Others enjoyed the patronage of Yorkshire gentry such as Thomas Lord Fairfax, Lady Dorothy Norcliffe, Lady Ursula Barwick, Sir William Strickland of Boynton, Sir John Hewley of Naburn, the Listers of Shibden Hall and Philip Lord Wharton. [147]

However fears of nonconformists associating in treasonable designs lingered until about 1665. [148] In some cases such apprehensions were well founded. James Fisher, Jeremiah Marsden, Edward Richardson and Jonas Waterhouse, all ejected ministers, were implicated in the 1663 plot. [149] It was believed also that quakers were involved in the plot despite their protestations to the contrary. [150] Whilst the majority of peaceable presbyterians were left unmolested by the Yorkshire authorities, those nonconformists who openly defied restrictions against them were subjected to the full force of the law. A massive conventicle held at Shadwell chapel near Leeds, in the heart of the puritan stronghold of West Yorkshire, was regularly interrupted. [151] In June 1665 twenty-four Shadwell conventiclors were brought before Sir John Armitage, Sir John Kaye and Francis White for attending a conventicle in the chapel at which nearly four hundred persons were present. The justices attempted to persuade them to submit as required in the act but Armitage found the offenders "more insolent and high than ever I knew of late the presbyterian party to be". Their confidence stemmed from the fact that they believed that they had found a loophole in the Conventicles Act, arguing that it did not mention religious meetings in churches or chapels but only houses and grounds. On the basis of this argument they threatened to sue for false imprisonment. Francis White believed that "an unlawful assembly should as well be on a moor or heath or any other place where is neither house nor household ... otherwise it will be an easy matter to avoid this act and make it ruined". [152] The Shadwellers appear to have failed in their bid to defy the law. At the Leeds sessions in July 1665, with Armitage, Kaye and White in attendance, Leonard Wiggin was fined forty shillings for being at the conventicle. Four others were convicted of their third offence and were ordered to be deported for seven years. [153]

In the West Riding a steady stream of conventiclors were presented at quarter sessions between 1662 and 1666. 1663 was the peak year in the

number of persons prosecuted for attendance at conventicles but in 1665 more conventicles were recorded than in the period up to 1667. [154] At the quarter sessions the justices continued to use their initiative in ensuring the effective persecution of nonconformity. In August 1662 at Wakefield it was ordered that persons incurring debts in bringing quakers to justice should be reimbursed by the local constable "if the Quakers who occasion the said charge have not goods [of their] own to levy upon". The implication is that hitherto informers and persons presenting quakers had been reimbursed out of quaker fines or distresses. Such a procedure was not catered for in the 1662 act which earmarked quaker fines for buying stock for the house of correction. At the general Pontefract sessions in 1663 local officials were reminded of their duty in prosecuting conventiclors and required "to be very active herein as they will avoid the penalty of the law so likewise they may expect the thanks of this court for their care and diligence". [155] The West Riding quarter sessions files are unfortunately scant for the early 1660s and only John Wentworth of Woolley was recorded as *making out a recognizance against a quaker for being at a conventicle*. [156] However, Sir William Lowther noted that Sir John Armitage, Sir John Kaye and Francis White were "*most active and most diligent*" in 1665. [157]

In the North Riding the pattern of persecution at quarter sessions was quite different. Conventicles were recorded in only 1662 and 1664. [158] Significantly there were no prosecutions under the Conventicles Act which came into force on 1 July 1664 and there appear to have been no general orders concerning the persecution of dissent. This partly reflects differences in the pattern of dissent in the North and West Ridings. The former was never a stronghold of the older dissenting tradition, unlike the West Riding. However, the North Riding did have its share of quaker communities, therefore the pattern of persecution suggests that the issue of nonconformity was simply more keenly felt in the West Riding.

Individual justices could also mitigate the harsh effects of the law against dissent. In August 1666 quakers in the North Riding were troubled in case Justice William Robinson of Rokeby was turned out of the commission of the peace since he left their meetings unmolested. [159] In York and Hull the survival of old dissenting traditions owed much to the sympathy of the municipal benches. Edward Orde came to preach in All Saints Church in York in December 1665 and was arrested

and committed to prison by the mayor. It is obvious though that the mayor was pressurised into acting by the commander of the garrison, Sir Edward Brett, and others. After eighteen days the mayor decided to release Orde, arguing that he feared that the imprisonment had been unlawful. No amount of persuasion could alter his mind. Brett even offered to take the blame should the commitment prove unlawful but the mayor was stubborn in his resolve and refused to reveal the day on which Orde would be released for fear he would be arrested again as he left prison. Sir Francis Cobb later commented that Orde had many friends in York and complained that he was "so ill assisted in anything against the sectaries that I am quite tired out". People refused to testify against dissenters and he was forced to use "a little art and prudence" to get them into prison. [160]

This situation was not helped by the inconsistencies in central government policy. The commons insisted on a restrictive settlement which Charles II gave way to only to express his dissatisfaction with it through attempts to mitigate its harsh effects. Then in times of crisis the government made the same associations between political and religious dissent as the gentry in the localities and ordered the suppression of both. [161] The inconsistencies naturally gave rise to frustration, bewilderment and anger in the counties. On 25 March 1665 Sir Francis Cobb, high sheriff of Yorkshire, sent informations to Secretary Bennet concerning quaker designs in the East Riding. His tone was uncertain, wishing to appear "neither too officious nor too negligent". On the very same day a warrant was issued from the centre directed to Cobb ordering the release from York Castle of ten quakers convicted of praemunire. They had served two and a half years of a life sentence but the King now took compassion on them, in the hope that they would be obedient in the future. [162] In the West Riding persecuting justices simply enforced the existing laws regardless of the government's current attitude. Naturally when the crown supported their campaign with central directives it came as a welcome fillip. In the North Riding the evidence from the quarter sessions order books suggests that directives either in favour or against dissent had little effect on the relaxed attitude towards nonconformity. In areas where dissent survived openly, such as Hull and York, sympathetic magistrates largely were able to ignore the legislation without pressure from the central authority to enforce it. [163]

The restoration church settlement really had settled very little. The gentry, in their alliance with Anglican clergy, became an interest, albeit the dominant one, in restoration England. Their position rested upon loyalty to the crown, conformity in religion and the rule of law. [164] At the same time dissent of all forms was converted into nonconformity and thus subjected to the full rigour of civil law. But the settlement failed to eradicate dissent or to persuade it back into the Anglican fold. The extent and survival of dissent in the West Riding testifies to the failure of Anglicans to totally win the battle against dissent. Instead the zealous Anglican majority in the House of Commons had created a political and religious pressure group outside their own establishment. [165] The nonconformists, as a separate entity, were available to be wooed or persecuted by the government as political necessity arose. Whilst relief for dissenters relied on the support of the King, so too did the full and rigorous implementation of the laws against dissent. For most of the period 1660 to 1667 royal support for the Anglican campaign was transitory, inconsistent and half-hearted.

### Security Issues

When Charles II appointed his lords lieutenant in the summer of 1660 and instructed them to order the militia he did so with no actual legal authority. Following Venner's Rising in January 1661 it became clear that the militia needed indemnity for actions taken on the King's behalf. The matter was settled in a short, swiftly passed act of July 1661 which declared control of the militia to be in the King. Its significance went far beyond indemnity. The act laid the constitutional principle that the crown, not parliament, was to have ultimate control over the militia forces, thus resolving one of the most important arguments which had dogged the relationship between Charles I and his parliaments and had still been a major issue under Richard Cromwell. [166]

The structure of the militia however still had to be decided and it was not until the first Militia Act of May 1662 that parliament came up with a settlement. In August 1661 Sir John Goodricke expected little to be done

only in observance of the temporary Act for continuing the old way till 25 of March next, before which a bill will pass that is prepared for a further ordering of the whole Kingdom in that great concernment of the militia. [167]

The settlement of the militia in Yorkshire in the first two years of the Restoration was governed by the uncertainty of what parliament's decision would be. [168] In January 1661 Lord Langdale reported that many West Riding gentlemen were willing to form volunteer troops which "can prejudice none and seem at this time very necessary". Langdale's instructions permitted him to raise such troops but he had heard that some M.P.s had "put in a remonstrance to his Majesty about the militia wherein this was one of their grievances". [169] Langdale had been keen to settle the militia quickly. Even before he had received his official instructions he ordered Sir John Goodricke and Sir Thomas Slingsby to take an account of arms in the Ainsty in order to hasten the settlement when he came up from London. [170] However it was not until March 1661 that the militia soldiers and volunteers in the West Riding were beginning to come forward. [171] If their reluctance stemmed from an awareness of the indemnity issue then the Act of July 1661 would have allayed their fears. In both the West and North Ridings some people were refusing to pay their militia assessments and the problem was extensive enough for the justices to issue orders that they be presented at quarter sessions. [172]

In spite of these problems and the awareness that any settlement was likely to be temporary, the majority of the Yorkshire gentry made every effort to present the militia as a well organised, effective force. The threat to security from disaffected elements necessitated at least a show of strength but also the gentry wished to re-emphasise their return to the government of the county. Thus the East and West Riding lieutenancies were keen to have money for trophies, colours and drums. [173] Robert Turner proudly informed Sir George Savile in February 1661 that his regiment "was called up the first and is now the best armed of all in this country". [174] The success of this temporary settlement was demonstrated by the East Riding militia which, on the very day that the new Militia Act received royal assent, was readily raised to suppress Beverley townspeople who were dissatisfied with their new minister. [175]

Meanwhile in parliament the issue of the militia dragged on. J.R. Western identified two separate views of the militia current at the centre in the early 1660s. The "country" view preferred a system based

upon the old trained bands whilst the "court" wanted a smaller, more professional standing militia. Other historians have suggested that the King and Commons were at odds over the settlement of the militia. [176] Yet Andrew Marvell reported to his constituents in Hull on 17 November 1660 that the Convention Commons was

about a new Act of regulating the militia that it may be as a standing strength but not as ill as a perpetual Army to the nation. [177]

Certainly amongst the Yorkshire representatives there was some appreciation of the benefits of a more tightly organised force and some support for the idea of a standing militia. According to Andrew Marvell in April 1661 the basic consideration of the Cavalier parliament was "to have the burden and number of the trained bands lessened", especially amongst Yorkshire members. There is no doubt that at least some Yorkshire gentlemen were at one with the King in expecting parliament to "alter the whole method of the trained bands and put them into a more easy way to the people and more serviceable to the public". [178]

On 3 December 1661 a Commons committee was appointed to bring in a bill for settling the militia. Amongst those specifically named to this committee, who might be regarded as the leaders of it, were six Yorkshire members - William Lowther, Sir Thomas Ingram, Sir John Goodricke, Colonel Anthony Gylby, Sir Jordan Crosland and Sir Solomon Swale. This committee favoured a temporary select militia of volunteer horse, divided into regionally based forces. [179] On 16 December certain Yorkshire members drafted a document for the King's consideration for the settlement of the Yorkshire militia. It seems reasonable to suppose that the Yorkshire members who were on the committee were also prominent in the draft of this document, perhaps together with other Yorkshire members. The scheme they proposed was for a standing militia for Yorkshire for three years to be financed by the county and to consist of three troops of sixty horse (one for each riding) and one troop of a hundred foot. If the King approved of the plan they promised to promote a bill in the Commons with the option of dissolving the force should parliament settle the nation's militia otherwise. They were concerned to reduce the size of the ordinary Yorkshire militia specifically "to our ancient proportion before the year 1588" of 6000 foot and that "the standing militia of Yorkshire shall not exceed the proportionable charge of the rest of the



Kingdom". Far from opposing a standing militia then these Yorkshire members were actually promoting the idea of raising such a force, it seems, alongside the ordinary militia. [180]

The similarity of these proposals with those of the Commons committee is obvious. However, why the Yorkshire members felt it necessary to draft proposals specifically for their own county is unclear. The detailed plan seems to go further than the committee's request for a statement of the numbers and cost of the militia in the counties. It is possible that the Yorkshire committee members were finding difficulties in promoting a similar scheme for the whole nation therefore they decided to concentrate their efforts simply on Yorkshire. It might equally have been a bid to prevent Yorkshire from being overburdened in parliament's settlement. As mentioned earlier, they were certainly concerned to reduce the size of the county militia. Also, parliament's failure to settle the militia in the first eighteen months of Charles II's reign may have prompted this bid to settle the county separately on the grounds of the threat to security. Whatever the motivation behind the scheme, it is clear that in late 1661 at least some Yorkshire members were fully behind proposals for a county-based select militia.

On 19 December Clarendon informed parliament of well organised republican conspiracies which threatened the security of the nation. A joint committee of the two houses was established to sit during the recess, to consider how to ensure security. William Lowther and Sir John Goodricke, both on the militia committee, served also on this joint committee. Its report on 10 January 1662 mentioned the rumours then circulating that the committee's appointment "was only a plot to govern by a standing army" being promoted by Clarendon. The committee however stressed the real danger of designs and appealed for unity in securing the nation. The rallying cry had its effect and the Commons began work on the militia the very next day. [181]

Recent historians of the Restoration have argued that the government, taking advantage of the Commons seemingly favourable response to a select militia, overreached itself by pushing for a standing army. [182] However, it is unclear whether the government wanted a standing army as well as a standing militia or as an alternative to it. According to the diarist Samuel Pepys, Clarendon proposed the establishment of a standing army "besides the constant militia". [183] "Constant" here might refer to the proposals for a select militia

rather than the ordinary militia. Lord Herbert, who sat on the joint committee, said that its brief was to draft proposals for a temporary but constant force to be raised for security which would relieve the trained bands from continual duty. Again, this could refer to a constant select militia rather than a standing army. These ambiguous comments suggest that there was some confusion about exactly what the government had in mind. Certainly the establishment of the joint committee raised fears in the Commons that the government aimed at a standing army and may well have led some members to become more suspicious about the select militia. Although on 14 January 1662 the Commons resolved to raise a temporary select militia, this plan was dropped three days later. [183] After further toing and froing between the Commons and Lords, a proviso that the King be granted £70,000 for three years to raise the militia "in case of apparent danger" was accepted. [184] This was not for a standing militia in the sense of 'keeping it on foot' as the Yorkshire proposals suggested. Rather it was a device for the King to "make ambitious use of the militia" without having recourse to parliament. [185] In this way it was but a watered down version of what Yorkshire members and the government had hoped for. The coincidence of the three year time limit in both the Yorkshire proposals and the proviso suggest a continuity in the scheme throughout the militia debates during this period. The prominence of Yorkshire members in the militia debates remained till the end when Sir Francis Goodricke (knighted on 3 March 1662) took the chair and reported on 4 March 1662 that the bill was now finished, that a day be appointed for a full report and that no new provisoes be offered. The bill was engrossed on 7 March and received royal assent two months later. [186]

Yorkshire members then were not opposed to a standing militia and were perhaps disappointed with parliament's settlement. There was no inconsistency in supporting a standing militia whilst at the same time rejecting a standing army. An army had no root in the county where it was stationed. There was no recourse to county gentlemen concerning the choice of officers or discipline. A standing militia on the other hand could be a symbol of the gentry's dominance of their own locality. The Yorkshire gentry were determined that they should keep day to day control of the militia in their own hands. Their select militia proposals of December 1661 had insisted that soldiers and officers be "constant inhabitants" and the latter men of good estates.

[187] A small, well organised standing militia financed by themselves would have enhanced their position as the inner-circle of county society.

Although the Militia Acts have been seen as solving all the problems which had dogged the militia in the past, not all Yorkshire gentry greeted the new settlement with great enthusiasm. [188] Viscount Fauconberg received a copy of the act but no instructions in July 1662. He found the North Riding militia

much unsettled by reason of the late act, most of the officers expecting daily to be reduced, and the country generally refractory, knowing they are not to continue at that rate. \*

Some of his deputies were constantly absent. [189] Several gentlemen let the government know indirectly that they would still prefer a select militia. By November 1662 the North Riding militia had been sorted out but Sir Jordan Crosland complained that

after taking a great deal of pains in altering the militia in the North Riding ... we find it not so useful nor so fair as the old way.

There was "little safety" he said "in these dull trained bands". The militiamen now lived too far apart to be able to be raised quickly. In the West Riding one contributor to the militia horse requested that the assessment be changed to two foot since the horses were spoiled by having to travel so far to muster. Crosland thought that it would be a simple task to make the county safe and hoped that the King would be the means of doing so, probably an indication of Crosland's desire for the King to use his powers of keeping the militia on foot for three years. [190] In October 1663 Sir Solomon Swale had little confidence in the militia, at a time when security was threatened by the northern plot. He hoped that Colonel John Frescheville's army troops could preserve order. Sir Thomas Gower also believed that the militia would be ineffective against a sudden rising. [191] Even at the end of the month, when the insurrectionists had showed their ineffectiveness, John Lord Belasyse hoped that the King would

raise such an addition of standing troops as may secure the government against these treasonable plots and attempts for the future, without which I am confident we shall be perpetually alarmed. [192]

There were numerous grumbles in Yorkshire concerning the day to day running of the militia. The absence of the lord lieutenant could cause delays in organisation. [193] There were complaints of shortages of

ammunition. [194] Human factors could also reduce the militia's effectiveness. At harvest time for instance many soldiers had to be allowed home. [195] Divisions also emerged between the gentry on how much use should be made of the militia. Sir Thomas Gower was against raising it at the time of the 1663 plot because

if upon every occasion the trained bands rise, it will be in the power of a mischievous knave to keep us always in motion, and consume the country with charge.

Others, believing there was no great cause for alarm, shared his view. [196] However the West Riding gentry felt much less secure and raised the militia there whilst the North and East Ridings "were content to rest upon expedients of less noise and charge" such as the beacon warning system and Gower's highly sophisticated spy network, a device also used by Sir Thomas Osborne during his shrievalty in 1662. [197] The York and Hull trained bands also caused the lords lieutenant some headaches. Both York and Hull were counties in their own right by virtue of their charters. In defence of their privileges and also no doubt in a bid to prevent themselves being overburdened by the county lieutenantancies, both applied to central government to have separate commissions of lieutenantancy. Hull was successful, having the support of Lord Belasyse and one of the members for Hull, Andrew Marvell. The town received a completely separate commission. York was less successful. Marmaduke Lord Langdale evidently thought that the city fathers were being simply awkward. However a new commission was issued but York and the Ainsty were merely mentioned separately in the West Riding commission. [198] No doubt smarting from the ill success of their attempt the city authorities were not always very co-operative with the West Riding lieutenantancy. In 1663 the mayor, Henry Thompson, complained that it was unfair that the county militia should be reduced but the city militia kept up. There were difficulties in collecting the militia tax in the city and the deputy lieutenants had to have special orders to distrain goods in August 1663. Country gentry residing in York townhouses argued that they should not be charged in the city since they were assessed where their estates lay. In March 1666 the city militia refused to march over the city boundaries on the grounds that the King's orders mentioned only the riding militia. The mayor warned that if the city militia was forced to march York citizens might be reluctant to raise the taxes necessary for them to do so. [199]

The type of local force which the gentry really favoured was illustrated by the support shown for the government's "select militia" scheme in the summer of 1666. [200] George Duke of Buckingham was given a troop of horse and he ordered Sir John Reresby, whom he chose as cornet, to raise fit men. The eighty strong troop raised was

all of them gentlemen ... or old soldiers, besides officers; and the servants that belonged to the troop were as many as their masters.

Many younger sons of gentry families joined up. Sir Henry Belasyse was so keen to be lieutenant that he gave Sir Jordan Crosland £100 for the position. So many men came to York in July hoping to be admitted that many had to be turned away. Buckingham gave the unlucky ones ten shillings to cover the cost of their journey. The troop quartered in York to enjoy lavish entertainment at the Duke's expense. They later marched to Doncaster and then quartered in Leeds, a town considered to be particularly disaffected. These troops were disbanded on 29 September. Sir George Savile, who had also been given a commission to raise a troop, thought the disbandment "an universal calamity". [201] This was the type of militia force which the Yorkshire gentry wanted. A select body drawn from the best families which could make an ostentatious display in the county. They had a certain penchant for volunteer troops of which considerable use was made in the 1660s. [202] Retainers were dressed in smart liveries to make martial displays. The Duke of York's retinue was impressed with the escorts that Yorkshire gentlemen provided when he visited the county in 1665. Sir John Reresby was attended by between two and three hundred liveries which were sent by his friends when he was high-sheriff in 1667. [203] At the same time there were fears that the best men were not being attracted into the ordinary militia even to the point where it was suspected that in 1663 some militia soldiers would join with the rebels rather than suppress them. [204]

The picture so far painted of the ordinary militia in the early restoration period has been fairly gloomy. However in all three ridings the gentry were generally enthusiastic about acting even if they grumbled about the actual settlement. [205] One of the most effective clauses in the Militia Act which affected Yorkshire was that which allowed militia troops to march over county borders. In a vast county like Yorkshire this meant that the forces could be concentrated where they were most needed. In 1663 this was in the West Riding.

During the Second Dutch war John Lord Belasyse and Viscount Fauconberg called on the services of the West Riding militia to help to secure the coast. [206] The gentry were also willing to raise volunteer troops to supplement the work of the ordinary militia, even in other ridings. John Lord Belasyse for instance mustered a force of volunteers at Beverley ready to aid the West Riding if necessary in 1663. [207] In addition the county militia also worked alongside the regular army which was viewed as a useful supplement to the militia troops, so long as there was no threat that the army could supplant the local militia. [208]

The picture then was of a militia whose settlement was not entirely satisfactory to the gentry but one which the best use was made of when need be. However added to the problems of organisation was the crown's misuse of its control over the militia. As early as 1663 Buckingham found that he could not observe the instructions in the 1663 act because the militia's long service during the northern plot had already overburdened the West Riding. [209] Yet the crown gave the county no respite. By ordering the levying of the militia tax constantly from 1662 to 1665 the county was already financially exhausted when a real crisis occurred with the Dutch off the coast in 1667. [210] The gradual appropriation of militia taxes by the government from about the end of 1664 put an unnecessary burden on the county. On 10 July 1664 John Lord Belasyse found that Sir Thomas Gower had not paid the East Riding militia officers for the previous or the present year. He ordered the £700 militia tax which had just been raised to be paid directly to himself or his deputies in order to meet the arrears. However the government apparently did not give its approval to this initiative since Belasyse promised Secretary Bennet on 21 July that he would pay the militia tax to the sheriff and desire him to settle the officers' pay. [211] Viscount Fauconberg tried his best to keep the North Riding money in its rightful place. He had to be reminded twice in 1665 to send the militia taxes to Scarborough Castle, the nearest royal stronghold. Once it had been put there the government had great difficulties in getting it out again. Fauconberg and Sir Jordan Crosland, governor of Scarborough, resisted orders to send £900 to Sir Stephen Fox, the paymaster general, in 1667 for as long as they could. The Yorkshire militia was already short of money for arms and ammunition without the government taking an illegal

slice. In July 1666 the West Riding deputy lieutenants raised £2000 by voluntary contributions for defence against foreign invasion. [212] The direct result of these shortages of finance was the continual reduction of militia troops when the greatest show of force was needed. Thus the government gave orders for the West Riding militia to be raised on 25 January 1666 only to order on 4 February that because of the burden on the county, the main body was to be dismissed again. The riding was to rely instead on the less acceptable expedient of the beacon warning system and the militia nearest the coast which was to be kept in readiness. [213] When the government again decided to raise extra troops in June 1667 Sir Thomas Slingsby, Viscount Fauconberg, Conyers Darcy, Sir George Savile and the Earls of Carlisle and Mulgrave were each sent a commission to raise eighty horse. Great preparations were made, the county being very much aware of the Dutch threat. Sir David Foulis sent out Edward Trotter and Mr Chaloner to find the best arms and horses for Slingsby. Like the select militia of the previous year the officers were drawn from amongst the gentry. Sir Philip Monckton was Savile's lieutenant. Sir William Frankland was Fauconberg's cornet. On 21 June however new orders were received to reduce the troops to thirty-five horse each. Fauconberg complained that he had already obtained his eighty men but Albemarle insisted that it be reduced. The excuse was the usual one : "money is at present so short that it would not hold out to keep the troop at eighty in a troop". [214]

In the early 1660s many of the Yorkshire gentry had recognised the advantages of a small, select militia. It could be highly trained and disciplined and kept in a posture of defence for whenever it was needed. During this period the threat to security first from internal malcontents and later from the French and Dutch added to the need for an efficient militia force. The reality was an unsatisfactory settlement which the Yorkshire gentry made the best of. However, one of the essential elements of the gentry's hopes for the militia was that they would have effective control. The crown's use of its powers under the 1662 Militia Act meant that some of this control was centralised. Not only might the government order the militia to be raised or reduced when local gentry felt that the opposite should happen but also the misappropriation of militia taxes meant that financial control went out of the gentry's hands too. The question of the militia, despite its supposed settlement in 1662, was to remain a

bone of contention between the crown and the gentry for a long time to come yet.

In addition to the militia Yorkshire could rely on three garrisons at Hull, Scarborough and York. All three had been garrisoned during the interregnum and the restoration government recognised their strategic importance also. Hull and Scarborough were particularly important for the protection of the east coast and York, as the capital of the northern counties and occupying a central position in Yorkshire, was important for internal security. [215] Governors were appointed in 1660 and garrisons, of varying strengths, established. The appointments reflected the relative importance of the three garrisons. Hull was commanded by a magnate, Scarborough by a member of the Yorkshire gentry and York by an obscure local gentleman. At Hull John Lord Belasyse replaced Colonel Charles Fairfax who had commanded the garrison since March 1660 having taken possession of the town from Colonel Robert Overton on Monck's orders. In July 1660 he was granted an annuity of £100 out of Hull's customs, an obvious prelude to his dismissal. His troops were disbanded on 8 October. [216] Sir Jordan Crosland of Newby, a cavalier of demonstrable loyalty during the interregnum, was appointed constable and keeper of Scarborough Castle. [217] The governorship of York went to John Scott of Bellerby, a royalist exile and plotter during the interregnum. His appointment was no doubt a reward for his services. [218]

Hull garrison was by far the strongest in terms of manpower. At its establishment it consisted of six troops of a hundred men besides officers. Belasyse thought that even this force was insufficient, especially since the East Riding militia was unable to guard the coast in dangerous times. [219] Scarborough garrison consisted of only one troop of a hundred foot besides officers. [220] A garrison force seems to have been established initially in York's Clifford's Tower but it has been suggested that the city was disgarrisoned in 1661. [221] During the summer of 1662 Sir Thomas Slingsby's regiment of militia and volunteer troops were drawn in to secure the city. This could indicate an absence of a garrison force but equally the militia may have been supplementing the garrison as it did in June 1667. [222] In the following year Colonel John Frescheville was appointed commander of two troops of horse and a company of foot which were sent to York to suppress conventicles. He also commanded there during the 1663 -



plot. [223] Again in 1665 Frescheville was ordered to remain in York with an extra forty horse added to his troop but it appears that he was simply a captain rather than governor and was receiving no salary for the latter position. He was still in York in December 1666 but complained in 1671 that during six years command in the city "my power is not proportionable to my duty". [224] It would appear then that the Restoration government was relying on the same expedients as its predecessor by using troops of the ordinary army to secure York but that in about 1665 Frescheville was acting permanently in York as governor in all but name. Indeed in June 1667 he was put in command of all troops, militia and otherwise, which were to be drawn into York, and ordered to keep the keys to the gates and posterns as previous "officers" had. In fact, both responsibilities were performed by governors of the city. [225]

The usefulness of the garrisons in terms of security is open to question. The status of York garrison for instance was ill-defined and thus unlikely to have been well maintained. Hull, the main Yorkshire garrison, was much out of repair. In 1661 there were three forts - the north and south blockhouses and, in the middle, the castle. Only the south blockhouse, which guarded the entrance to the Humber, was in good repair. Lord Belasyse was keen to carry out improvements and in August 1662 a warrant was issued for £500 towards the repair of the fortifications. [226] Evidently this was insufficient since Belasyse reported the decayed state of the north blockhouse in 1663. He received the go-ahead to repair "the most useful and necessary part" as cheaply as possible. [227] Although Belasyse thereafter reported the good state of the garrison others complained of the want of security both of the garrison itself and of the coast. At the height of the Dutch threat in June 1667 Charles Whittington said that the garrison was "much out of repair". [228] It is possible that Belasyse was being less than frank about the true state of the garrison since he called upon the corporation in June 1667 to loan him the money to repair the "platforms, carriages and works towards the Humber" and to provide ships to sink in the mouth of the Humber to prevent a Dutch attack. [229]

Relations between the county and the garrison forces appear to have been fairly cordial during the early restoration. Garrison and militia forces often worked side by side in maintaining security such as during the 1663 plot. Twice Colonel Frescheville's troops were ordered

into York specifically to deal with conventicles and in March 1665 several files of musketeers from Hull garrison went to suppress a conventicle being held two miles outside the town. No-one appears to have opposed such use of the army forces. [230] Hull townspeople had never welcomed the garrisoning of their town, complaining from the outset that it infringed their liberties. [231] At the restoration it was hoped that the town would be disgarrisoned. In their loyal address to Charles II Hull citizens suggested that "had the inhabitants been their own garrison or had they not by an armed power ... been forced about from that point of obedience" Charles I might not have been refused entry into the town. [232] On 17 November 1660 Andrew Marvell probably reflected the desires of most Hull people in hoping

to see your town once more ungarrisoned, in which I would be glad and happy to be instrumental to the uttermost. For I cannot but remember, though then a child, those blessed days when the youth of your own town were trained for your militia, and did methought become their arms much better than any soldiers that I have seen there since. [233]

However once the garrison was a fact the citizens and soldiers appear to have settled down into a cordial relationship. Belasyse reported in June 1667 that "the townsmen very willingly assist the garrison in planting the guns etc." and the corporation often provided ale or wine for the garrison soldiers on celebration days such as the coronation. [234] Generally speaking the garrisons in Yorkshire caused little offence during the 1660s. They were small forces, those in Hull and Scarborough being under the control of local gentlemen. The soldiers could be useful in supplementing the work of the militia and adding extra security to vulnerable areas such as the east coast and York city. The roles of the militia and garrison forces during this early period were essentially complementary and there was no sign of the antagonism towards the garrisons which was to emerge later.

#### Conclusions : The Beginnings of Opposition

On 17 June 1667 Sir Hugh Cholmley of Whitby detailed the current political climate in parliament in a letter to a friend :

That you may comprehend the business better I must let you know that at the last meeting of parliament the house began to be somewhat divided into parties and were by some distinguished into Courtiers and Country gentlemen. [235]

1667 was a turning point in restoration politics, precipitated by England's disastrous performance in its war with the Dutch and culminating in the fall of Lord Chancellor Clarendon. Yet the war was only a focal point for the tensions which had been building up in the relationships between the crown, parliament and the localities since the beginning of the restoration. Many fundamental problems in the constitution of the new regime had been ignored or inadequately settled during the first seven years of Charles II's reign. Sir David Foulis of Ingleby Greenhow commented in relation to the Dutch attack on Chatham that "most people will judge of things according to success". [236] He might have made the same comment about the whole of Charles's reign so far.

The war itself was a major source of grievance by 1667. Whilst most gentry may have been enthusiastic about it at the outset, and celebrated English victories, support soon dwindled when the tide turned against England. [237] Yorkshire felt itself to be especially vulnerable. The Dutch posed a threat both to merchant ships in the North Sea and the coast itself. [238] In Hull merchants and seamen aired their grievances about the conduct of the war. In November 1666 it was reported to central government that Hull merchants believed their trade sufficiently important to warrant the same protection afforded to others, an indication that this important northern port was feeling neglected. [239] In the following June people there were fondly remembering the days of Oliver Cromwell when seamen were paid and not allowed to swear

but now all men are, or making themselves great and few mind the King and the nation's interest, but mind plays and women, and fling away much money that would serve to pay the seamen. [240]

The actual cost of the war was a further complaint, especially since the county was seeing few benefits from it. Not only were there continual assessments but the militia was also kept in almost constant readiness from 1665 to 1667 at great expense to the county. Neither did the Yorkshire gentry feel particularly secure. There were complaints of shortages of ammunition and it was rumoured in 1665 that disaffected elements within the county would take the opportunity of a Dutch invasion to raise an insurrection. [241]

The Dutch attack on Chatham was the final straw. There were varying opinions amongst the gentry as to where the fault lay for this slight to England's pride. Sir Thomas Gower believed the French to be at

fault who "cheat, abuse the King, dissemble the whole and treat without intention of peace". [242] Sir George Savile, without mentioning names, clearly blamed the King's counsellors :

I wish those that have brought us to this condition would yet take such measures as may help us out of it

a sentiment echoed by Sir Hugh Cholmley who believed the incident reflected not upon England's courage but on its counsel. However Cholmley noted that men who had formerly complained at the heavy burden of taxation now were willing to give more "to repair and avenge this loss". [243] Peace was no doubt welcome in Yorkshire since, as Richard Sherburne noted "the county complains extremely and I fear not without cause" but they expected an honourable peace which some in Hull suspected would not be won as early as July 1667. [244] The Treaty of Breda was hardly justification for two years of insecurity and financial burden. [245]

The Dutch war had also highlighted another major grievance present both in parliament and in the locality - that of government finance. The King deservedly believed himself to be under-financed whilst the provinces, again with some reason, felt that they were already overburdened. [246] Initially taxes appear to have been paid under the fair jurisdiction of the justices with no more than the usual grumbles attending such a necessary evil. [247] However, gradually opposition emerged in Yorkshire to taxation on two fronts. The first was the increasing and apparently almost unbearable burden of taxation caused by the war. The second was the abuses carried out by outside taxation officers.

In November 1661 Hull gave £100 and Beverley £50 as contributions being sought under the Act of Benevolence. [248] In the county generally the appeal for funds met with a varied response. Gentry and towns in the wapentake of Strafford and Tickhill in the West Riding "put all the commissioners in the West and North Ridings to the blush" by raising over £900 between them. In neighbouring Staincross wapentake some gentry subscribed absolutely nothing and the towns were being equally miserly. At a first sitting in Barnsley only £17 was raised and at a review only a further £47 came in from a total of ninety-one towns. Matthew Hutton of Marske in Swaledale, an old cavalier, urged the Staincross commissioners to use the lists of bearers for the militia and poll books as a basis for subscriptions as commissioners in the North Riding were to do. Sir Richard Tancred, the

militia colonel for that division, was sure to assist by providing the necessary documents. Appeals to loyalty could persuade some who initially gave but little to give more. [249]

In 1666 the government's appeal for loans met with a lesser response. Sir Francis Cobb, high-sheriff, wrote to Hull corporation in December 1665 asking them to consider the government's request. Cobb clearly believed that the Hull bench would be responsive since he contacted them before the gentry. Beverley, Scarborough and York Corporations all made contributions which perhaps reflected the merchant communities' keener perception of the benefits of the Dutch war in terms of trade. [250] Cobb however found the country gentry reluctant to give anything. At a first meeting their response was not encouraging and Arlington advised him that if a second meeting on 14 June proved no better in getting their total agreement then Cobb should take subscriptions from any who were willing to comply. He candidly confessed that if none had paid in other counties until all were willing then the government would not have received a penny. [251]

What happened at the second meeting is not clear but in July 1666 the deputy lieutenants of the West Riding decided to raise £2000 by voluntary contribution to buy arms and ammunition for their defence against the Dutch and French threat. [252] The implication is that the county gentry were willing to contribute to their own defence but not to allow money to be lost in the coffers at Whitehall. The following year the point was made even more firmly. In reply to the King's request for a further loan the North Riding deputy lieutenants replied loyally that "if the ability of the country were equal to their affections in this emergency we should have presented your lordships with such hopes as his Majesty might have". The reality was that the gentry were impoverished by the civil wars and their tenants by the decay of markets. Yet the deputies added significantly

Besides when the country was not so exhausted by the carrying out our money in service

which was surely a reference to the North Riding's opposition to militia taxes being sent to London. [253] The response was much the same from the West Riding. Sir Richard Mauleverer, Sir Richard Tancred and Sir Edmund Jennings reported from Boroughbridge on 20 July 1667 that they could not "with any confidence promise to ourselves success" since so many people had been unable to pay the recent poll tax. [254]

Burlington demanded a full explanation from his deputies as to why they had been unsuccessful in raising the loan which he hoped arose from "disability". Eight deputies replied on 31 July that the common response to their utmost endeavours to raise money had been

that continual payments by assessments and otherwise, besides the little trade and no returns of money into the country for cattle or other commodities hath left them so impoverished and almost utterly unfurnished with money that they shall believe themselves happy if they shall be able to pay their proportions in the assessments as they grow due.

The implications in this letter are enormous. Not only had the county been overburdened already with constant taxation throughout the war but the deputies made an ill veiled reference to the King's lack of support for the Irish cattle prohibitions which greatly affected the northern counties and which the gentry saw as necessary to arrest decline in their prosperity and power. [255] Hull citizens' comments about the extravagance of the court were shared by some gentry. Sir Hugh Cholmley of Whitby was amongst those increasingly irritated by the court's opulence in times of scarcity. [256] By the summer of 1667 the King's credit with the Yorkshire gentry had been spent in more ways than one.

Added to these grievances was the fury of many Yorkshire justices at the abuses committed by taxation officers in the county. The hearth tax particularly was never liked in Yorkshire, especially since it adversely affected the livelihoods of smiths in South Yorkshire and the North Riding dales. An early indication of the county's dislike of outside officers came when Sir William Lowther acted as teller for a proviso for punishing the misbehaviour of officials in the 1664 hearth tax bill. [257] By 1665 the West Riding justices' annoyance with taxation officials had transformed into indignant rage. At the Wakefield sessions in October 1665 the justices acted against "the exorbitant actings of the chimney officers whose most egregious abuse occasioned a petition to be exhibited by sundry towns unto the bench". They resolved to send a letter of complaint to the Lord Treasurer. At about the same time Sir Thomas Osborne, Sir John Reresby, Sir John Goodricke, Sir Francis Fane and others had met to discuss the problem with the intention of making a complaint at the Oxford parliament. [258] The West Riding justices were therefore in complete agreement that something should be done to stop these abuses.

When the government's circular letter concerning the negligence of justices in administering the hearth tax arrived in November 1665 these justices deferred giving their answer until the general sessions at Pontefract in April 1666 in order to give a collective voice to their grievances. [259] They defended themselves against the charges of negligence and self-interest and stressed that they acted always according to law. Indeed they found the officers' instructions

sometimes dissatisfactory to the country and not a little dubious to our judgements upon the letter of the Act

but the increase in the number of hearths over the last two years was sure proof of the justices' honesty in administration. They took the opportunity also to inform the lords of the treasury of the abuses by excise officers. They complained that the practice of forcing people into a three year composition for the excise interfered with the administration of other aspects of justice. When an alehouse keeper was suppressed by the justices he often had to continue to pay the excise because of these compositions. The justices were forced either to ruin him by allowing the officers to continue to demand excise for beer he was not brewing or relicense him in order to allow him to make a living even though he was considered to be unfit. [260] In June 1666 Sir Godfrey Copley, William Adams and Roger Portington were singled out by the central excise commissioners to be reprimanded for failing to act legally in the issue of warrants concerning the tax. The three justices defended the particular case which had been brought to the commissioners' attention and took the opportunity to reiterate examples of abuses by the excise officers in Yorkshire. They were angry that the commissioners had passed judgement without hearing their side of the story and probably not a little annoyed by the patronising tone of their letter. [261] The exchanges between central government and the West Riding justices not only indicate that the latter were determined that they would protect their countrymen from abuse but also that the justices greatly resented outside interference in a sphere which they believed was solely theirs.

By 1667 another bogey had re-emerged to marr relations between the crown and the gentry - fear of catholicism. [262] With the demise of the High Commission and the Council of the North and the ineffectiveness of the ecclesiastical courts the administration of the laws against catholics rested almost entirely with the gentry acting in quarter sessions and the shrievalty. [263] In the North and West

Ridings there was no action against catholic recusancy at quarter sessions up to 1667. The West Riding justices concentrated their energies on protestant dissent whilst their brethren in the North Riding presented handfuls of absentees from church. [264] In the East Riding the situation was markedly different. There, persecution of catholicism was pursued by a group of protestant justices led by Sir John Hotham, the custos rotulorum. [265] In this they were supported by the judges of Assize who had issued warrants for presentments in March 1662. Presentments for non-attendance at church were made at the spring 1664, summer 1665 and spring 1666 assizes. The returns for 1664, listed almost five hundred people, few of them gentry. They came mainly from the East Riding, with a few from villages in Cleveland in the North Riding and around Leeds in the West Riding. The East Riding returns were the result of the initiative of two of the "hard core" justices who "alone rushed through the forms of proclamation on their own authority and took the list to the Assizes". In 1665 seventy-five people were presented followed by over five hundred in 1666. The sweep was broad but not absolutely comprehensive. Sixty-one North Riding parishes made returns in 1666 compared with only twelve in 1664. [266]

However, whilst the East Riding justices continued their campaign at quarter sessions against catholic recusants, the West and North Ridings did nothing. [267] That is until 1667. Then the West Riding justices began to issue orders to constables to make returns of popish recusants to quarter sessions. It is possible that the campaign there had started in 1666 since at the Wetherby sessions in January 1667 Claro constables "that have not as yet made return" were ordered to do so. General orders followed at the Pontefract sessions in April. The justices' warning that negligent officials would be fined twenty shillings for making faulty or no returns was no empty threat. At Barnsley in October warrants were issued to bring such recalcitrant constables and church wardens before justices in order to be fined. [268]

This change of direction in execution of the laws against catholic recusants appears to have been more in response to central directives which came under pressure from the Commons than from any real perception of a catholic problem in Yorkshire. The Commons had shown their determination not to repeal the penal laws as early as 1663. [269] However anti-catholicism was not really expressed until about



1666 and its re-emergence must have been linked with the gentry's growing opposition to Charles II's government. The irrational fear which led to the persecution of catholics often disguised deeper grievances not so readily expressed. The co-incidence of the Great Fire of London and the outbreak of war with France rekindled latent fears of the rise of catholicism throughout England. [270] However in Yorkshire the fire was reported variously as the work of the Dutch, French, the fanatic party and anabaptists as well as catholics. [271] In the West and North Ridings catholicism was not seen so much as a local problem but rather as another reason to question the direction of the restored monarchy.

By 1667 opposition to Charles II's government had certainly emerged in Yorkshire. The West Riding gentry showed themselves to be particularly outspoken about their grievances and jealous of any intrusions into their power in the county. Yet the situation was still too fluid to be able to categorise the Yorkshire gentry into Court and Country parties. In the old fashioned sense of protecting the interests of their county against the vagaries of government many of the Yorkshire gentry could be categorised as "country" gentlemen at this point. Sir Hugh Cholmley had defined the Court party as those urging a general excise and the Country party as those insisting on a continuation of the land tax. By this point the gentry of the West Riding in particular were opposed to any further financial burden on the nation and also to the administration of the excise officers, therefore they presumably preferred the extension of the assessment. [272]

These "country" gentlemen however cannot be categorised as a party, with a unity and cohesion which that name implies. In Charles II's early reign there is a considerable problem of definition. For instance, in relation to the religious settlement, were the Courtiers those who supported a strict Anglican church which made loyalty to the monarchy a mainstay of their political philosophy, or those who supported Charles II's initial policy of a modified episcopal church and later his attempts at Indulgence? Sir William Lowther favoured a modified episcopalian church at the outset of the restoration. In the county from early on he was keen to suppress quakers and other dissenters who threatened social order by their disregard of the law. Thus he was supportive of the King on one issue but not on the other. [273] Sir John Goodricke, knight of the shire, an old cavalier and a well respected member of a leading county family, opposed the King's

policy of comprehension in the Church and his Indulgence. In November 1664 he supported an opposition motion concerning the supply and in 1667 defended Lord Clarendon even when the King clearly wanted to be rid of him. Yet at the Oxford session he proposed the gift of £12,000 to the Duke of York "for his good service he did at sea, for he had much impaired his estate". [274] In 1665 when the Duke of York came to Yorkshire the gentry fell over each other in their desire to attest their loyalty and affection to this representative of the Court. [275] Similarly the list of Court dependants of 1664 gives no true picture of an emergent Court party: four of those listed were firm Anglicans whilst Andrew Marvell favoured comprehension and William Stockdale probably leaned towards presbyterianism. Seven, for a variety of reasons, were against Clarendon's impeachment. [276]

In making the restoration settlement the gentry had created a relationship between themselves and the crown which was based on trust. The King was trusted with power but expected to exercise it through the gentry in the counties. He was allowed to manage his own finances but expected to use them wisely and honestly. He was given control of the militia but expected to bow to local perceptions of security threats and to allow adequate finance to remain in the county for the proper use of the militia. His prerogative was left intact but he was expected not to use it to damage the Anglican religious settlement. He was allowed his right to conduct foreign policy but was expected to direct it to the benefit of the nation. By 1667 Charles II had failed to live up to these expectations and complaints became more vocal. However it took another decade before the opposition mobilised itself into anything resembling a party with a coherent set of principles.

CHAPTER THREE

LOYALTY AND OPPOSITION: 1668 - 1678

## Introduction

By the end of 1667 it was clear that the fraught honeymoon shared by Charles II and the gentry was at an end. Already voices of opposition had been heard at both Westminster and in the county. With Clarendon's fall a new politically formative period was ushered in which brought with it fresh difficulties and tensions. The disquiet was caused by a whole series of events which led the gentry to re-assess the nature of their relationship with the crown. For many, the result was an increasing distrust of Charles II, his policies and government.

The most remarkable feature of the decade starting in 1668 is the fluidity of political opinion. This was the result of a complex of forces which wrought upon the gentry, producing a melting pot of fears, allegiances and ideas for solutions. Not least of these forces was the increased fear of the growth of popery in England which culminated in the Popish Plot of 1678. [1] Charles II had an obvious penchant for catholic France and its absolute monarch, Louis XIV. In 1670 he broke the Triple Alliance in order to cement relations between England and France further. In 1672 his Declaration of Indulgence allowed catholics to worship in private. The following year his brother refused the Anglican test and married a devout catholic princess. Even when the all-Anglican, anti-French minister Danby was leading the government, Charles II failed to shake off his associations with catholicism and France. A recent historiographical 'exhumation' of the Popish Plot has shown that fears of popery were not imaginary, rooted in ignorance or hysteria. Rather they stemmed from "well-informed public belief". [2]

Meanwhile, during the so-called 'Cabal' ministry of 1668 to 1673, government ministers, particularly Buckingham, pursued a policy of comprehension for some protestants who had been ousted from the Anglican church by the Restoration religious settlement. Described as "half-Oliverian, half-papistical", the 'Cabal' produced an even deeper resentment than that of the period 1660-1667, when old cavaliers had felt bitterness about the favour being extended towards parliamentarians and presbyterians by the government. [3] The Restoration settlement in parliament had been a double edged sword to defeat at once religious nonconformity and the political prowess of the presbyterians. Attempts at toleration, comprehension and indulgence struck at the very root of this settlement. Yet, gradually

some gentry came to view comprehension in a more positive light, as a bulwark against the threat of popery. Comprehension of peaceable dissenters could provide the basis for a unification of protestants against the common enemy. [4]

Danby's ministry brought with it new tensions. In the religious sphere there was a growth of opposition to prelacy and its attendant absolutism. In 1677 this led to the paradox of comprehensionists rejecting a scheme of limitations on a catholic successor proposed by an Anglican minister, Danby. [5] The Lord Treasurer's policy of combining Anglicanism at home with an anti-French foreign policy may have been appealing to some gentry, but his methods, particularly of parliamentary management through bribes and 'secret service' payments, roused apprehensions about the freedom of parliament across the broad spectrum of gentry opinion. [6] By 1678 another bogey had appeared on the political scene in the form of the army raised ostensibly for war against France. Since the gentry were well aware of Charles II's foreign policy preferences, justifiable fears were raised that this army was intended for use against protestant England rather than catholic France. [7]

During the period 1668 to 1678 the gentry had to sift through all these layers of political and religious developments in order to arrive at a position from which they could relate to the crown. Given that there were already divisions amongst the gentry and that political and religious circumstances were not static, the pattern of gentry allegiances and beliefs was subject to change. It is the nature of these changing patterns which is assessed in this chapter.

#### Local Office Holding

During the first seven years of Charles II's reign the cavalier gentry had been granted a monopoly of local office holding in Yorkshire. By 1667 there were signs that even such loyal supporters of monarchy could be resistant to the government when its demands and policies conflicted with the welfare of the country and with the authority of the gentry in their own localities. Thomas Viscount Fauconberg had obstructed the transfer of militia assessments into the crown's bottomless coffers. Justices of the peace had complained loudly of

abuses by taxation officers and collectors. Over the next decade the euphoria of the Restoration began to recede whilst the trends which were eventually to result in the Popish Plot began to develop. The period was therefore a critical one for the relationship between the crown and the gentry. Key figures in the development of this relationship were those Yorkshire gentry who held office in the county between 1668 and 1678.

The shrievalty in the period 1668 to 1678 was dominated by knights and baronets from the West Riding as it had been during the first seven years of the Restoration. [8] Enthusiasm for the position was no less than in the early Restoration period. In 1676, when Sir Godfrey Copley of Sprotborough was chosen, Sir Thomas Danyell and Richard Beaumont "endeavoured much for it". Copley was continued in for a second year but he died in February 1678, still in office. His son, another Sir Godfrey, immediately wrote to Sir John Reresby to ask him to solicit Danby for a grant of his father's office for the rest of the year. Reresby waited at Danby's house until ten at night and they went together immediately to the King "least others should get in before us". The King granted the request and "the next day the patent ... was got out for the son before it was known that the father was dead". [9] As in the early 1660s the shrievalty was subject to partisanship. The Copleys were Danby's cousins and Sir Edmund Jennings, chosen in November 1675, was a Danby supporter. The appointment of Sir Richard Mauleverer in 1667 and Sir Solomon Swale in 1670 are possibly attributable to Buckingham's influence. The shrievalty continued to be a key position in the politics of the county, exercised most often at parliamentary elections. John Ramsden, sheriff 1672-3 was cited in the election petitions of both Aldborough and Boroughbridge for his undue practices in returning Sir John Reresby and Robert Benson in the first instance and Sir Henry Goodricke in the second. Sir Godfrey Copley senior was also active in the Aldborough election when it was being disputed in the House of Commons. He was both a relation of the Wentworths and Danby but also Reresby's neighbour and throughout his shrievalty attempted to mediate between the contesting parties. This exercise of power over elections by the sheriff, amply demonstrated during the first two decades of Charles II's reign, was to be capitalised during the heated elections of the period 1679 to 1681.

During the period 1668 to 1678 all three Yorkshire commissions of the peace continued to display the stability which had been established in the early Restoration period. More gentlemen were added than were removed. Most additions were piecemeal and there is little suggestion of political motivation in appointments to the commissions. [11] Sir Barrington Bouchier of Benningborough, the son of a regicide, made his first appearance on the North Riding commission in 1677. He had been prominent in the Yorkshire movement in 1660 for a free parliament and had attested his loyalty to the restored monarchy since. He told Sir Thomas Slingsby that

I shall desire that neither I nor none of mine may live any longer than they prove true to the crown.

Such expressions of loyalty secured him a knighthood in October 1676 and a place amongst his fellow gentry on the bench in the following year. [12]

Removals from the commission were less common. There appears to have been a minor purge in July 1670 when the West Riding lost four justices and the North Riding two. Sir John Hewley was removed from both ridings. [13] The most significant of these removals was that of Sir John Hotham of Scarborough from the North Riding. It was only at the intervention of Sir Thomas Osborne with the Lord Keeper that Hotham did not suffer the double indignity of being removed also from the East Riding commission in which he was custos rotulorum. From Hotham's letter to Sir Thomas Osborne dated 11 August 1670 it seems that someone had objected to the Lord Keeper about his being in commission. Hotham however claimed that he saw no reason why he should be removed being

not only free from any disloyal or ungentlemanly action which might deserve of such severity but on the contrary as early ready (when time was) to promote the King's interest as any man in my sphere and if the objector could manage a contradiction to my face I should be glad of the occasion to acquit myself.

There is no indication of who objected about Hotham nor whether his fault lay in his activities in the county or at the centre. He had suffered a short imprisonment in 1663 on suspicion of being implicated in the plot of that year and had been inactive in parliament thereafter. By 1673 he can be certainly identified with the parliamentary opposition and he became more active in the Commons, but whether this was a cause or an effect of his removal from the North

Riding bench is unclear. It is probably true to say though that his removal from the North Riding, where his influence was not as great as in the East Riding, was meant as a warning against moving too far into opposition. If this was the case then the attempt failed. Hotham continued his opposition throughout the rest of the reign of Charles II and he was eventually removed from the East Riding bench in March 1680. [14]

In November 1677 Sir Henry Calverley of Eryholme and John Gibson of Welburn were dismissed from the North Riding commission for their opposition to the government's orders in enforcing the hearth tax on smiths' forges. [15] Their dismissal followed a protracted row between Yorkshire justices and central government concerning the administration of the hearth tax in the county which had its roots in the objections to abuses of taxation officials in the mid-1660s. Yorkshire had seen opposition to the tax since its introduction in 1661, particularly amongst smiths who argued that their forges came within the definition of 'blowing houses' and should therefore be exempted from duty according to the act. Hearth tax officers demanded payment of the duty on the grounds that forges were not blowing houses. According to Sir John Reresby, justices in his locality around Rotherham and Sheffield had been reluctant to take issue with the government so far. The Cutlers' Company had therefore been at great expense in trying their case at law with the hearth tax officers and had invariably lost. Having resolved nothing by the mid 1670s the Cutlers' Company approached Sir John Reresby in 1676 for his help in solving the dispute. He decided in favour of the smiths and issued orders for the re-delivery of all distrains by hearth tax officers upon them. [16]

The argument between the Hallamshire smiths and the hearth tax officers was much more than a local dispute. Reresby emerged as one of the leaders of the Yorkshire gentry in opposition to government orders on the hearth tax. His advice was sought both by neighbouring justices and gentlemen further afield. Sir Godfrey Copley of Sprotborough near Doncaster wrote on 13 November 1675 that in his division hearth tax officers were demanding payment for private ovens and blacksmiths' hearths even if the latter were disused. He informed Reresby of these problems in view of the bill before the Commons intended to straighten out such disputes. He warned Reresby that there would be many appeals to "entertain" him with at the sessions when he returned from London.



Sir William Frankland of Thirkleby in the North Riding sought Reresby's advice on 9 January 1676 whether smiths' forges were liable to the duty since he had been asked to settle disputes between smiths' and hearth tax officers in his own area. He looked to the Sheffield area for guidance since "their submission or refusal will be a kind of precedent to the rest of the country". [17]

Reresby's first step was to muster support amongst justices in his own neighbourhood by persuading them to issue orders for the re-delivery of distresses. Their grounds for doing so were that the hearths in question had not been certified by the Clerk of the Peace and returned into the Exchequer as required by the statute. In addition local justices were returning distresses made on smiths' forges on the grounds that they were not liable under the Act. The hearth tax officers complained to Lord Treasurer Danby. He wrote to Reresby and Copley on 24 February 1676 that the duty did not grow due to the King by virtue of the Clerk's certificate but arose on every hearth. The certificates to be returned into the Exchequer were intended only to inform the King of the extent of his revenue. In addition there was not now the same reason to return such certificates since the tax had been farmed and the farmers were obliged to make a true return of all surveys of hearths. As for smiths' forges verdicts at law had been given that they were liable to pay the duty. [18]

Danby gave instructions that this letter be communicated to other West Riding justices. No doubt his intention in this was to make all magistrates aware of the government's position. He may well have been surprised then at their response when Reresby read out his letter at the Lent assizes at York in 1676. About forty justices unanimously agreed to write to the Treasurer stating that they conceived that the orders issued by Reresby, Copley and others were not illegal, that smiths' forges were comprised under the term 'blowing houses' in the Act and that

the determination of all differences arising about levying of money or making distresses for hearth money is finally to be determined by one or more justices.

There were thirty signatures to the letter. They were headed by Reresby and included other prominent gentlemen from all three ridings. Reresby supported this letter with one of his own to Charles Osborne, explaining their case and asking his intercession with Danby, his brother, on behalf of the gentry concerned. The West and North

Ridings, where the plight of the smiths was most obvious, were particularly well represented but the gentlemen of these ridings were joined in the dispute with some from the East Riding. However it was not so much whether smiths' forges should be exempted or not which was at issue. Most justices were agreed that they were exempted under the term blowing houses. Even if this could be proved not to be so at law, the poverty of the people involved and the fact that they were trying to earn a living from their forges demanded their exemption on humane grounds. What had probably initiated this renewed hostility to the hearth tax was Danby's decision to farm the tax again in 1674. The real issue was the insolent interference of the hearth tax officers in a matter which was regarded by Yorkshire gentlemen as being solely within the sphere of commissioned magistrates. [19]

This aspect of the gentry's opposition becomes clearer after they had considered a second letter from Danby directed to Henry Lord Fairfax. Danby outlined the legal arguments which showed that forges were not blowing houses. In both this letter and his previous one he challenged the Yorkshire magistrates to try the issue at law if they remained dissatisfied. [20] The gentry's reply, dated 2 May 1676, stated that after "full and frequent debates" they could not alter their former opinion

and think ourselves bound to proceed according to our judgements upon those statutes whereof we understand ourselves the proper and final judges in matters of difference concerning distresses and should readily consent to any other way of trial were it not that we conceive it the intention of the Acts to prevent such chargeable and vexatious suits upon the poorer and most painful sort of people whereof we have already too sad experience in several parts of this country.

Their argument is clear. The statute law provided that they, acting as justices were to determine local disputes concerning the Act. Neither the insolence of local officers nor the bullying of central government was going to make them relinquish this principle. [21]

The second letter was subscribed by twenty justices, thirteen of whom had also been party to the first letter. It is doubtful that this lesser number of signatures indicated a decline of support in the county for the gentry's position under pressure from central government. The second letter was subscribed whilst Lord Chief Justice North and Baron Bertie were present as judges of the assize. In this letter the justices apologised for their delay in replying but they

had been hindered by the fact that the gentlemen concerned in it lived at a great distance from one another and found it difficult to meet. Indeed the gentlemen concerned in these deliberations came from all over the county. Those who signed both letters were prominent county figures - seven were M.P.s. New signatures on the second letter are interesting in that several gentlemen were the neighbours of gentlemen already involved in the dispute. William Dawson of Azerley for instance lived close to three justices in the Ripon area who signed both letters. Sir Henry Goodricke of Ribston may have been influenced to join the campaign by his neighbour Richard Hutton of Goldsborough or his friend Reresby. It is highly likely that the issue was a topic of conversation at the Easter sessions in 1676 all over the county. [22]

The dispute also created interest outside Yorkshire. Lincolnshire and Nottinghamshire justices regarded their Yorkshire counterparts as worthy examples to be followed. [23] The dispute dragged on throughout 1676 and 1677. Having received further complaints from the Hallamshire smiths in May and June 1677 Reresby argued their case with Danby in London and secured orders from him to the collectors not to disturb such smiths until the explanatory Act had passed. [24] Other gentlemen had evidently not lost interest in the dispute and it appears that some West Riding gentry once again wrote to Danby concerning the hearth tax sometime in mid-1677. On 17 July 1677 Reresby wrote to Danby thanking him for his reply to the justices' letter which he had communicated to them at the Rotherham sessions. Whilst the poor smiths and justices were grateful for Danby's orders to the collectors for the re-delivery of distresses they were still at odds with him over the interpretation of the Act. Danby made a distinction between "great smiths' forges" and smaller ones. It was the opinion of the justices sitting at Rotherham that

As to the great smiths' forges mentioned in the said answer the opinion of the Justices of the Peace seemed to be this, that though there be few or none of them within Hallamshire yet wherever they be the statutes seem to make no distinction between them and the smaller. However they would not presume to adhere to so strict an interpretation of those Acts as to give remedy for them, or any other forges, as blowing houses, provided they were viewed, certified and returned which they conceive necessary for all hearths before they become liable to that duty. But as to this particular I hope we shall have little occasion of complaint in these parts, the poorer sort of Hallamshire smiths being excused at present by your Lordship's kindness. [25]

Danby's method of quietening the gentry's opposition was to divide it. No doubt the Hallamshire smiths were given favourable treatment because of Reresby's personal appeal. Danby was trying to woo Reresby into the Court party at this time. [26] In other areas Danby picked out a few justices to be dismissed from the bench for their continued opposition to government policy. Justice Pierrepoint and another Nottinghamshire justice were removed from the bench in July 1677. They were followed in November by Sir Henry Calverley and John Gibson of the North Riding. [27] This though was only a partial and temporary solution which failed to crush opposition to the hearth tax in Yorkshire and in other counties. Removal of certain justices probably did make those who persisted in being "too forward or busy in obstructing the King's revenue" think twice about continuing their opposition but both the problem of the smiths' forges' liability and the magistrates' interpretation of the statutes remained in question. [28]

The Yorkshire gentry's stand on the issue of the hearth tax once again illustrated their ability to make a show of solidarity on matters which concerned the county as they had in the call for a free parliament in 1660, their action against seditious sectaries in 1661 and their complaints about taxation officers in the mid-1660s. In presenting the county's particular grievances and in their resistance to outside interference in their sphere as justices they were again displaying the traditional attitudes of 'country' gentlemen. Gentry from all three ridings and of different political persuasions were represented in the opposition. William Palmes of Lindley and Sir Gilbert Gerard of Brafferton for instance were by this time identified with the parliamentary opposition to Charles II's government. Reresby on the other hand found the support of Danby, the King and the Duke of York useful in his disputed election campaign. His attitude towards the taxation of smiths' forges reflects his wider political development. In 1676 he claimed that by taking such a stand

I did not please at Court by this proceeding, but whatever I lost there I gained in my country. [29]

By 1682, when the issue had surfaced again and Reresby had gone over to the court, he still saw the justice of the smiths' cause

but for me to be active against the King's officers in the matter of his revenue, when others had desisted, I feared might set me ill with the Lords of the Treasury, who might represent it ill to the King. [30]

The old problem of how to juggle county concerns with loyalty to the King and personal ambition remained unresolved for Reresby and no doubt for many of his fellow justices.

Buckingham's reinstatement as lord lieutenant of the West Riding in October 1667 brought about more changes in the deputy lieutenancy. Although Sir John Reresby claimed that he was one of "many more" whom Buckingham failed to commission as deputies, some who had served under Burlington certainly acted under Buckingham during his second term of office. A list of thirteen deputies "to be added" by Buckingham included at least three gentlemen who had served under Buckingham in the early 1660s and who do not appear to have resigned under Burlington. It included also Sir John Lewis of Ledston whom Reresby had recommended to Burlington as colonel of the regiment resigned by Sir Thomas Osborne. [31] It is possible that Buckingham's continued dislike of Reresby was not altogether connected with the latter's publishing the warrant for the Duke's arrest when he was high sheriff. Buckingham also had a personal grievance against Reresby for suggesting that he had acted less than courageously in a quarrel with Viscount Fauconberg. [32] However Buckingham did continue his policy of creating a partisan lieutenancy. Sir Edmund Jennings and Sir Henry Thompson, both commissioned in May 1669 were clearly targeted as potential Buckingham supporters. Jennings at least remained loyal to Buckingham whilst he was in power and was the only member from Yorkshire who defended the Duke in the Commons in 1674. [33]

Buckingham's influence in the West Riding was beginning to wane however. [34] He suffered increasingly poor relations with a former deputy, Sir George Savile, on both political and personal grounds. Although Savile was probably recommissioned in 1667, there is no evidence that he was active in the lieutenancy thereafter. He was created Viscount Halifax and entered the Lords in February 1668 where he showed himself to be politically closer to Viscount Fauconberg with whom Buckingham shared less than cordial relations. [35] In addition, Buckingham must have alienated those whom he failed to recommission. His influence was no doubt further damaged by his frequent absences from the county. Sir Thomas Osborne became his trusted deputy in the county. In August 1672 Buckingham thanked him for a recent account of the state of the West Riding militia and desiring him to recommend gentlemen for the vacancies in both the militia and deputy

lieutenancy. "It is because I trust you more than anybody else that I write this to you" he told Osborne. Yet Osborne also was moving away from Buckingham politically on issues such as religious toleration, the French alliance and the Roos divorce bill. Osborne tagged onto Buckingham's tails just long enough to secure central political office. Reresby criticised the new lord Treasurer Danby for such disregard of former favours but Reresby himself would have been pleased that Buckingham's power in the West Riding had been usurped. [36]

It was perhaps Osborne's elevated position in the lieutenancy under Buckingham which made his own assumption of the lord lieutenancy in February 1674, as Viscount Latimer, so smooth. [37] Reresby was well satisfied since Danby immediately sent him a deputy lieutenant's commission. [38] There were no resignations as in 1667 and the deputy lieutenancy appears to have remained stable under his leadership. However he suffered from the same problem as Buckingham in that he was rarely in the county, his central concerns occupying most of his time. Although Danby was eventually to bring some individuals under his patronage, such as Sir John Reresby and Sir Henry Goodricke, for the most part of the 1670s he failed to build up an effective body of support in the West Riding/or in Yorkshire generally. [39]

It has been argued that in his party building strategy Danby had at his disposal a whole host of lords lieutenant throughout England. [40] A notable exception, however, was Yorkshire itself. After the Restoration, aristocratic power in Yorkshire had been diffused by the separation of the lieutenancy. Even so great a minister as Danby was unable to exert an influence over the whole county except through maintaining good relations with the other two lords lieutenant. Danby encountered difficulties in this sphere. John Lord Belasysse resigned the East Riding lieutenancy following the passage of the Test Act and he was succeeded by the Duke of Monmouth. The choice clearly owed more to central than local politics, but Monmouth was one of Danby's "more doubtful allies". [41] In the North Riding Fauconberg was continued despite his continued opposition in the Lords. Danby marked him as unacceptable in 1676 but Fauconberg's overwhelming interest in the North Riding no doubt protected him against removal in Charles II's reign. [42]

During the period from 1668 to 1678 there were no major purges of local office holding in Yorkshire. By and large the cavaliers who had been established as the leaders of county society at the Restoration retained their positions. However, the attitude of these gentlemen underwent a change. Opposition to the government's line on the taxing of smiths' forges was forthright and relentless. Yorkshire justices were determined to keep control where they believed it belonged - in the county. During the 1670s there was an undercurrent of a developing sense of independence amongst the Yorkshire gentry, especially in the West Riding. Buckingham for instance forfeited the West Riding gentry's support because of his wider political attitudes and activities. Danby also failed to exert much influence in the county. For much of the time that the justices were co-ordinating their opposition against the taxing of smiths' forges, Danby was actually lord lieutenant of the West Riding. During the 1670s it is clear that the Yorkshire gentry working in the county shared a broadly 'country' attitude which at once defended the welfare of the county as well as their own authority and independence.

#### The Gentry and the Municipal Corporations

During the period 1668 to 1678 gentry influence continued to be felt in Yorkshire corporations but the relationship between them was not necessarily antagonistic. Often local gentry recommended new municipal officers to the crown as positions became vacant. Usually though this was on behalf of the corporation concerned and did not constitute the imposition of the gentry's will on municipal affairs. Viscount Fauconberg certified William Kitchingman to be an honest and able man fit for the vacant office of town clerk of York in 1671 to which the mayor and the majority of aldermen had nominated him. In 1676 Sir John Dawney of Cowick gave his backing to the nomination of John Boynton of Rawcliffe as Doncaster's recorder who was the corporation's choice also. John Lord Belasyse was amongst those who recommended Edward Barnard to the King as recorder of Hull in 1669. Again, Barnard had been nominated by the corporation bench. [43] Some of the gentlemen appointed as town clerks and recorders were themselves drawn from the lower ranks of the gentry. Christopher Hildyard, appointed as recorder

of Hedon in 1669, had connections with the borough through his family's ownership of the nearby Winestead estate. The family had long represented Hedon in parliament, Christopher's brother Henry having done so in the 1660 Convention. John Boynton of Rawcliffe was an up and coming lawyer whose estate near to Doncaster ensured him an interest there. Edward Barnard was a wealthy local merchant of Hull and an East Riding justice of the peace from 1670. He was eventually to consolidate his influence in Holderness by being appointed recorder of Beverley in 1678. [44]

For the most part corporation benches accepted gentry influence and used it to their advantage. Sir Edmund Jennings had some connections with Leeds corporation and in March 1669 wrote to Secretary Williamson to defend the mayor and certain aldermen who were in dispute with local excise officers. He presented them as

persons of unblemished loyalty to his Majesty, always of right principles and not a little instrumentally active towards his Majesty's restoration, which is well known to most in this country.

If necessary Jennings offered to get the testimony of other local gentry and justices to the same effect. [45] Gentry who represented corporations in parliament were frequently called upon to look to the concerns of their constituents both in parliament and with the government. [46]

What was probably more worrying to municipal corporations was the insidious growth of government interference in the running of their affairs. The crown's insistence on its right of nomination or approbation of municipal officers was evidence that central government intended to keep a tab on corporation politics. William Kitchingman was confirmed as York's recorder in spite of objections from some within the corporation that they had not been consulted about the nomination. Sir Henry Thompson of Escrick, Sir Henry Thompson of Castlegate and others complained that his nomination had not been the decision of the full aldermanic bench and common council. Nevertheless the King confirmed Kitchingman's nomination. [47] Although Edward Barnard was the choice of Hull corporation the government's appointment of him made reference to the clause in the charter giving the King the right to nominate and appoint the recorder rather than just approve the town's nominee. [48] The government kept a watchful eye on proceedings within corporations. In March 1675 William Ramsden, the mayor of York ignored central government orders on the



imprisonment and release of certain prisoners in York Castle. He was reminded that the King would not endure his orders to be thus slighted. [49] Secretary Coventry ticked off York's mayor in August 1676 for taking the security of a suspected catholic priest and then asking for the government's advice in the matter. The proper procedure, Coventry reminded him, should have been to ask advice first and then to act. [50] The mayors of both York and Hull were in trouble in the same year for failing to notify the government of their taking security measures having heard rumours that Frenchmen were in England intending to fire towns. Yorke Horner, the mayor of York, politely but firmly told Coventry that if he and the aldermen had felt it necessary to inform central government then they would have done so. The action which they had taken was intended only to ensure the security of the city and had been effectual since four fires had been extinguished with the loss of only one life. The corporation bench had had hardly time to consult with one another, let alone inform the government of their proceedings. [51]

York's relationship with the government gradually deteriorated during the 1670s. In February 1673 Dr John Lake, the canon residentiary in the Minster, complained to central government of a riot in the city in which he had been violently abused by a mob of apprentices and youths. Since arriving in York two years before he had tried to prevent the young people of the city taking their recreation on Sundays and holidays in the Minster Yard as they were accustomed because they interrupted Divine Service. On Shrove Tuesday in 1673 he provoked the violence of the crowd who broke the windows in his house and threatened to burn it with him still inside. Robert Benson, clerk to the northern assizes, believed that there was "nothing more than a riot in it" and the incident was brought under control by the garrison soldiers. However, Lake complained of the mayor's inaction who had

satisfied himself with saying that it was not (as indeed the churchyard is not) within his liberty, though they continued the riot near an hour within his limits.

The mayor and his brethren highly resented being so ill represented to the government, especially since they "were zealous enough to punish the rioters". It was clear that there was more to the bench's reaction than offence at Lake's portrayal of the incident. Robert Benson persuaded the mayor to invite the governor, John Lord Frescheville, and the judge of assize then in town to bring about a conciliation

between the offended parties. The mayor's complaints concerned not only the riot but also quartering of soldiers. Later Sir Henry Thompson of Escrick and four other aldermen visited Frescheville to complain about the misinformations being spread about the mayor's conduct. They

gave a foul character of Dr Lake with very disgraceful and ill language and making him the unnecessary provoker of the riot.

Frescheville told them that the King would hear of the case from the evidence of principle witnesses to which Thompson replied "What, the boys and all?" which Frescheville believed "showed his temper". [52] York corporation could only have resented the interference of their internal affairs by the military governor and the church. In 1673 they signalled their resistance to further government interference by electing Thompson as member of parliament to replace Sir Thomas Osborne. [53] The seeds of disaffection, opposition and division which were to flourish in York in the 1680s were already being sown.

John Lord Belasyse's influence in Hull was given a further facet with his appointment as high steward following the Duke of Albemarle's death in 1670. He had the support of the recently appointed recorder Sir Edward Barnard and of Sir Robert Hildyard, a local gentleman and captain of a company of foot in the town. However, some of the corporation bench warmed to the idea of nominating the Duke of Buckingham who had expressed an interest in being appointed. Andrew Marvell's suggestion of the Earl of Sandwich, who was well qualified for the high stewardship of a maritime town being the High Admiral, does not appear to have been entertained. Belasyse could have been rejected since he was not a member of the privy council, a necessary qualification of Hull's high stewards as specified in the charter. However, Barnard and Hildyard pressed for Belasyse's nomination and he was eventually confirmed by the King in December 1670. It is possible that there had been a partisan split on Hull's bench about this matter, with those more sympathetic towards dissent favouring Buckingham on the basis of his pursuit of toleration and comprehension in parliament. [54]

Belasyse's influence in Hull came to an end with his resignation under the Test Act in 1673. His successor as lord lieutenant of the East Riding and Hull, and governor of the town, was the Duke of Monmouth. He was appointed without any apparent reference to the corporation's

wishes. [55] Until 1678 Monmouth appears to have interferred very little in Hull's civic affairs. On the death of Andrew Marvell he recommended John Shales to the vacant parliamentary seat but the corporation chose instead William Ramsden, a local man. On this occasion Monmouth was not unduly concerned at his nominee's rejection and relations between the governor and the corporation remained amicable. [56]

The corporation was not left to its own devices though. Anthony Gylby, the deputy governor and member of parliament, frequently intervened in the town's affairs with the intention of stamping out dissent and encouraging loyalty to the crown. He posted spies on the streets in order to discourage conventicles. In February 1678 he received information that the mayor of Chesterfield had called the Duke of York a "papist dog" in the company of several Hull aldermen. The aldermen denied that any such words had been spoken and the government seemed unconcerned with the matter yet Gylby pursued the story with blind zeal. In 1678 he believed Hull to be "factious", an indication that his efforts to reform the place had failed. Not surprisingly, his request for re-election to the First Exclusion parliament was ignored by the corporation. [57]

In York and Hull the first flickers of dissatisfaction with Charles II's government were seen in the 1670s which were to flourish into open opposition in the last five years of his reign. The gradual seeping of gentry influence in the corporations and the more obvious presence of government interest meant that as the county and nation divided in the 1680s the municipal corporations were a likely battleground for the clash of opposing interests.

#### Elections and Electioneering.

Between 1668 and the end of the Cavalier parliament there were fifteen by-elections in Yorkshire. The county and six boroughs elected one new member each whilst Aldborough, Boroughbridge and Thirsk all replaced both representatives. A clutch of seven by-elections took place in 1673, three of them occurring between 7 and 10 November at Boroughbridge, Aldborough and York. [58] Many gentlemen were keen to become members of parliament during this decade. In 1673 Sir John Resesby admitted that both he and his friend Sir Henry Goodricke

had no thoughts ... to be in any public business that might call us out of the country till these vacancies falling out tempted us to it. [59]

Both these gentlemen were prepared not only to stand but also to face considerable opposition. Reresby's own election at Aldborough was still being contested when the Cavalier Parliament was dissolved. [60] Altogether twenty-eight gentlemen put themselves forward as candidates, some of them more than once, such as the luckless Robert Wharton who was unsuccessful at Scarborough and twice at Thirsk. [61] No doubt they were partly motivated by traditional reasons for becoming parliamentmen. It offered the chance for diversion in the capital city, \*widening of business and social contacts, lobbying for profitable offices and even avoiding debt. At another level some gentlemen wished to represent their county's concern at the centre, to debate national and local issues with likeminded men from other counties. Yet during the 1670s other factors were at work too. There had been no new parliament since 1661 so that the gentry had been denied the opportunity of being involved with a general election. In addition, the 1670s was a time of considerable political excitement. Reresby noted at the time of the Aldborough election in 1673 that divisions in parliament into court and country parties made gentlemen more eager to enter the Commons. [62] The result was an increase in both the number of candidates and of contests.

Only two elections went completely uncontested during this period - that for knight of the shire on 21 November 1670 and that at Ripon on 27 March 1673. Elections for knight of the shire in Yorkshire were massive and potentially unwieldy affairs involving an electorate of some thousands of freeholders. In 1661 a gentry meeting had approved two candidates in advance of the election who went on to be elected without a contest. In 1670 there is no evidence of an actual meeting but there was considerable correspondence between Yorkshire gentlemen concerning the forthcoming election. Early in October 1669 Sir John Goodricke's incapacity through ill health caused Yorkshire gentry to begin thinking of his replacement as knight of the shire. Sir Thomas Slingsby was "invited to it by many honest men" and he received the widespread territorial interest of various county nobility and gentry necessary to secure an uncontested election. Promises of support came from Viscount Halifax, the Duke of Buckingham and Viscount Irwin of Temple Newsam in the West Riding, John Lord Belasyse, Slingsby's

uncle, in the East Riding, Viscount Fauconberg in the North Riding as well as

so many friends all over acquired by your own merit and your father's as 'tis impossible for you to fail of being elected.

Of the gentry, these "friends" included William Thompson of York, Sir Philip Monckton of South Newbald, Sir Henry Stapleton of Myton, William Hammond of Scarthingwell, Sir John Kaye of Woodsome, Bryan Fairfax, cousin of Thomas Lord Fairfax, "and the rest". The only hint of possible opposition was when Henry Slingsby commented to his brother Sir Thomas on 24 October 1669 that

Your own interest and desert will gain you advantage above Sir Godfrey or all the Sir Johns of our county

which suggests that at least Sir Godfrey Copley of Sprotborough and perhaps one of the numerous Sir Johns of Yorkshire toyed with the idea of standing. However the election did not take place until a year later, on 21 November 1670, when Slingsby was elected without any sign of opposition. [63]

Personal and family interests still predominated in the 1670s by-elections, as they had in the early 1660s. In some cases it is evident that interests which had been nascent in the earlier period were now strong enough to control a seat. At Thirsk in 1660 the Earl of Derby's interest as lord of the manor had secured the election of first his son and then, in a by-election (to replace his son who chose to sit for Liverpool) his nephew, though not without some opposition. In 1671 two candidates came forward at the by-election. Sir William Wentworth had Derby's support whilst Sir William Frankland of Thirkleby had a family interest in the borough both through the proximity of his own estate and kinship with the Belasyses of Newburgh. The strength of Frankland's interest was shown by his arrangement with Wentworth that the latter should desist on this occasion with a promise of support from Frankland should another vacancy arise. The compromise was confirmed by the boroughmen and Frankland was elected without a contest on the day. [64] A similar process had been going on at Ripon where, on 27 March 1673, Sir Edmund Jennings was elected unopposed. He had been building up an interest in the borough where he lived since his inclusion on the corporation bench in 1662. He led a campaign against the traditional episcopal interest of the Archbishop of York

on parliamentary representation in Ripon, which had been reasserted after 1660. His undisputed election proved his success. [65]

As in the early 1660s, where gentry influence was not strong in this decade there was room for an outsider to move in. At Hedon in March 1670 Henry Hildyard was hardly a serious competitor, being catholic. His father, another Henry, had represented the borough in 1660 but had made little impression as a M.P. and had forfeited the family's traditional interest in the borough by deserting their nearby Winestead estate to take up permanent residence in Surrey. Sir Hugh Bethell of Rise, the only other substantial gentleman near the borough, already occupied one of the seats. Henry Guy, the successful candidate in 1670, made suitable gestures of friendship towards Hedon by presenting the corporation with various gifts. They obligingly made him a freeman on 2 August 1669 and he was effortlessly elected to the vacant seat in the following March. [66]

From about 1673 there was a perceptible change in the nature of by-elections in Yorkshire. Not only did more candidates come forward but the contests themselves were more keenly fought both at the poll and later in parliament through the committee of elections and privileges. An opportunity arose early in 1673 for Sir William Wentworth to take up Frankland and the Thirsk electorate on their promise of 1671 to elect him to the next vacant seat. However three other candidates also put themselves forward at the start of the campaign. Sir John Kaye and Sir Jeremy Smithson were "pretenders, but to little purpose". Smithson was ready to spend £1000 and use bribery to get himself elected. No doubt he received some encouragement from the electorate who

take any man's treat, and while they are treated with cups will say much but perform little. [67]

There is an implication that William Leveson Gower thought also of standing at Thirsk in 1673 but his father, Sir Thomas, thought that he would not get on without Derby's interest which was already given to Wentworth. The indefatigable Robert Wharton also stood, who had also contested the seat with Wentworth at the earlier election which was declared void having been held on Shaftesbury's writ. In the end only Sir William Wentworth and Robert Wharton went to the poll. [68] At Aldborough in November 1673 there were initially six candidates and at York a few days later four gentlemen campaigned for the seat left vacant by Sir Thomas Osborne's elevation to the lords. [69] There were

double returns at Aldborough, Malton and Boroughbridge in 1673 and the York election also went to petition.

At the local level candidates began to fight the elections more keenly. Sir Henry Goodricke told Reresby that his competitor at Boroughbridge in 1673, Sir James Long "plys hard his party and will give me much trouble". [70] Although Long disputed the election in parliament Goodricke was returned as sitting member. Long therefore made a second attempt at gaining a seat at Boroughbridge following the death of Sir Richard Mauleverer in 1675. His competitor in this case was Sir Michael Warton of Beverley who was "recommended by the gentlemen of the neighbourhood". It was believed that Warton

can do no ill to the public, whose interest is so considerable as will virtually engage him in all the concerns of its welfare.

Sir James Long on the other hand was being promoted by Francis Calvert, a Roman Catholic, and his

promises of rewards and his meritious settlement of the borough are all idle talk, false and illegal when made use of for such designs, and there are no machinators of this kind that will keep their word, having once attained their ends.

Warton eventually succeeded in gaining a majority of nine votes out of an electorate of sixty-four. [71]

The election contest at York occasioned by Sir Thomas Osborne's elevation to the peerage continued furiously from the summer until November 1673. He recommended his son, Edward, to the corporation but Sir Henry Thompson of Escrick contested the seat on the corporation interest. The contest was peppered with false rumours, insinuations and acrimony. It was rumoured that Latimer had lost his place as Lord Treasurer almost as soon as he had been appointed. One of his supporters thought that "there is nothing in art or diligence awaiting to lessen my Lord's interest". On 1 October Richard Blanshard complained of "daily one fresh lie or other formented", some reporting Edward Osborne to be only thirteen years old, others making accusations of bribery. The back stabbing was not all one sided of course. Blanshard himself commented that when the actions of Sir Henry Thompson's life were delved into then "he will perhaps think himself of being quiet". Some called his house at Escrick 'Judgement Hall' asking "when the day of judgement" would be. All this combined with

Latimer's hints of retribution should his recommendation be ignored made for a particularly unsavoury contest. [72]

At Aldborough three of the candidates desisted before the intense campaigning began. This left Sir John Reresby, James Long (son of Sir James) and Robert Benson of Wrenthorpe to contest the seat. Reresby thought Benson his greatest rival, a man "of no birth" who had risen to the position of clerk of the northern assizes and an estate of £2500 "but not without suspicion". Benson was promoted by the lord of the manor, John Wentworth of Woolley who used the by-election as an opportunity to establish a wider franchise in order to control the borough. His support of Benson was conditional upon his standing on a franchise of twenty-five. According to Reresby Benson also had the support of Viscount Latimer, the new Lord Treasurer and since he acted as Edward Osborne's electoral agent in York this seems highly likely. [73] Reresby stood on the ancient franchise of nine burgage holders who claimed an exclusive right to elect parliamentary burgesses. He was introduced to the borough by his friend Sir Henry Goodricke, who only the day before the Aldborough election was involved in a double return at neighbouring Boroughbridge. Reresby was also supported by Sir John Dawney, Sir William Wentworth, Viscount Halifax and Conyers Darcy. The latter fixed the interest of his brother-in-law, Sir Henry Stapleton of Myton, and other local gentlemen for Reresby. [74] Reresby said that James Long "stood by the popularity, or the householders at large that paid scot and lot". However it is not known whether Long was supported by a recognisable interest or merely took what votes he could regardless of whether the electors had a legal right. [75]

On the advice of his friends Reresby used a variety of tactics in order to secure his election. He attempted to get the writ into his own hands and his supporters in London kept a close watch on the Crown Office in order to give him timely notice of the writ's being sealed. Halifax and Conyers Darcy however advised Reresby that the Chancellor would not sway from the usual and legal method of issuing the writ to the high sheriff of the county and therefore they suggested that Reresby should try to get the writ out of the sheriff's hands, in this case John Ramsden. [76] Sir William Wentworth offered Reresby very detailed advice on how to conduct the election. First Reresby should have control over the choice of the borough bailiff so that only his own indenture would be returned or the only one attached to the writ



so that even if there was a double return Reresby would be guaranteed to be the sitting member. If, however, the bailiff opposed Reresby he should ensure that both indentures were returned and if all else failed he should have a supporter style himself bailiff (at the inconsiderable cost of a £20 fine) in order to make a return of Reresby's election. Reresby could also threaten other upstart bailiffs with £500 in legal costs for assuming the position. Certain burgage-holders should be gained by depositing money for them with others, most particularly their wives. Of course there should be an element of amateur dramatics in all this with one firm supporter pretending to waver in order to encourage a bribe from the opposition! Reresby should also check out the legal position of all burgages but keep the information for use in the committee of elections in case of a double return. [77] In the end the writ fell into the wrong hands, from Reresby's point of view at least. The sheriff made a double return of Reresby and Benson so that there could be no sitting member. Long also decided to pursue the contest in parliament. Nothing could be done until parliament reassembled in January 1674 which marked the beginning of a long and bitter contest for the Aldborough seat. [78] During the 1670s the Yorkshire gentry were concerned with founding, building or consolidating their interests within particular boroughs. At Malton the profusion of gentry families with influence in the borough - the Hebblethwaites of Norton, the Gowers of Stittenham, Thomas Danby and William Palmes, sons-in-law of the late William Eure - made an excellent recipe for contested elections. The struggle for one of these interests to become dominant resulted in a contested election in 1673. At Aldborough the interest of John Wentworth as lord of the manor and a prominent land owner in the borough was desirous to establish a monopoly of interest but he did not have sufficient influence yet to counter the interest of Sir John Reresby who championed the cause of the ancient burgage holders. On the other hand, at Thirsk and Ripon the old interests of the Earl of Derby and the Archbishop of York respectively had begun to be challenged in the 1660s by local gentlemen. By the 1670s Sir William Frankland at Thirsk and Sir Edmund Jennings at Ripon had little trouble in being elected having built up effective interests. It is significant that out of all the 1670s by-elections in Yorkshire only two candidates had no family or property connections in the county and only one of these - Henry Guy - was successful. In the county the issue in the 1670s was about

Yorkshire gentry controlling Yorkshire boroughs. Contests arose where more than one gentry interest clashed as each sought monopolisation of at least one of the seats.

Resistance to outsiders and their nominees also developed within the large corporations during this period. A by-election took place at Scarborough on 16 November 1670 to replace Sir Jordan Crosland, the governor who had died recently. Although Robert Wharton applied to the corporation with the support of the Earl of Carlisle he stood no real chance of success. The new governor, Sir Thomas Slingsby, who was to be elected knight of the shire the following week, had already engaged the corporation interest for his nominee Sir Philip Monckton of South Newbald who was elected. There is contradictory evidence as to whether Wharton pursued the seat any further but whether he did or not the governor's interest in Scarborough was as yet still too entrenched to be overridden. [79]

However at York resistance to outside interference in their parliamentary by-election in 1673 was much fiercer. The seat was left vacant by Sir Thomas Osborne's rise to the peerage as first Viscount Latimer and then the Earl of Danby. [80] He designed the seat for his son, Edward, but it was reported early on that two local gentlemen also intended to stand. Sir Henry Thompson of Castlegate informed Sir John Hewley, at first acting on Osborne's behalf, that he was willing to desist in favour of Osborne if Sir Henry Thompson of Escrick, the third contender, would do likewise. Sir Henry of Escrick however was not prepared even though he had been told that it would please Latimer and that "delay would make it not thankworthy". He was reluctant to desist unless the corporation requested him to do so since, he said, they had recently resolved to elect one of their own number. [81] Osborne's supporters advised his father to write a complimentary letter to the city, reminding them of his own and his father's services and indicating that the two Sir Henries had offered to desist. Sir James Brookes, a local merchant, wrote to the corporation on 12 September advising acceptance of Danby's proposal, not only because the latter could be of great service to the city but also because "what consequences, should it be denied, it may have I much fear". [82]

Ignoring this friendly advice, fifty-one members of the corporation told Latimer that they were sorry that they could not encourage his son's pretences since they had decided before the seat became vacant

that they would choose one of the corporation. Since Sir Henry of Escrick had accepted their offer of the seat they were now obliged to him and added

we humbly conceive the measures of encouragement given you by any after all this to introduce your son were groundless and mistaken. [83]

The new Lord Treasurer was furious. He took the argument that the city would be better served by one of its own number as a personal insult,

for that is plainly to tell me that the affairs have been prejudiced under my management and to add to the aggravation you tell me further that you had purposed it long before my promotion.

He was sceptical about the good which a corporation member could do the City:

certainly it is the first time that any man's interest was thought equal to that of the Lord Treasurer's in promoting of trade in England.

With all the sarcasm he could muster he made an ill veiled threat:

I am sorry to hear (which truly I did not know before) that £150 of the wine licences is not yet paid, which is certainly yet very recoverable and perhaps by Sir Henry Thompson's solicitations. [84]

Notwithstanding the wrath of no less a person than the Lord Treasurer, the corporation stood by its original choice of Sir Henry Thompson of Escrick. Edward Osborne desisted and the contest was taken up by Sir John Hewley who kept up the pressure till the last moment and went to the poll. On 10 November 1673 Sir Henry Thompson of Escrick was returned by an allegedly substantial majority, one claim saying he had 1100 votes whilst Sir John Hewley managed less than 600. The struggle however was not concluded. It was merely transferred to the parliamentary arena. [85]

The Duke of Monmouth found similar resistance to his nominee for the Hull seat left vacant by Andrew Marvell's death. He recommended John Shales, a clerk in the Navy Office, to the corporation bench whilst the Duke of York wrote to Trinity House for their support of the same candidate. Shales also had the support of Danby. The corporation failed to be impressed by Shales's credentials, or his high ranking supporters, and chose instead William Ramsden, a local merchant and alderman. Monmouth's reaction to the rejection of his nominee was very different from that of Danby. He told the corporation

I hear very well of the gentleman you have made choice of, who shall be welcome to me on all occasions, especially when he hath anything to propose for the advantage of your Corporation whose interests shall always be owned and promoted by [myself].

In fact Monmouth later revealed that he had no particular regard for Shales. The recommendation had come from someone else and was merely promoted through the Duke. His interference in Hull elections was to be more keenly felt when he promoted his nominee more forcefully. In the meantime the corporation ordered William Ramsden to present an honorarium of gold to the Duke when he arrived in London to take his seat in the House. [86]

Six of the Yorkshire by-elections in this period went to petition and had to be decided by parliament. The contest between Sir William Wentworth and Robert Wharton for the Thirsk seat in 1673 was decided quickly in favour of Wentworth. The case of the Boroughbridge election was never reported, therefore the sitting member, Sir Henry Goodricke, remained in the house until the end of the Cavalier parliament. However, the Malton and Aldborough (1673) election disputes resulted in long running cases. That for Malton was not decided until 1678. [87] Once the dispute was transferred to Westminster the nature of the contest changed. Whilst candidates in the county indulged in minor bribery and corruption, treated the electorate and negotiated with local interests, in parliament they were drawn into the more serious matter of political division, particularly after 1673.

The committee of elections was a powerful body. As Sir John Dawney told Reresby it was "a very coy mistress and must be courted by several treatments". When Reresby eventually lost his case there, Henry Duke of Newcastle sympathised, "The committee is so giddy with passion, nobody can guess how any business will succeed there". [88] It was important to lobby members of the committee for support. William Leveson Gower, contesting the Malton seat, intended to be in London at least a week before parliament's sitting

to pre-engage all I can as fast as they come to town. In this Palmes had been too hard for me before but I hope by my future diligence to redeem my past negligence. [89]

William Palmes, M.P. for Malton, who evidently opposed Gower, was already a seasoned member of the Commons who knew the tactics which had to be employed to achieve success. Reresby went out of his way to make a friend of the chairman of the committee, Sir Thomas Meres. [90] In October 1675, when the question of whether Sir John Reresby had

been duly elected for Aldborough was soon to be heard, several persons wrote to members of the committee recommending support of his case. It was an advantage if such letters were penned by men of standing. James Duport, one time tutor of Reresby at Trinity College, Cambridge and later Master of Magdalene College and vice-chancellor of Cambridge wrote to several members on his old student's behalf. The lobbying procedure was often tailored to flatter the individual political stance of the potential supporter. Thus Reresby was presented as a true defender of the Established Church and King to government supporters but as a "true protestant" and moderate towards dissenters in his neighbourhood to others. [91]

Election petitions also reflected the types of issue which would influence the committee. Naturally the arguments centred around which petitioner, if any, was properly elected. In the case of Thirsk the dispute was how many of the forty-five or so burgage holders had a right to vote. Gentlemen tended to keep information about unqualified voters as a trump card at the committee. Sir William Wentworth advised Reresby to do so in 1673. Robert Wharton used the same tactic against Wentworth himself in the Thirsk dispute. He excepted against three at the poll but added a further nine in his election petition to the committee. [92] Sir John Hewley's objections to Sir Henry Thompson's election at York was heard on 18 May 1675. In his defence petition Sir Henry stressed not only the quantity but also the quality of his votes, claiming that the 1100 votes cast for him included those of the mayor, aldermen, common council and citizens of the best quality. Hewley however

had not 600 votes, many whereof were no freemen, and challenged for undue polling; and those that had right of election, a very few, not above two and thirty, were of that consideration as to be assessed towards relief of the poor; and the most part of the rest were apprentices and youths under twenty years of age and soldiers hired to take their freedom two or three days before the election and to vote for him as is notoriously known and will be proved. [93]

Bribery and corruption in elections was disapproved of by the committee, particularly if it could be proved against Courtiers. The Commons were always ready to denounce members for receiving bribes for votes and later during the 1679 to 1681 elections, oppositionists were to portray themselves as the members who were elected without resort to treats, bribery or corruption of any kind. [94] Sir Henry Thompson

alleged that Sir John Hewley had paid men to take their freedoms and to vote for him. At Thirsk Sir William Wentworth claimed that "without undue practices" Robert Wharton "could not have had above two votes" which was proved against him. Wharton countered this with accusations of bribery against Wentworth but it was found that he had merely treated the boroughmen, paying out £40 for food and drink at alehouses during the two campaigns which was perfectly acceptable. Even the self-righteous Sir John Reresby did not manage to escape accusations of bribery! [95] Election officers as well as candidates were accused of corrupt practices. At Thirsk, the returning officer, Roger Meynell, was said by Wharton to have been "very partial" towards Wentworth. John Ramsden, the high sheriff in 1673 was accused of corruption in returning both Sir Henry Goodricke and Sir John Reresby. Boroughbridge inhabitants complained that Ramsden "by combination and confederacy" with Goodricke had paid no regard to the ancient method of electing parliamentmen. [96]

The committee appears to have been a Country party stronghold, made up of partisan members who had "one eye on the manner of choice and the other on the member chosen". [97] By presenting himself as a Country party supporter and his adversary as a Courtier, a petitioner could significantly increase his chances of success. It was also wise to drop a few hints about the religious leanings of one's opponent. Thus when Robert Wharton pointed out that the borough bailiff of Thirsk, Roger Meynell, had been partial towards Sir William Wentworth he thought it worth adding also that he was a catholic. [98] Robert Benson spread rumours that it was doubted how Reresby "stood inclined to the Church" and on occasions actually accused him of being a papist. At one point he described Reresby as "a St James bard, a friend to popery and a courtier" in a neat juxtaposition of all the worst attributes a candidate could possess. What though is most interesting about Benson's slanderous comments is that Reresby in fact identified himself with the Country opposition in the mid 1670s whereas Benson had received support at Aldborough from, and had worked at York on the behalf of, Danby. [99]

Reresby's case at the centre was further complicated by the fact that he gradually changed his political spots. In 1675 the committee of elections decided in his favour as sitting member. Robert Benson had annoyed committeemen by persuading the house to instruct them to consider only the merits of the return when the committee had already

decided to try the return and the cause together. Sir Henry Goodricke, who was identified with the Country party when he first entered the house, gave evidence that Benson had altered the return after it had left the sheriff's hands. Thus Benson "lost the cause by the very art by whereby he hoped to have got it". By the time the nature of the franchise came to be decided Benson had suddenly dropped dead and the Wentworths had taken over direct management of their case in parliament. Sir William Wentworth, who had supported Reresby in 1673, now argued for John Wentworth's "right" in Aldborough. [100]

Danby had been wooing Reresby into the court party for some time and when the case came to be heard in 1678 the whole weight of the court was brought to bear on the committee on his behalf. The hearing was set for 21 April. The Duke of York summoned his secretary, Sir John Werden, M.P. for Reigate, "and bad him with the rest of his servants to attend the committee, for he would not lose me, right nor wrong". The King, "with some threats", and Danby likewise ordered courtier members to support Reresby and the Duke of Monmouth ordered officer members to be there too. Reresby arrived at the house in Danby's coach and two gentlemen were stationed at the lobby door to speak to members as they entered. Despite all these efforts Reresby lost the case "after a long debate" by just 'two votes.

This was absolutely lost by the remissness of the court party that did not attend, for the cause was the clearest for me that could be. But that would not prevail with the adverse party who, as they were more diligent, so they were also more violent against those they opposed than the other.

The opposition gave "a hallow in the House by way of triumph" whilst Reresby and the court licked their wounds. As the King commented afterwards

Those that would hallow him out of that house would hallow me out of the Kingdom. [101]

However the committee of elections did not have the final say in election disputes. Two of its decisions on Yorkshire seats were challenged in the Commons. The Thirsk election of February 1673 was declared void by the committee but the house voted 146:119 against the recommendation and Sir William Wentworth was declared to be duly elected. Since Sir William Wentworth has been identified with the court it is reasonable to assume that a 'country' dominated committee had voted against him but court supporters in the Commons had managed to redress the balance. [102] When James Hebblethwaite was finally

declared by the committee to be duly elected for Malton the house divided against the decision. Hebblethwaite does not appear to have come out strongly on the side of one party or the other but Shaftesbury's later designation of him as 'worthy' and the support which he received from William Palmes, a country member, would suggest that he leaned towards the Country party. [103] Sir John Reresby was lucky enough to have the report of the decision against him delayed by other business so that it could not be made before parliament was prorogued and thus the decision was made void. [104]

At the beginning of the period under investigation Sir Thomas Slingsby was elected knight of the shire on broad-based gentry support. The election reflected the county gentry's desire to achieve consensus in the choice of knights, both to avoid a large and expensive poll and to avoid division and 'heats' in the county. In 1678, at the end of this period, Hull corporation rejected a court nominee. It was partly a bid for municipal independence but also, it has been suggested, showed "growing disapproval of royal policy". [105] The by-elections of the period 1668 to 1678 serve as a barometer of an increasing awareness of political division amongst the Yorkshire gentry. At county level the bonds of kinship and neighbourhood could distort the seeming formation of party. Gentlemen working on a family interest in the county might use party interests at the centre in order to achieve the single desired end. The 1673 Aldborough case provides a useful example. Sir William Wentworth, identified by some historians as a 'court' M.P., supported the candidature of Sir John Reresby who at the time of the election confessed himself to incline towards the country gentlemen in the house. Gradually Reresby went over to the court interest, but by 1677 Sir William Wentworth, supposedly by now of the same party as Reresby, was leading the campaign against Reresby's election in parliament. Personal animosities clouded the issue from the very beginning. Sir William Wentworth opposed Robert Benson in 1673, the Wentworth candidate, partly because Benson had been instrumental in cheating him out of a family inheritance. [106] Later Sir William constantly professed that he had no personal animosity towards Reresby as did the two Sir Godfrey Copleys and John Wentworth. In the cases of Sir William and Sir Godfrey senior at least these professions seem to have been genuine. [107] John Wentworth constantly stressed that he only wished to prove his "right" in Aldborough. [108] Yet it is clear that when the Aldborough case was heard on various occasions at the



committee of elections and privileges, there was considerable party division over the issue. Open division into Court and Country parties was thus far limited to Westminster. Although in the 1670s candidates tended not to present themselves on party election tickets in the locality, the gentry's awareness of dissension within their ranks presaged the more obvious rifts of the 1680s.

### The Yorkshire Gentry in Parliament

During the final decade of the Cavalier parliament the Court and Country parties which Sir Hugh Cholmley had identified following the Chatham disaster came to be more widely recognised by Yorkshire gentlemen. Use of the terms 'Court' and 'Country' in relation to parliamentary groupings becomes more frequent in extant sources. Sir Hugh Cholmley said that "members meet and frame their parties" in December 1673 and defined them as Court and Country parties in the next session. Andrew Marvell related how "both parties grew so hot, that all order was lost" in the first session of 1675. Throughout his Memoirs for this period Sir John Resesby habitually referred to court and country divisions. [109] However, a problem lies in the definition of the nature of these parties and in categorising members of parliament according to that definition. John Miller has argued that they were parties only in the sense that they "represented bodies or shades of opinion". [110] Within each 'body' of opinion there was a wide spectrum of views. Some members of the Commons were more vocal than others, more willing to be identified with either the Country or the Court. Also, party boundaries were very fluid. Members shifted their positions according to changing circumstances. There were few Yorkshire members who can be identified consistently with either the Country or the Court parties throughout the entire decade. Some of these shifts were responses to changes in government policy. Charles II's government was rarely either coherent or consistent. Danby's ministry for instance presented a wholly different set of policies from those of his predecessors, Buckingham and Arlington. Complicating the scene even further was the difference between the government's official line and the King's personal pursuits. For example, whilst Danby was offering an Anglican, anti-French policy the King and his

brother were visibly leaning towards Catholicism and absolutist France. [111] Thus there has to be a distinction made between support of government policy and support of the King's policy.

The majority of Yorkshire members during this period preferred to keep a middle ground between the two groups. Many disapproved of the "heats" produced in the Commons by party formation. Sir John Reresby was not alone in believing that the "duty" of a parliamentman was to be

moderate and healing between the two extremes, and to have a due regard to the King's prerogative as well as the liberty of the subject". [112]

Antagonism towards party formation stemmed partly from the belief that attitudes should not be pre-formed since parliament was the place for debate. This belief remained constant in the minds of many gentlemen throughout the latter half of the seventeenth century. Also, the widely held belief that faction tended only to strife, discord and instability, even to civil war, convinced many gentry both within parliament and outside that parliamentmen should heal and soothe the nation's ills rather than inflame them. [113] As Sir Thomas Wharton of Edlington put it, "God grant healing, uniting debates, and bless them". [114]

Following Clarendon's fall the rising star at Court was the West Riding's lord lieutenant, the Duke of Buckingham. Given the build up of his interest in Yorkshire during the early 1660s Buckingham might have expected a considerable following from amongst the county's representatives. This was not the case. In 1669 only Sir Thomas Osborne was listed as a Buckingham supporter. However, when Sir Thomas himself drew up a list of a projected eclectic Court party in about September of that year he noted seven Yorkshire gentlemen who might be engaged by Buckingham. Four of those listed were connected with the West Riding militia or deputy lieutenancy. It is unclear what Osborne's criteria were when he drew up this list, whether he based it upon patronage or political opinion. He included Sir Solomon Swale amongst those to be brought in by Buckingham. As a catholic, Swale may have favoured the new swing towards wide toleration of dissent from the Anglican Church. Lowther also later showed himself to be inclined towards some form of comprehension for protestant dissenters. Gower on the other hand was a keen enforcer of the laws against dissent, although he claimed retrospectively not to have been zealous for the

second Conventicles Act. Three of the seven had welcomed Clarendon's fall and therefore may have been inclined towards Buckingham as the leader of the opposition to the late minister. [115]

Even if Buckingham could have engaged these gentlemen in 1669 he certainly had little support in the House when he fell from power in 1674. Then, of the Yorkshire representatives, only Sir Edmund Jennings, who had entered parliament as member for Ripon in 1673, rose to his defence. [116] Between 1668 and 1674 his influence in Yorkshire had steadily declined. He was rarely in the county, relying heavily on Sir Thomas Osborne to manage the militia and lieutenancy. [117] He made personal enemies in the county. Sir John Reresby found Buckingham's disfavour for publishing the proclamation for his arrest in 1667. Sir John Talbot, M.P. for Knaresborough, acted as a second to his relative, the Earl of Shrewsbury, in a duel with Buckingham who was living openly with the Duchess. Andrew Marvell is said to have been alienated temporarily by Buckingham's liason with the Duchess of Shrewsbury since he had been tutor to Mary Fairfax, Buckingham's lawful wife. [118] Further evidence of Buckingham's declining influence came when he was overlooked by Hull corporation in 1670 as a candidate for the high stewardship left vacant by Albemarle. He failed also to influence local elections. At three by-elections at Aldborough, Boroughbridge and York in November 1673 Buckingham's influence was not sufficient to secure the return of any of the candidates whom he favoured. [119]

Buckingham therefore failed to command a personal following from Yorkshire during the period of his prominence at Court. Neither were Yorkshire representatives attracted by his policies. In 1668 Charles II had urged the Commons to consider toleration of dissent as a priority and this policy was pursued by Buckingham over the next few years. Sir John Goodricke, Dr Thomas Burwell and Sir Thomas Osborne, all potential members of Osborne's coalition Court party, expressed opposition to this move. [120] Indeed Buckingham's attitude towards the established church was becoming increasingly suspect in the eyes of many Yorkshiremen. Whilst in the county recruiting men for the war against the Dutch in the summer of 1673 Buckingham was forced to take the sacrament in a number of churches to prove his commitment to the Church of England. It was reported that

the people harken as little to his devotion as (I believe) heaven to his prayers, so that had he not prevailed with some officers of his militia to pick them up (for the most

part) out of the trained bands, he had returned re infecta.  
[121]

Buckingham's support of the French alliance also brought him into conflict with some Yorkshire M.P.s and country gentlemen. As early as February 1668 Sir Hugh Cholmley had complained that little had been done since the last session of parliament to "resist the furious career of the French King". Andrew Marvell, who may well have supported Buckingham on the toleration issue, may have been working to destroy the Anglo-French alliance in 1674 and certainly his hostility to France dated before then. In August 1671 he wrote to 'a friend in Persia' that "We truckel to France in all things, to the Prejudice of our Alliance and Honour". Although Yorkshire representatives said little concerning foreign policy during the period 1668 to 1674 one of Buckingham's crimes, as listed by William Stockdale in the House in January 1674, was his breaking off the Triple Alliance and drawing England into alliance with France. [122]

By the end of 1673 Buckingham was a spend force both in Yorkshire and amongst the county representatives in parliament. In January 1674 when the opposition in the Commons were determined to root out the evil counsellors who had mismanaged central policy, William Stockdale, M.P. for Knaresborough, led the attack on Buckingham. He accused him of favouring popery and the French alliance as well as a whole host of other misdemeanors. When Buckingham requested that he put his case to the House in person Sir Edmund Jennings was the only Yorkshire M.P. to argue in the Duke's favour. Buckingham's defence was long and ineffectual. Reresby claimed that he came "in too meek and submissive a manner" and defended himself by reflecting on others, most notably Arlington. At one point Buckingham suggested that if the Commons censured him then he would go beyond seas since no man should serve the King whom the House had a bad opinion of. William Stockdale wittily suggested that

seeing the Duke is of your mind, you may join issue with him  
and let him go beyond sea.

Buckingham's pleading did him no good. The Commons addressed for his removal from the King's employment and the King obliged, having already found Buckingham not so much to his liking after all. [123] At the end of 1674 Sir Henry Goodricke wrote to Sir John Reresby to tell him of a rumour then circulating in London that the Yorkshire gentry had offered to pay off Buckingham's debts to induce him to go to live in the county,

but this has so little appearance of truth to us that know our own inability to such a purpose and his own condition [ie. his debts] ... that we give little credit to it.

In the same letter Goodricke told Reresby of Danby's rising influence.

He is the same man to his countrymen as ever, full of civility and ready to oblige ... [124]

It remained to be seen however how far Danby could use his influence as the King's chief minister to manage the development of party formation amongst the Yorkshire representative.

Between 1668 and April 1671, when the King prorogued the parliament which was not to meet again until February 1673, the nature of party formation amongst the Yorkshire representatives had been remarkably fluid. Gentlemen had inclined this way and that depending on the issue. Sir John Goodricke, one of the knights of the shire, provides a classic example. Noted as a supporter of Ormonde in 1668 and by Sir Thomas Osborne as one who might be engaged by the Duke of York in 1669, he was probably no favourer of Buckingham since he had not welcomed Clarendon's fall. He usually voted for supply but failed to support the King's move towards greater toleration. [125] On the other side of the coin was Andrew Marvell. He was in favour of religious toleration and was critical of the King for backtracking on this issue. However Marvell did not support a pro-French policy and he was certainly worried by what he saw as an increase in the absolutist power of the crown in the early 1670s. On 21 March 1670 he wrote to his friend William Popple

It is also my opinion that the King was never since his coming in, nay, all things considered, no King since the Conquest, so absolutely powerful at home, as he is at present. Nor any Parliament, or Places, so certainly and constantly supplied with men of the same temper. In such a conjecture, dear Will, what probability is there of my doing anything to the Purpose?

In the following month he told 'dear Will' of how the King had attended the Lord's debates, claiming it as an ancient privilege. At any other "but so bewitched a time as this, it would have been looked upon as an high usurpation and breach of privilege". When the Lords sent down a proviso to restore the King's ancient civil and ecclesiastical prerogatives he thought that there was "never so compendious piece of absolute universal tyranny". [126] Marvell then may have supported one aspect of the Court's policy but in other respects he was implacably opposed to it. During this period the

'opposition' to Charles II's government has to include those normally associated with support of the crown - old cavaliers and Anglicans. The King and his ministers were pursuing a pro-toleration, pro-French policy, both of which were believed to endanger the security of the nation.

For many gentlemen the long prorogation from April 1671 to February 1673 was a turning point in their political developments. During 1673 Sir John Hotham, William Palmes and William Stockdale emerged as outspoken critics of the King and government. In about January 1674 they were joined by Sir Gilbert Gerard and the recently elected M.P. for Boroughbridge Sir Henry Goodricke. Sir John Reresby, elected at Aldborough in November 1673 also inclined towards the Country party but because his election was disputed he could not take his seat in the House until 1675. Andrew Marvell, although not a great speaker in the House, nevertheless expressed his opposition to the government in his correspondence. Such gentlemen formed the Yorkshire wing of the Country party during the 1673 - 1675 sessions of parliament. [127]

Yet the situation was still remarkably fluid and the most significant point about party development in this period was that the Court and the Country members of the Commons shared the same basic principles. Attacks on the government began with an outcry against the King's recent direction of policy. The Declaration of Indulgence had aroused many passions. Reresby thought it the greatest blow to the Church of England since the Restoration. [128] In attacking the use of the suspending power in the House the Country opposition found support from Court party supporters. Sir Thomas Osborne for instance, whilst attempting to mitigate some of the harsher resolutions against the government, nonetheless showed himself to be opposed to any form of toleration or comprehension whether promoted by the King or the Commons. [129] Sir Hugh Cholmley feared that the religious question, which stirred up so much fear and jealousy in the House, would ultimately disturb the peace of the nation. [130]

In their fear and hatred of popery too the Country party shared common ground with the Court party. Sir Hugh Cholmley, a government supporter, said that the Duke of York's conversion to catholicism "cast such a general jealousy into men's minds, none knows where it may end and I pray God you and I may never see a Commonwealth in England". Cholmley perhaps believed that protestants would turn again to civil war rather than see the establishment of catholicism in

England. Equally, tolerating the catholicism of the heir to the throne could open the way for a wider toleration of dissenters and republicans of all shades, giving them the chance to gather strength and drag the nation into civil war once again. [131] The Duke's catholic marriage raised further apprehensions amongst both the Court and Country parties. Conyers Darcy, another favourer of the Court party, was pleased that the King had advised members to put the laws against popery into execution on their return to the country in November 1673. [132]

In foreign policy the Court and Country parties shared a fear of France and a belief that England's security lay in supporting the Triple Alliance. [133] Both parties were resistant to attempts to corrupt individual members' votes or to interfere in their privileges. [134] Dislike of standing armies was also common to both parties. [135] Both also were concerned not to overburden the nation with heavy taxation. There existed a popular belief that the Court party unquestioningly filled the crown's coffers on request which the Country party capitalised whenever possible. Disaffected people in Hull in December 1669 believed that the King was rich and had no need of further supply and that if the parliament planned for 14 February 1670 actually met then

it will be most of the Court party just at the day who will have dispatched the King's supply, that by the time the Country gentlemen come up they will be ready to prorogue.  
[136]

However the difference was not quite so clear cut. Sir Hugh Cholmley in February 1668 thought that "everyone being so poor it is no wonder if all be out of humour". [137] The Court party recognised that constantly opening the nation's purse led to dissatisfaction in the country. Sir Edmund Jennings, arguing against a land tax in November 1675 asked, "How will you answer it to the country when there is no occasion to raise money?" The supply was intended to fit out the fleet, out of wartime. Jennings preferred to seek methods which would not overburden the nation. [138] Michael Warton, writing to Secretary Williamson in February 1678 and evidently promising to vote for supply warned his "patrone"

that you are not to wheedle for a land tax when a poll will circumscribe the whole sum intended; for a northern farm may bear the first, when a regret will accompany the second.  
[139]

Sir John Resesby confirmed that in 1673 both the Country and Court parties were in favour of the same principles - "to protect the country from being overburdened in their estates, in their privileges and liberties as Englishmen, and to stand by the religion and government as established by law". The fundamental difference was that the Court party also wanted

the King to have a sufficient revenue and power for the exercise of his regal authority, without too much depending upon the people, since it had proved of so ill consequence in the example of his father. [140]

This analysis was supported by Sir Hugh Cholmley. On the one hand he believed throughout 1673 that parliament would not be generous since it was feared that the King would grow rich, and that the papists would take the opportunity to make advances. However, if the King were in extremity and he threw himself upon parliament, they would in the end help him, "if he will be ruled by them and if he have peace". By working with parliament Charles II could be as great as any prince in Europe, on the basis of the ordinary revenue, "especially if nothing be attempted contrary to the grain of the nation". [141] Many hoped that this could be brought about since some wanted the King to "live of his own" and be able to extinguish fears of popery. When Danby began to make this a reality, by retrenching the royal expenditure and showing himself to be firmly Protestant, it was "greatly to the consternation" of some in the House, for "truly to these men nothing is more dreadful than his Majesty living upon his revenue". [142] No doubt the fear stemmed in part from the memory of Charles I as a King for whom 'living of his own' meant living without a parliament.

Under Danby's leadership those inclined towards the government finally had concrete policies to support. Of the Yorkshire representative only Sir Edmund Jennings, M.P. for Ripon since March 1673, was particularly outspoken for the Court party in the Commons. He defended both Lauderdale and Danby from opposition attacks in 1675, saying on 26 April 1675 that he

doubts not but the Lord, upon examination of the whole matter, will rather deserve the thanks of the House for his good management of the Treasury, than their accusation.

He defended the King's evasive answer on the Common's address to withdraw British subjects from the French service in May 1675 and in October attempted to take the heat out of the debate on the corruption



of members by government bribes. Jennings also spoke in favour of granting supply when the question arose. [143]

Danby, like Buckingham, might have expected a following from amongst the Yorkshire representative, since he was a native of the county and in 1674 was made the lord lieutenant of the West Riding. There is little evidence however that, before 1677 at least, he made much of an attempt to bring his countrymen over to the Court. It was perhaps unfortunate for Danby that by the time he became chief minister a number of potential Court party supporters from Yorkshire were no longer in the House. Ten gentlemen who were marked as dependants of the King or as Court supporters in opposition lists of the early 1670s died before Danby took office or shortly afterwards. Danby himself, with his promotion to the Lords, brought the number up to eleven. Apart from Sir Edmund Jennings, he might have relied on six Yorkshire M.P.s who were fairly consistently associated with the Court party in lists drawn up between 1673 and 1677. However, four of these were not native to the county and therefore unlikely to be receptive to any favours Danby could do them in Yorkshire. A seventh gentleman, William Thompson, M.P. for Scarborough was noted as being under the personal influence of Danby in 1675-6 but he appears to have been fairly inactive in the House. [144]

Some gentlemen were singled out between 1675 and 1676 as potential recruits to the Court party. The knights of the shire were amongst them. Conyers Darcy was on a list of possible recruits dated between May 1675 and May 1676 and was on a working list of Court supporters in December 1675. He had been in the House since 1661 but had not been included on earlier lists of government supporters other than to be engaged by Buckingham in 1669. In June 1674 however Darcy had written to Danby to thank him for favours shown to himself and his family and begging the Treasurer's "mindfulness of us to his Majesty" in the future. [145] Personal favours therefore appear to have been used in Darcy's case. Sir Thomas Slingsby entered the House in 1670 as knight of the shire. In 1675 he received the government whip from Secretary Coventry but was given a negative assignation in the list. Like Darcy he was seen as a potential recruit in the May 1675 to May 1676 list. Presumably Slingsby was receptive to these moves since he was later included on Court party lists both by the Court and by the opposition. [146] Sir William Frankland, M.P. for Thirsk since 1671, was noted in about 1675 as being under the influence of Fauconberg and perhaps

someone to be brought over to the Court. However since Fauconberg himself was voting with the opposition in the Lords at this time it was unlikely that he would have persuaded Frankland to join the Court party. From a personal point of view Frankland also probably opposed Danby since he was one of the leaders of the Yorkshire opposition to the hearth tax and Danby was one of the great obstacles to getting smiths' forges exempted from the tax. [147]

Three other gentlemen who were sent the government whip in 1675 were unlikely recruits to the Court party. Sir John Dawney replied to Williamson that he would hazard all to serve the King and country but that he was ill at the time. If he was well enough to travel then he would wait on Williamson when he arrived in London. He does not appear to have supported the Court party during the session and was not included in any other lists of government supporters which suggests that Dawney was suffering from a politically tactical illness when he received Williamson's letter. [148] Sir Gilbert Gerard likewise received the whip and was given a positive assignation and replied that he would attend the session. During the autumn 1675 session he was quiet in comparison with his embittered attacks on Arlington in 1674. Although he was again listed amongst court supporters in 1677 he was noted as not speaking on behalf of the government in the House and by 1678 had reverted to the opposition. [149] Sir Philip Monckton was in a league of his own when it came to politics. Clarendon's assessment of him as "half mad" in the 1660s was probably fairly close to the truth. He received the whip in September 1675 and wrote to Williamson giving his opinion on what was necessary in the coming session. 1641 was on foot again, he declared and "to obviate its designs I fear will require both your art and the industry of all his Majesty's friends". His recommendations included settling disputes between the two Houses, securing supply and preserving the catholics from ruin. Strange advice indeed from a man who was so incensed that John Lord Belasyse had received £4000 compensation for the loss of his governorship of Hull under the Test Act that he had attempted to blackmail him! [150]

Danby therefore had very little following amongst the Yorkshire representative. He complained to Resesby at the beginning of 1677 that his countrymen would not allow him to serve them near the King. [151] His situation was not helped by yet another long prorogation between November 1675 and February 1677. Sir Philip Monckton was accused by

Sir Robert Carr in the summer of 1676 of attempting to move for a new parliament in the country, which gave Andrew Marvell an opportunity for an amusing parody in a letter to a friend:

He was called in, owned his being for a new Parliament, talked with the liberty of an Old Cavalier and his own peculiar folly to the King of the Duke of York, to the Privy Seal, to Coventry concerning papists ('twere a pleasant scene had I time to open it). But the best of the sport was, accused Carr of having in Lincolnshire instigated several gentlemen and ministers whom Sir Philip named, for a new Parliament. He denied it and they are summoned up as witnesses, so or no, Sir Philip at liberty and to appear when they come. [152]

Monckton was imprisoned for his allegations made before the Privy Council and he evidently bore a grudge against Carr for some time. When parliament eventually met in February 1677 Monckton claimed that "No man is more rejoiced to see you here" than he and recommended it as a satisfaction to the nation to have the two acts of Edward III concerning annual parliaments read. Monckton was a faithful, old cavalier. His willingness to join with the opposition, who were calling for a new parliament on the grounds that the present one was dissolved, illustrates the depth of antagonism towards Charles II's government by this point. [153]

So far the Country members had tried to compel the King to implement policies acceptable to themselves by withholding supply. They also introduced legislation which would define more closely the King's powers and his relationship with parliament. In this they might have expected to be supported by Court members who were not averse to bargaining with the King even if they wished him to be financially independent and trusted him to rule for the good of the nation. [154] However, from 1677 a further crystallisation of party formation took place in the Commons. Sir Hugh Bethell, Sir John Dawney and Michael Warton all appear to have identified themselves with the opposition in the final sessions of the Cavalier parliament. Shaftesbury marked them as being worthy when they were re-elected to the first 1679 parliament. [155] Those who had been in constant opposition since 1673 now became more extreme in their condemnation of the crown. In April 1677 the opposition intended to rush through the money bill before Easter to the exclusion of other business. This tactic was devised with the intention of making it appear that the parliament had been called only to give money. The King, informed of this move by Reresby and others, decided to allow the Commons extra time to finish their

bills in order to thwart the attempt. Informed of this William Stockdale told the House

'To sit after Easter to ripen things' - That is, in plain English, to grant money. [156]

In 1677 three addresses were presented to the King by the Commons at first advising, and then demanding, that he ally with the Dutch and declare war on France. Sir John Hotham was amongst those who favoured specifying both that the league should be offensive and defensive and with whom it should be made. [157]

Whilst some Yorkshire M.P.s went over to the Country party, two swung the other way. On 27 May 1677 Thomas Thynne told Viscount Halifax, "Sir H[enry] Goodricke and Sir J[ohn] Reresby have openly left us". [158] Reresby's conversion to the court, and no doubt Goodricke's also, had much to do with Danby's efforts to bring them over by persuasion and argument. There may also have been an element of place seeking. Reresby was eventually given the governorship of Bridlington in March 1678 and Goodricke had secured a regiment of foot in February. Reresby's real conversion though came when the King himself took the trouble to explain the true nature of the opposition against him.

This condescension in the King to give so mean a person this satisfaction did much convince me of the reality of what he said...

Thereafter Reresby was hooked by the Court, relying on the Court party to secure his election in the committee and in the House as well as reporting the House's debates and Country party strategies to Danby and the King. [159] Goodricke also was being converted by Court party managers. At the King's request he was summoned on 29 May 1678, along with his countryman Sir Edmund Jennings, a longstanding Court supporter, to attend at Secretary Coventry's for instructions on how to conduct himself in the House the next day. [160]

Whilst ulterior motives in their swing from Country to Court cannot be discounted, over emphasis on this point leads to distortion. Probably the real reason why both men drifted towards the court was because the Country party was becoming too extreme for their liking. Thynne told Halifax that the two gentlemen had now "openly" left the Country party which would suggest that the move had been gradual. Danby began courting Reresby in February 1677 and even though Reresby was fairly receptive to the Treasurer's arguments, he still had his reservations

Religion and Politics

By 1668 the doctrine and ceremonies of the Church of England had been defined by the Restoration settlement. Those who failed to conform were subject to a range of penalties under old Elizabethan and Jacobean laws and the new statutes which made up the 'Clarendon Code'. Between 1668 and 1678 both Charles II and parliament began to reconsider parts of the Restoration church settlement with regard to protestant and catholic dissent. This process highlighted a broad spectrum of attitudes towards dissent amongst the Yorkshire gentry. These differences were expressed in parliamentary debates and in the execution of the laws against dissent in the county, both of which are considered here.

Following Clarendon's fall in 1667 Charles II, under the influence of new advisors and no doubt following his own inclinations, made moves towards finding some form of relief for dissenters. It was a policy which was to be expressed in one form or another for the next six years. An abortive comprehension bill of late 1667 and negotiations between Anglican churchmen and leading protestant dissenters in January 1668 were precursors to the King's speech to the new session of parliament on 10 February 1668 in which he asked the Commons to consider of ways to unite his protestant subjects. [166] The Commons' hostile reply was a call for a proclamation against conventicles and the beginnings of debates concerning the renewal of the 1664 Act. This antagonistic attitude was partly the result of scaremongering by staunch Anglican churchmen and M.P.s. [167] Andrew Marvell told Mayor Lambert of Hull on 7 March 1668 of members' stories of insolent nonconformist behaviour from all over the country which led to the call for the proclamation against conventicles and the introduction of the bill for renewal of the Conventicles Act. [168] Charles's attempt at loosening the rigidity of the established church met with little success. He issued the desired proclamation against conventicles on 10 March 1668 and the Commons busied itself simultaneously with considering his speech and with the renewal of the Conventicles Act. [169]

Whilst it was clear that Charles's attempt at finding relief for dissenters was premature, he was not completely without support in the Commons. Andrew Marvell seized the opportunity offered by the King in

February 1668 of debating relief for dissenters by being the first to propose consideration of his speech. He also expressed his absolute opposition to the new Conventicles Act, roundly condemning the measure in a letter to his friend in Hull, William Popple, as a "terrible Bill", "the quintessence of arbitrary malice" and "the price of money". This latter description was encouraged by the fact that he was sure the bill would be passed by the King in return for supply in which he was proved correct. Although Marvell was here expressing a private view, his opinion was no doubt shared by many on the Hull bench which was renowned for its relaxed attitude towards dissent. [170] The new bill did not have an easy passage in parliament. Voices other than Marvell's were raised against it in the Commons. The Lords delayed its passage and opposition from peers such as Halifax and Philip Lord Wharton eventually softened some of its more severe clauses. [171]

As the parliamentary debates unfolded over the period 1667 to 1673 it became obvious that some members were not opposed to relief for protestant dissenters so long as that relief met with two conditions. First that it should be in the form of comprehension and not toleration by indulgence. This had several implications. Comprehension could include only those dissenters willing to subscribe to the basic tenets of the established church with some concessions on discipline and forms of worship. Catholics and sectaries, such as Quakers, were therefore effectively excluded. It was perhaps the fear that the King was hinting at a wide toleration in his February 1668 speech which led many members to be apprehensive about considering easing the lot of dissenters. [172] The second condition related directly to the first. That is, that any comprehension was to be granted by legislation through parliament. This strengthened the Common's control of the dissenting groups which might benefit from relief. More important though it implicitly denied the King the right to exercise the suspending and dispensing powers.

Although this position was clearly expressed in the parliamentary session following the King's Declaration of Indulgence of 1672 Sir William Lowther gave an earlier indication of this growing attitude. During the debate on the third reading of the engrossed Conventicles bill on 5 April 1671 he questioned the usefulness of the measure for improving the "King's condition" and also suggested that this bill was

too severe against those who dissented merely in discipline from the established church:

Is the Church nothing but discipline? The Church of Christ is the doctrine of Christ; the ceremonies are the Church of men. As great men as the Church has had have dissented in discipline though they have not published it. The Church is built upon the state of England and the commonwealth bears the Church, not the Church the commonwealth. A great prelate, considering how to recover the honour of the Church, says, 'How came the Church by that honour? By piety and humility, and by pride and insolence lost it'. He was troubled by it, but says he 'What is to be done? Bring your churchmen into good life and good manners and you have restored it'. - Would have the King's condition better than it is; but thinks this not the way to do it.

Ten years earlier Lowther had led the West Riding commission of the peace in issuing severe orders against the meetings of sectaries. Here he was arguing that if the basic tenets of protestant dogma - justification by faith and so on - were accepted, then some leniency might be given with regard to discipline and ceremonies, say on matters such as the cross in baptism and wearing the surplice. It was parliament, he told his fellow members, which could grant such concessions whilst the church itself should set about putting its own house in order. In this he was presaging later opposition arguments concerning the growth of prelacy. Lowther's reasoning for concessions was that toleration for moderate dissenters would produce a more peaceful and secure settlement than the new Conventicles Act and so improve the stability of the government. There was no inconsistency between his position in 1671 and that of 1661. Lowther remained suspicious of religious radicals but he could see no reason why peaceable protestant dissenters might not be accommodated within the Church of England. His experience in Yorkshire during the 1660s would have shown him that it was the more radical independent and congregationalist groups who posed a threat to security rather than presbyterians. It was on the basis of such experience that he could argue for comprehension in 1671. [173]

Between 1668 and 1673 however the attitude which prevailed in the Commons was that of implacable opposition to any form of relief for dissenters of whatever persuasion. Sir John Goodricke of Ribston preferred to lay aside the debate on comprehension which had been encouraged by the King and have the matter referred to convocation, a sure way of ending debates on comprehension. When the Commons continued to pursue the matter, he rose to say on 8 April 1668 "These

persons would have a superstructure without a foundation - They propose nothing". Dissenters and the established church had never reached agreement in the past and it was unlikely that they could do so now. [174] It was the attitude of such gentlemen, combined with those who feared that the real intention of the King's advocacy of toleration was to arbitrarily dispense with the church settlement, which managed to push the renewed Conventicles Bill through to become law. [175] However it is clear from the attitudes expressed by Marvell, Lowther and Goodricke that Yorkshire members were deeply divided on religious issues.

It is questionable how far the Second Conventicles Act and the attitude of staunch Anglicans which produced it was an accurate reflection of the extent of dissent in the counties. Certainly those who argued that the protestant dissenters were ready to rebel and were openly flouting the law would have found some support for such a reactionary viewpoint from certain gentlemen in Yorkshire. Charles Whittington, a Hull official, regularly informed central government of the activities of dissenters in the town saying on 23 May 1670 that the

Presbyterians have some damned design in hand for its not possible there should be so much smoke and no fire. [176]

Whittington's evidence was supported by similar reports from York given by a customs collector Mr Aslaby. [177] In May 1669 Daniel Fleming, a persecuting Westmorland justice, reported to Williamson that he had heard a story of Yorkshire presbyterians offering to finance a gentleman's entry into parliament or to engage his interest against "any courtier or episcopal person". [178] Lord Frescheville was worried about the extent and sophistication of Quaker organisation. [179] The fears of a threat to security was especially keen in York and Hull where some magistrates actually favoured or at least turned a blind eye to dissenters' meetings. Sir Thomas Gower of Stittenham claimed that the same attitude was to be found amongst justices in his own area. He also had information from Hull which suggested that people feared the consequences of great conventicles. [180]

On the basis of the 1669 episcopal return it has been calculated recently that a realistic estimate of the number of dissenters in Yorkshire is somewhere in the region of 5500. By 1672-5 this number had risen to an estimated 7500, partly the result of an increase in



dissenting numbers following the 1672 Declaration of Indulgence. The 1676 Compton Census gave an estimate of 6800 for the diocese of York. [181] In Yorkshire the dominant dissenting denomination was Presbyterian accounting for about sixty-six per cent of all licences granted for meeting houses under the terms of the 1672 Indulgence. The Congregationalists accounted for about twenty-two per cent of licensed places and the Independents about eight per cent. Only two Anabaptist and one Baptist meeting houses were licensed. Eighty-one men took out licenses to preach. Of these, fifty-eight per cent were Presbyterians attached to a specific place with a further ten per cent with general licences. Twenty-one per cent of the licences were for Congregationalists and six per cent for Independents. There was one Baptist and two Anabaptists licenced for specific meeting houses plus one Independent with a general licence. [182]

As a proportion of the total population of the county therefore the numbers of dissenters in Yorkshire were small, about 3.7 per cent. Neither was there an even spread as is shown if the places licensed as nonconformist meeting houses in 1672 are mapped. The heaviest concentrations were in the West Riding in traditional centres of nonconformist activity. The meeting houses in the North Riding were few and scattered. In the East Riding there were pockets at Sherburn, Beverley and Bridlington. Large areas saw an almost complete absence of licensed meeting houses. The distribution of licensed meeting houses does not give a totally comprehensive picture of dissent, of course. There were considerable numbers of conventiclers in the Whitby area for instance who apparently did not apply for licences under the terms of the Indulgence. The spread of meeting houses therefore should not be taken as an absolute indication of the extent of nonconformist activity. However, the licensing of meeting places was often a mere formalisation of a situation which had existed since the restoration. Many nonconformist groups already in existence took out licences and it appears that 1672 did not witness the establishment of new groups. The map of licensed meeting houses reinforces the argument that dissent was concentrated into certain areas and gives a reasonable indication of which areas these were. [183]

The Quakers seem to have been the only sect in Yorkshire which was spreading during the second half of the seventeenth century. There were an estimated 2800 to 3000 Quakers in 1669. By 1670 they were holding monthly meetings in fourteen places and serving about 300

different communities. [184] However, after 1662 dissent generally was not increasing in numbers, nor was it breaking new ground. Presbyterians were at pains to convince the establishment that they did not see the Indulgence as an opportunity to challenge the established church. Its withdrawal did not see an outburst of nonconformist anger but rather a quiet resignation that the gift of toleration had been withdrawn and that the situation must return to how it had been before the King's attempt at relief. [185] The only real development in Yorkshire amongst the dissenting ranks appears to have been gradually a closer cooperation between independents and presbyterians, led by Oliver Heywood and his circle. Although this might be interpreted as a sign of the Presbyterians' gradual acceptance of toleration rather than comprehension, it also marks a significant change of attitude in the ranks of the independents. No longer are they plotting with old Cromwellians, riling the authorities with blatant defiance of the law but instead working with the presbyterians to ensure the continuance of a godly ministry which would keep the flame of dissent at least flickering where it had once burned bright. [186]

Neither is it at all clear that the new severe law against conventiclers was either needed or welcomed by Yorkshire justices. On the basis of the number of convictions for conventicles recorded in the quarter sessions and assize records it has been argued recently that during the 1670s persecution of protestant dissent in Yorkshire actually eased off. Although 1670 has been identified as a year of heavy persecution throughout Yorkshire as an immediate result of the passing of the Second Conventicles Act, this was followed by a period of light persecution between 1672 and 1676. There were no prosecutions for conventicling at the West Riding sessions in 1673 or 1676 and no prosecutions of Quaker conventicles at Yorkshire Quarter Sessions in the period 1673-5. [187]

However, there is evidence amongst the working documents of the West Riding Quarter sessions that more persecution was being carried out than entries in the order books would suggest. The new act made provision for the prosecution of conventiclers by a single justice acting out of quarter sessions. It is extremely difficult to assess the extent to which this power was used because although it was required that a record of such convictions be made in the quarter sessions order books it seems possible that few justices actually

bothered to do so. [188] A severely damaged page dated 12 October 1670 records that Sir John D'awnley and possibly Sir Thomas Yarburgh levied the sum of £58 1s on three conventicles in their area between 29 May and 10 July. Similarly at Pontefract sessions, in April 1672, a memoranda was made "That £5 13s 4d was paid into the Court upon Mr Parker's conviction of Quakers". The constable of Wetherby was fined £5 early in 1670 for refusing to execute a warrant to levy fines on conventiclars which had been issued by Justice John Beilby of Killerby and Micklethwaite Grange. [189] Here then are a few indications that some West Riding justices were persecuting dissent in their areas under the terms of the act for acting individually out of sessions. Additional evidence comes from the recognizances to be found in the quarter sessions files. Several such documents in the West Riding sessions files make it clear that the offender had been at a conventicle. From these recognizances Thomas Parker, William Johnson, Tempest Slinger, Francis Whyte, Edward Copley and Jasper Blythman can be identified as justices who were acting out of sessions against conventicles. [190]

Conventicles were not being prosecuted very often and certainly not systematically at quarter sessions in either the West or the North Ridings. However the West Riding evidence suggests that some nine justices were acting outside quarter sessions against conventiclars. Other evidence suggests that persecuting justices operated both in the East and the North Ridings also. It does seem that the Second Conventicles Act relied for its enforcement during the 1670s upon individual justices exercising their special powers. This was perhaps implicit in the act itself in the very clause which authorised single justices to prosecute and convict conventiclars as also less directly in the clause which threatened negligent justices with a £100 fine. The act was not being enforced by justices collectively at quarter sessions with the vigour which its wording encouraged nor perhaps with the zeal with which its promoters in the Commons might have wished either in Yorkshire or other counties. [191] The statute was designed by staunch Anglicans at the centre for the use of their counterparts in the provinces. It was tempered by those who felt that it was excessively severe and it was the counterparts of such members that failed to execute the full rigour of the law in the county.

Those who were keen to enforce the new act had a variety of motives. At the base level there were some who saw the opportunity to make

a profit out of the tender consciences of others. The act provided that one third of the fines levied upon conventiclors should be allowed to informers or others whom the justices thought had displayed "diligence and industry in the discovery, dispersing and punishing of the said conventicles". [192] Thomas Ellis of Whitby applied several times to the North Riding bench and individual justices to be employed "in expectation of the Act". He was the first, he boasted, to put the act into execution in Whitby. However the profits from his work were falling due to conventiclors closing their doors and alienating their goods so that distress could not be made. The dissenters in Whitby had built a meeting house since the passing of the act in which they held twice weekly meetings. In September 1670 Ellis made application to the King for a grant of the house as compensation for the time and expense he had been at in prosecuting conventicles. He explained that none of the dissenters would claim ownership since a clause in the act laid a penalty of £20 on householders permitting conventicles in their houses, the implication being that if anyone claimed ownership then they would be liable to the penalty. [193] Ellis was not the only informer in Yorkshire encouraged by the profit motive. William Thornaby who operated in the Yorkshire Dales said that he had made £2000 by prosecuting sixty-three meetings during the period 1670-1. [194]

Informers were not the only beneficiaries from this provision in the act. A warrant of 28 February 1671 granted to Sir Philip Monckton, Bevil Skelton and Herbert Jeffreys £400 1s 8d "being the fines levied on conventicles in Yorkshire now in the hands of Sir Philip Monckton". This presumably related to fines collected by Monckton in his capacity as sheriff from November 1669. Reporting the use of a party of horse from York to suppress a large Shadwell conventicle in August 1670 Lord Frescheville, Governor of York, requested that the fines levied on the conventiclors be used to reward the officers and soldiers for their diligence and also to defray military charges generally. Frescheville had profited from dissent before. Reporting to Secretary Williamson on 21 August 1670 the death of George Watkinson, a Quaker, he mentioned that he was a wealthy man and had bequeathed £600 for the use of Friends. In the same letter Frescheville enquired whether he might reward informers. On 16 June 1671 Frescheville was granted £220 out of the legacy but whether for his own use or to pay informers is unclear. [195]

The activities of the informers were supported by a handful of gentlemen in the county. Thomas Ellis's petition for a grant of the meeting house in Whitby was backed by a certificate signed by six gentlemen including Sir Thomas Gower of Stittenham and Archbishop Sterne. William Palmes of Lindley added his voice in a separate letter to Secretary Williamson. Lord Frescheville, as shown above, was also keen to use and reward informers. Of Ellis he said,

I cannot but wish him good success in it because these roguish fanatics would glory in his repulse. [196]

Gentlemen who appeared to favour strict enforcement of the Second Conventicles Act did so for various reasons. Obviously there would be some who had been convinced of widespread and threatening nonconformity as described by some in their own county and the reports made by members from other areas to the Commons. Such fears led to great concern amongst those in favour of enforcement for security. For some enforcement of the laws against dissent may have been one part of a wider concern with irreligion. At the West Riding general sessions on 12 April 1670 at Pontefract the bench noted "the frequent profanation of the Lord's Day by several lewd persons not resorting to the Church to the great dishonour of God". An order was issued that churchwardens should levy 12d by way of distress on absentees according to the 1606 act. Although the bench relied on a statute designed against catholics there is no specific reference to popish recusants in the order and it must be assumed that the order was intended to encompass all dissenters and absentees. [197] Sir Thomas Gower wrote at length to Secretary Williamson in May and July 1670 concerning conventicles in the Whitby area and his letters are worth studying in detail as expressing the fears, attitudes and policies of a gentleman in favour of persecution of dissent.

Sir Thomas Gower was an energetic man, at the forefront of the crusade against any threat to security in the county. As high sheriff during the 1663 plot he was the mastermind of an elaborate spy network which enabled him to know every movement which the plotters made. He had criticised his colleagues for their conduct during the plot, some for not taking the matter seriously enough, others for panicking too readily. As M.P. for Malton he sat on numerous committees concerned with nonconformity of all types. Now, seven years later he was prominent in the battle against the dissenters. [198]

In May 1670 Thomas Ellis, the informer, heard of a quaker conventicle which was to be held in Whitby on the 15th and approached the local constable for assistance in prosecuting the offenders. The constable claimed that he went to the house named by Ellis but found no conventicle there and told Ellis that if he had further need of a constable to contact the deputy, John Metcalfe. Ellis therefore went to Justice Edward Trotter of Skelton Castle who agreed to issue a warrant for the distraint of goods of the people on Ellis's list. However the constable refused to act upon it and intervened with Trotter who then withdrew the warrant on the grounds that he was unsure of its legality. Unsatisfied, Ellis travelled thirty miles to find a sympathetic justice in the person of Sir Thomas Gower of Stittenham. It seems that he was advised to approach Gower by Charles Fairfax, a Whitby customs officer, who sent a covering letter with Ellis stating that the dissenters' meeting coming so soon after the passage of the Conventicle Act was seen by "most knowing persons . . . . to have been merely done in contempt thereof". He made this address to Gower as "one of the makers of this law must therefore be one of the best interpreters". [199]

Gower reported the whole affair to Secretary Williamson. [200] He stressed the extent of the problem of conventicling in the Whitby area where dissenters and Quakers "now herd together" in private meetings and open conventicles. There had been eight meetings in seven days following the passage of the second Conventicles Act and much esteemed speakers from outside the area came to lead the meetings. One speaker, Laten Firbank, lived about thirty miles from Whitby. Gower claimed not to be unduly worried that any "particular mischief would arise from these foolish people" but he feared the consequences of turning a blind eye to their unlawful meetings as many neighbouring justices did. He placed little trust in any of the local magistrates. Concerning Trotter he wrote, caustically, "To my fellow justice I have nothing to say. You know - inter pares non est potestas". As for the others they "most of them, do at least wink at it, if not favour their [ie. the dissenters'] proceedings". In fact there were few justices in the Whitby area since the place was geographically isolated by the North York Moors which perhaps partly explains why the dissenters were able to meet in large numbers.

The tone of Gower's letters also indicates that he was suspicious of the government's attitude towards enforcement of the new act. In his first letter he told Williamson that

I begin to be of the common opinion that it is not worth your trouble above to let you know what half mad men are doing below.

Whilst he expressed confidence that the government believed that "the egg of the cockatrice must be broken" he somewhat abrasively warned that if this was not the case he would not bother to inform the centre of such matters. It seems that Gower's original letter to Williamson enclosing Charles Fairfax's letter and Ellis's information "miscarried" since Gower wrote again to Williamson in July giving a brief description of what he had sent in May and explaining his attitude further. [201] The irritable tone of this letter suggests that Gower suspected that his first letter had been ignored:

Rumours were spread that there was (almost) indifference among the greatest whether the Act should be prosecuted or not, though I believed nothing of that nature, I thought it fit to let you know the state of the affair here...

Gower was looking for a lead from court in order to justify his proceedings against dissenters. The evidence does suggest that he might have been in a minority in North Yorkshire. When Trotter withdrew the warrant for distraint of conventiclers' goods he told Ellis that

he knew not whether the information I gave was sufficient so he would consult with some of his brother justices before the warrant was executed.

It is possible then that Trotter could expect support for his action from his fellow magistrates and clear that there was open debate on the North Riding bench concerning the enforcement of the act. Gower told Williamson that there had been appeals against his convictions and that he had to attend the sessions on 12 July. He hoped by then to have a reply from Williamson

... and what all had hopes upon a line from you to understand what was expected from those who were to put the Act in execution.

He no doubt believed that this would bolster his persecutory attitude against those on the bench who favoured leniency.

Gower's use of argument in these letters to Williamson was extremely subtle. He expressed the usual alarm of a gentleman fighting against the insolence of local dissenters and the indifference of fellow

magistrates. He implied heavily enough that central government was not seen to be supporting the enforcement of statute laws whilst at the same time discrediting such suggestions as rumours or common parlance. He even went so far as to suggest that he was not particularly vengeful against dissenters and that his attitude sprang not necessarily from religious conviction. He reminded Williamson that he had been "no zealot" for the Conventicles Bill before it had been passed. However, he believed that the Act should now be enforced, for two reasons. First, to leave unlawful meetings unchecked could have serious repercussions :

contempt of Government, opposition to the law, though in small matters, hath often ill consequences ... if this opposition be not crushed at the very first, it will beget and nurse up bold, or rather insolent, disobedience in others and at last all things by degrees shake the foundations of law, duty and loyalty.

Gower's second argument in favour of enforcement was the more important and the one which he could be confident the government could not easily dismiss. This centred on the principle that the Conventicles Act was now on the statute book and should a priori be executed. It was merely his duty as a magistrate to ensure that the Act was enforced:

I take it to be my duty to the King, to the peace of the country, to be as earnest as any in the execution [of the Act]

It is fairly certain that Gower was being less than sincere when he claimed that he was merely exercising the trust placed in him as a magistrate in persecuting dissent. Since Thomas Ellis had been prepared to travel half way across Yorkshire on the advice of a customs officer in order to enlist Gower's help against the Whitby dissenters it would seem that his reputation was widely known. [202] The principle that the very fact of a law was sufficient reason for its enforcement was a very powerful one and was expressed by gentlemen of different political persuasions on a variety of questions. On the religious issue Richard Robinson of Thicket held a similar view. He was a first cousin of that notorious servant of the Cromwellian regime, Luke Robinson of Thornton Risborough. Richard himself had been a justice during the interregnum and sat in parliament for the East Riding in 1654. He was considered politically safe enough to be appointed to the East Riding commission of the peace again in September 1661 but his interregnum record suggests a certain leniency



in his attitude towards dissent. [203] On 11 June 1670 he wrote to his cousin, Mrs Skipwith, concerning a paper which she had sent him. He commented that he had seen a pamphlet entitled Declaration of the Quakers which he said had less rancour than the one which she had sent him and he was inclined to think that the latter was not written by Quakers. However, he said,

To speak truth, they both of them strive against a known law, and the magistrate hath it not in his power which of the laws he will put in execution and which of them he will forbear; .... Good cosen, let you and me study to be quiet, and to do our business to live peaceably and not to push invectives to war, and let the legislative power make laws...[204]

This was an extremely pliable argument. It could persuade a magistrate to convict persons whose views he did not find particularly disturbing. Others, such as Gower, who wished to persecute but found themselves at odds with central government policy, could hide behind such blanket arguments in order to conceal their true motives. However it was also during the 1670s that some justices who found certain laws distasteful were able to ignore them with relative ease. As Gower's letters show, this was facilitated by the lack of support and direction from the government. During the 1670s justices were being pulled simultaneously in opposite directions. Their positions of magistrates called for the impartial execution of laws passed by parliament and the King. The court, by word and deed, often showed itself in opposition to laws pushed through by the Commons. In the middle was the magistrate himself, with his own particular views. The result was often frustration, uncertainty and anger.

Edward Trotter's action probably sprang from positive sympathy with dissenters. In York and Hull some magistrates failed to enforce the law against conventicles since they themselves attended the meetings. George Acklam, the mayor of Hull in 1670, derided a colleague, Alderman George Crowle, for restraining a nonconformist minister from preaching in the main church in Hull. It was claimed that the Mayor and several other aldermen had contrived to get the dissenter into the pulpit in the first place. [205] It is clear though that Hull corporation was coming under considerable pressure from various quarters to be seen to be putting the law into execution against dissenters. William Lister, their recorder, gave the corporation bench advice in June 1669 that an indictment at common law was the best means of proceeding against conventicles and warned,

But of a hundred persons present 'tis probable you may discover more than four and if your circumspection be not made use of in a case of this nature I fear the complaint will not be more of them conventicling than yourselves for not preventing such meetings.

He also advised proceeding against one Mr Baxter on the Five Mile Act if he intended to reside in Hull. The Archbishop of York wrote on 8 June 1670 that they should suppress conventicles and give a good example to the surrounding countryside and to avoid complaint from higher authorities. The deputy governor Anthony Gylby began to plant spies on every street in June 1670 in order to discourage their activities. All this seems to have had an effect since Charles Whittington's letters from August 1670 note with satisfaction that the meetings were more private and the dissenters less "high" than formerly. [206] Yet this pressure to persecute dissent in Hull was markedly different from the indifference which Gower suspected at the centre. No doubt the threat of dissent was more keenly felt in a large corporation such as Hull and the government was consequently more nervous about open conventicles there. Nevertheless the inconsistency of government policy on dissent was illustrated.

During the period 1667 to 1671 the King and the majority in the Commons were not at one in their attitudes towards dissent. Saddled with a severe Conventicles Act and forced by the need for supply to issue proclamations against dissenters Charles was looking towards alternative methods of achieving his ends by the early 1670s. Several theories have been advanced as to why he chose to issue the Declaration of Indulgence on 15 March 1672. Most agree that he intended to co-ordinate indulgence with the declaration of war against the Dutch in an attempt to placate the dissenters and bring about unity at home. Some see the Indulgence as a way of finding relief for Roman Catholics whilst others argue that he was testing the prerogative by exercising the dispensing power. [207] All these reasons have some merits but no matter what the reasoning behind the issue of the Indulgence the King was grossly out of step with opinion in the Commons if he thought he could get away with it.

Desperate for money, Charles recalled parliament on 4 February 1673. A few Yorkshire members were at the forefront of the moves to destroy the Indulgence. Sir Thomas Osborne moved on 10 February 1673 that the address against the use of the suspending power be referred to a committee arguing that he did not

wonder that the King expresses these things to be his inherent right, when his own Council thinks so, and his counsel at law.

Probably from his lead the Commons adopted the stance that they believed that the King had been misled and drew up an address to inform him of his mistake. Certainly Osborne's attitude was more conciliatory than those who thought the Declaration was simply illegal. [208] Other Yorkshire members were deeply concerned about the issue. Sir John Hotham spoke for many on 22 February when he moved for "a desire to his Majesty for a speedy answer to the last address of this House" concerning the Declaration. He was seconded by William Palmes. Feelings ran high against this abuse of the constitution by the King and it was obvious from the very beginning of the session that he would be called upon to explain himself and to remedy his 'mistake'. However the opposition to the suspending power appears to have had several roots. Sir Thomas Osborne, soon to become the King's chief minister, was perhaps giving an early indication of his policy of strict Anglicanism combined with monarchical rule within the law. Sir John Hotham by this time was clearly identified with the opposition having been removed from the North Riding commission of the peace in 1670. Palmes, as mentioned above, supported the activities of the informer Ellis in the North Riding but was also identified with the opposition by this time. He therefore objected to the Indulgence on both religious and constitutional grounds. [209]

The King did find some support in his issue of the Indulgence. Andrew Marvell had given it his blessing in The Rehearsal Transpros'd. Sir Solomon Swale acted as teller against the resolution against the suspending power. [210] Both these critics of the Common's actions stemmed from a desire for toleration for dissenting groups even if it came from the exercise of an unconstitutional power. Sir John Talbot on the other hand attempted to prevent debate on the Indulgence. [211] His support of the King probably stemmed more from a desire to defend the crown's prerogative.

Those opposed to the use of the suspending power won the day and the King cancelled the Declaration on 8 March 1673. Opposition to the Indulgence however did not preclude a desire to bring about the ease of protestant dissenters as the bill designed for this purpose introduced into the Commons on 27 February was to prove. [212] There is no evidence from parliamentary debates of Yorkshire members speaking in favour of the bill. Sir Thomas Osborne and Dr Burwell

expressed their opposition. [213] This bill ultimately failed because of opposition in the Lords. It was not returned to the Commons until 28 March 1673 and the King had already decided to adjourn parliament on the 30th. The main Lords' amendment was to give the King power to indulge dissenters by the issue of licences, a proposal guaranteed to antagonise the Commons. By the time the session was adjourned the bill had to be dropped since there had been too little time to come to an agreement on the Lords' amendments. The bill was not revived in the next session though two measures were considered in early 1674 on similar lines. Neither had any success nor did a bill introduced by the Duke of Buckingham into the Lords in 1675. For the time being talk of comprehension and ease of protestant dissenters in parliament was dead. [214]

Danby's rise to power has been seen as marking a radical change in the Crown's policy towards dissent since he promoted an Anglican-Royalist alliance against protestant dissenters, Roman Catholics and "opponents of the prerogative". Shortly after Shaftesbury's dismissal from the chancellorship on 9 November 1673 a proclamation was issued forbidding Catholics the court and ordering enforcement of the laws against them. The aim presumably was to produce an amenable parliament (due to meet 7 January) by dampening down the growing fears of Catholicism. These fears were the result of the King's obvious penchant towards the Catholic king of France and the increasing Catholic element to be found at court. [215]

Danby however seems to have misread the mood of parliament. During the 1673 sessions the antagonism towards Catholicism had not arisen from accounts of their activities in the counties as had happened in the case of protestant dissenters during the passage of the Second Conventicles Act. Rather members expressed fears of a Catholic succession and the current Catholic element at court. Concern was voiced particularly about the Duke of York's conversion and Catholic marriage. In the view of Sir Hugh Cholmley on 10 October 1673 the Duke's conversion was "the unhappy stumbling block" to the peace of the nation. Other Yorkshiremen charted the increasing volume of protest against the Duke's actions throughout the end of 1673 in their letters home. [216] William Stockdale was the first to speak in the Commons after a long silence following the reading of the King's message regarding the marriage on 30 October 1673. He commented that this was "a matter of great weight, and undertaken with great concern"

and that the King's answer did "not remove the fears and jealousies of the kingdom". [217] Danby's policies did nothing to allay these fears. Parliament was prorogued on 24 February 1674 without having voted a supply. It did not meet thereafter until the 13 April 1675 during which time Danby attempted to consolidate his grand scheme for a harmonious relationship between King and parliament. [218]

The Order in Council of 14 November 1673 resulted in massive numbers of presentments in both the North and West Ridings for non-attendance during the sessions of the peace of 1674. Enforcement of the non-attendance laws against recusants was nothing new. Throughout 1667 West Riding magistrates had issued general orders to constables to make returns of the names of all Roman Catholics under the Jacobean statute of 1606 "for the better discovering and repressing of Popish recusants". [219] In the North Riding nine persons were presented at Helmsley sessions in July 1669 for non-attendance at divine service and a further thirty-four at Richmond a year later. [220] In the West Riding individual justices such as Francis Whyte, William Farrer, Thomas Horton and Jasper Blythman were also making out recognizances against non-attenders during the early 1670s. [221] In 1674 it was the scale of the presentments which was so remarkable. At Richmond on 20 January 1674 a total of 851 persons were presented for not attending their parish churches. The presentments at the Thirsk sessions in April, when just over 1300 persons were listed *must throw some doubt* on whether all the non-attenders were in fact catholics. A local study showed that although the majority were catholics there were "some whom we recognise as clearly Quakers" on the Thirsk list of presentments. In the West Riding hundreds of people were indicted from the beginning of 1674 for non-attendance. [222] The extent of the presentments came as a result of the Order in Council combined with a growing fear of catholicism which was being whipped up in parliament. However the expressions of fear of catholicism in parliament were of a political nature, directed against the court. This was not matched by any real apprehension of catholics in the county and persecution died down again after this initial roundup of catholic recusants.

Between mid-October 1674 and January 1675 Danby talked with various Anglican bishops with the aim of formulating a policy which they thought would "unite and best pacify the minds of the people against the next session of Parliament". The result was an Order in Council of 3 February 1675 followed by a Declaration a week later against

religious nonconformity. The main thrust was against Roman Catholics. They were to be more effectually convicted, masses were to be suppressed, English priests were to be banished and papists prevented from coming to court. Tagged onto the end of the Declaration was an order that conventicles should also be suppressed and licences issued under the 1672 Indulgence be declared void. [223]

Vigorous and positive as this might make Danby's innovative policy seem, Yorkshire gentlemen were not at all sure of his intentions. Sir Godfrey Copley, Andrew Marvell and Sir Henry Goodricke all expected some form of comprehension to be the result. [224] It is clear that there remained in Yorkshire a body of opinion that saw comprehension of moderate dissenters as being the best means of preserving the church and securing peace and stability in the nation. The bishops' solution of severe condemnation of catholic and protestant dissent was yet another missed opportunity to "fortify the Church of England". The declaration eventually resulted in the issue of commissions to country gentlemen to administer the seizure of two-thirds of the estates of recusants. Most Yorkshire members were included in these commissions. [225]

Danby aimed at raising money from recusant seizures whilst at the same time attempting to implement policies which he thought would be attractive to Anglicans and consequently establish cordial relations between parliament and the crown in forthcoming sessions. [226] However the success of the scheme on both counts is debatable. The Barons of the Exchequer complained generally of the commissioners' inactivity and eventually the scheme was dropped in favour of traditional methods of prosecuting recusants and collecting the fines. [227] In Yorkshire the evidence is inconclusive as to the success of the campaign there. It is clear that the commissioners acted in both the East and North Ridings but not to what extent. An entry in the Treasury Books dated 22 November 1676 called on Henry Marwood, sheriff November 1674-5 to

give an account of all the seizures made upon the convict of Recusants which he says were to the number of 23001. [sic] and that 10001 is now actually in Sir Edmund Jennings' hands which was seized in his shrievalty.

In May 1677 Danby issued a warrant to the clerk of the pipe to allow Jennings, one of his supporters, 831. on his sheriff's account "relating to the execution of the late commission against Recusants in Co. Yorkshire 'wherein I am very well satisfied'". Later, in February

1678 £219 10s 7d was outstanding on Jennings' account "and is for the revenue arising out of Recusants' estates charged within the said account". On 19 March a warrant was issued to Jennings to pay this sum to Edward Hawley. [228]

Thus although it is clear that some recusants fell foul of Danby's new scheme it is not clear how much was collected nor whether the seizures actually found their way to the government's coffers. The last sum outstanding on Jennings' account is remarkably small given the thousands of persons presented in just the West and North Ridings in 1674. In addition there is evidence to suggest that Yorkshire catholic recusants, even when they had to submit to seizure, came off very lightly. The Meynells of Kilvington's estate was valued in 1676. Lands in Richmondshire were excluded as dower and those in Allertonshire valued at a mere £80. Two-thirds of this was seized and leased to Sir David Foulis and Edward Trotter of Skelton, "men well-disposed towards the family". In June 1677 Roger Meynell secured a royal supersedeas which suspended indefinitely the effects of the seizure. Philip Constable of Everingham remained unconvicted for his recusancy until the very altered days of 1678. [229]

It also appears that the massive numbers of presentments in 1674 were purely a response to central government directives. Presentments for non-attendance fell to normal levels once again in April 1675 in the West Riding and even earlier in the North Riding. [230] In the extant gentry and governmental correspondence there is no mention of the working of the commissioners. Indeed for the West Riding there is no mention of the commissioners in the Treasury Books. Neither do the gentry give the impression of rampant fear of catholicism being present in the county in this period. The commissioners in Yorkshire probably functioned but without much enthusiasm.

The parliamentary sessions of 1675 were not particularly fruitful for Danby. His proposed new all-Anglican test in the spring session failed to find sufficient support. The Commons attempted to impeach him and the two Houses argued about the Shirley v. Fagg case to the exclusion of other business. His efforts at building up a strong court party over the summer were matched by the efforts of the opposition to produce a fairly even balance of court supporters and opposition members in the autumn session. It is significant in this session that Danby attempted to have religion considered by the Commons before supply and failed. By this time the religious question had both become

integrated with and to some extent subsumed by arguments over foreign policy and supply. After the prorogation on 22 November 1675 parliament did not meet until February 1677. [231]

There is a clear indication that during the 1670s there had emerged amongst some Yorkshire gentry a belief that comprehension of certain moderate dissenters within the Church of England was politically expedient. Such an attitude was nurtured by developments both at the centre and in the county. By 1673 the increasing catholic element at court worried some gentlemen much more than the activities of moderate dissenters. In addition, the persecuting zeal of high Anglicans in the Commons was seen as divisive and threatening to the security of the state. In Yorkshire it was clear by the early 1670s that the Restoration settlement of the church had been successful in rendering presbyterians politically impotent. It had not, however, crushed the practice of dissent. Some gentry began to be persuaded of the idea that if the basic tenets of the Church of England were preserved and the presbyterians were still kept out of politics then there was no reason why they should not be allowed to join the Church of England with some concessions on discipline and forms of worship.

However gentlemen taking such a position cannot be identified under the broad definition of the 'country' opposition. Indeed for most of the early part of the period those in favour of comprehension had more in common with the court's own wishes than with their high Anglican fellows in the Commons. On the other hand there were some gentlemen who were considered to be part of the parliamentary opposition in the 1670s who were not sympathetic towards dissent. William Palmes is a prime example. It has been argued that from the time of the third Dutch War he identified himself with the country party and that he shared that party's impatience at the King's delay in replying to their address against the suspending power. At the same time Palmes supported the activities of Thomas Ellis, the informer, in the county in his drive against the Whitby conventiclers. The use of arbitrary powers by the crown was opposed by so-called country and court MPs as unconstitutional. There was no inconsistency therefore in favouring comprehension as a means of strengthening the state since it was obvious by the 1670s in Yorkshire that the moderate dissenters posed no real threat to the foundation of society. Equally there was no inconsistency in adopting these two stances and at the same time persecuting radical dissenters who did seem to strike at the root of



the state. The situation was very fluid though. A gentleman might hold one or more of these views but not the other. Perhaps some more precise definitions are in order. Those who totally opposed any form of toleration or comprehension whether by parliamentary means or by the suspending power could be labelled 'high Anglicans'. Sir John Goodricke fits into this category. Another group who did not generally favour toleration but were willing to support the King's use of the suspending power might be seen as members of the Court party proper. Members such as Andrew Marvell and Sir Solomon Swale who actively favoured toleration for particular groups no matter how it came about were the real tolerationists. Those who favoured the comprehension of moderate dissenters on the grounds of the securer settlement of the state are the 'politiques'. In Yorkshire we might identify Sir William Lowther, Sir Henry Goodricke, and Sir John Hotham in this group. [232]

The Popish Plot served as a reminder of the basic consensus amongst gentlemen both within and outside the Commons of the need to eradicate popery in order to secure the protestant religion and the state. Sir Gilbert Gerard and Sir Edmund Jennings, representing the opposition and the court parties respectively, could be found agreeing with each other on the need to search out papists who had returned to London notwithstanding the proclamation banishing them. [233] But whilst there might have been consensus on the nature of the problem, there was again no agreement on how to solve it. The opposition called for Danby's impeachment, throwing at his door the grievances of the last decade. Sir Edmund Jennings, Sir John Talbot and Sir Henry Goodricke (by now identified with the court party) rose to the Treasurer's defence. [234] The Duke of York was another object of the opposition's attack since many believed that he encouraged papists' designs. [235] In the debate on whether the Duke should be exempted from the bill disabling papists from sitting in parliament Sir Edmund Jennings attempted to defend the Duke by arguing that removing him from the King's presence was not getting at the root of the problem. Rather, it was treating the head for a stomach complaint. Jennings argued that the only solution to the catholic problem was to banish them all from the Kingdom, a theme he was to return to in the first 1679 parliament. If there were no papists in the land, he reasoned, there could be no threat from a catholic successor. [236]

The problem was not really tackled until the three parliaments between 1679 and 1681 when the consensus on the problem but disagreement over the means to tackle it became clearer. In the meantime the gentry had to assess their attitude to the Popish Plot itself. Sir John Reresby explained

It is not possible to imagine what a ferment the artifice of some and the real belief and fear of others concerning this plot, put the two houses of parliament and the greatest part of the nation into. [237]

Gentlemen in the county were keen that the plot be thoroughly investigated and the perpetrators punished. [238] Some were genuinely frightened. There were reports of armed men riding in the night from all three ridings of Yorkshire. [239] Letters were published in Hull that the four companies of the Duke of Monmouth's regiments then upon their march to the garrison were "most or many of them papists". Anthony Gylby wrote to assure the corporation that this was not the case. [240] Sir Joseph Cradock of Richmond favoured stricter searches since it was generally believed that Yorkshire and adjacent counties abounded with catholics. [241] Initially there was frenzied activity in order to secure the county. Henry Layton, writing from Howden near Leeds, reported to Williamson that

upon the breaking up of the great popish plot the crack and noise filled us with great visions and the apparitions of armed men assembled and riding by night, upon which strong strict watches were set, our militia drawn out, all popish houses searched and all in great rumour and expectation for ten or twelve days... [242]

But in this area of west Yorkshire, as in the rest of the county, fears were found to be groundless. Arms found in papists' houses generally amounted to nothing more than a few cases of pistols, rusty swords and gaming pieces. Priests were hunted down and a handful were arrested who eventually came to trial in 1679. Catholics were prosecuted according to central government directives between 1679 and 1681 but in an almost formalised, matter of fact way. [243] Some gentlemen came to disbelieve the web of intrigue spun by the informers of the plot. Christopher Tancred named his dogs Oates and Bedloe. [244] Reresby commented on the dilemma which many found themselves in. It was widely known that the King did not believe in the plot, or at least in the attempt to rob him of his life. Yet the government ordered repressive measures against catholics and the parliamentary opposition created a Catch 22 whereby anyone expressing disbelief in

the plot must have been privy to it: "such was the torrent then that no doubt was to be made of what was said". [245] Both in the Commons and in the county the gentry were taking repressive measures against catholics in general when they doubted the authenticity of the information on which it was based. Such measures did nothing to allay the fears of the gentry since they failed to tackle the real problem which was dogging the nation - the catholicism of the Duke of York and the consequences of his succession. Yorkshiremen were not particularly alarmed at having catholic neighbours, as the next chapter will reveal. Most though were nervous of the prospect of a catholic king.

#### Security : The Militia and the Garrisons

There are conflicting views on the health of the English militia after 1667. J.R. Western argued that the militia went into decay and decline after 1667 due to an increasing distaste with its repressive function and a lack of interest in seriously improving it. Anthony Fletcher has argued more recently that this view is too gloomy and that the picture for the 1660s and 1670s is one of "an institutionalised militia which was run with efficiency". [246] The Yorkshire picture is as conflicting as these two general views. Whilst there is evidence of dissatisfaction with the militia and problems with its funding and organisation, there are also good reports and evidence that some deputy lieutenants were concerned to ensure its efficiency. The state of the North Riding militia appears to support Western's view. There were complaints about it in October 1668 which Viscount Fauconberg ordered should be sorted out by constables and deputy lieutenants at Thirsk. In June 1673 it was noted that the militia could not be in good order having remained unmustered for two years. [247] The picture for the West Riding is less depressing. There were musters in each year between 1671 and 1673. Danby took over the lieutenancy in 1674 but the first reference to a settlement of the militia is not until July 1677 when Sir John Reresby met with other deputy lieutenants at York for that purpose. In October he travelled to Leeds to settle the militia of that division and on 5 November 1677 Reresby gave Danby an account of the settlement then proceeding in the riding. [248]

Some of the earlier problems associated with the militia had not been sorted out. In the North Riding efficiency was impaired by the failure of some persons to contribute their quota of arms and horse. [249] The West Riding experienced similar problems. In February 1670 it was noted that

it appears that many that be best able do contribute little or nothing in comparison of the poorer sort upon whom the burden is more grievous. And yet in many townships there are some who escape absolutely free and are not charged at all.

High Constables of Barnsley, Darton, Woolley and Bretton were therefore ordered to meet the deputy lieutenants at Doncaster on 6 March with a list of all those not charged

And you are likewise to give notice to all persons within your constabularies who are charged with horse or foot arms that they may at the same time have relief against any principals or bearers who refuse to pay their due proportions and may likewise be more equally rated with those who save themselves by an unequal valuing [of] their estate. [250]

In the early 1660s the great distance at which people lived had been seen as a problem in efficiently bringing the militia together for musters in the North Riding. Since there had been no radical re-organisation of the militia there it presumably remained as a problem. Sir Godfrey Copley, writing to the West Riding lord lieutenant Danby on 12 December 1677 also identified this as a problem for the foot regiments, of which he thought there could be no more than two:

The only difficulty is to lay the Companies with the most convenience for musters and training to prevent long marches upon those occasions ...

However, he thought that the deputies could sort this out between themselves without troubling Danby. This was not so much a problem for the horse. [251] Criticisms of the West Riding militia therefore do not appear to have suggested insurmountable problems. Indeed the evidence for both the North and West Ridings suggests that deputies were keen to sort out problems as they arose and that there was still some enthusiasm for the local militia. Henry Edmunds told Sir John Reresby in November 1678 that he was unfit for militia service being so infirm that he could only rest by his fireside. He also had no horse. However, rather than neglect the service of the King he was willing to do his utmost to help settle the militia in Reresby's absence. [252]

It is difficult to assess the Yorkshire militia's performance for most of this period since it had very little to do. Militia troops do not appear to have been used as a repressive agency against dissent and both internal and external security worries had largely died down by this time. The first real task which the militia had to perform came with the frenzied activity following the disclosure of the Popish Plot. The militia was used in searching for arms and raised to deal with the security threat. The militia forces of the West and North Ridings were mustered quickly and performed well. Deputy Lieutenants reported to Fauconberg from Northallerton on 22 November that "the three troops made good appearance at muster". [253] All the West Riding militia was in arms by 16 November, stationed at strategic towns in the riding. Four deputies reported to Danby that the militia was "in good posture". Sir Thomas Yarburgh thought that

The appearance of the trained bands has been good and in so short a time are modelled beyond expectation. [254]

Thus when there was a crisis the militia could be relied upon to maintain security and the militia's readiness in November 1678 was the more commendable since many deputy lieutenants were still at Westminster.

Underlying the militia's activity during the 1670s was the continuing political debate about its settlement. Sir Gilbert Gerard speaking in the debate on the state of the nation on 14 March 1678 regretted that the militia had been so long neglected since "they might preserve us" against the French. [255] Whilst this was partly political rhetoric it does suggest that some country gentlemen were concerned to improve the militia in order to make it a more effective security force. The mood of some Yorkshire members was still against a standing army. Sir John Hotham told the House on 31 October 1673 how his native Beverley was so impoverished that it was impossible to raise money there. One reason for this was the cost of quartering army forces which was done in private houses, one person being fined for refusing to "render his house and bed to the soldiers". He argued against voting money since that would only allow the government to continue the army. [256] Whilst J.R. Western rightly points out that there were always calls for the disbandment of army forces and a great fear of the institution of a standing army, it is a mistake to argue as a corollary that this meant that gentlemen were happy with the existing militia. [257] It was pointed out in the previous chapter that whilst Yorkshire members

were against a standing army many were not so averse to a standing or select militia and that many of the complaints about the militia following its settlement would have been solved by such a force. This argument appears to have extended into the 1670s.

In the wake of the Popish Plot the question of control of the militia was raised once again. The Commons addressed the King to have the militia serve in rotation, a third at a time and began work on a bill to finance such a scheme. Sir Gilbert Gerard was amongst those in favour of the motion. [258] The King vetoed the bill on the grounds that it put the militia out of his control which he could never assent to, "the militia being wholly in the crown". Whilst the opposition was clearly trying to challenge the crown's prerogative in its control of the militia the issue had a deeper root. On news of the Popish Plot the Yorkshire gentry had been panicked by rumours of night riding and foreign invasion. The King's rejection of the bill intended to secure the nation "increased their fears very much". [259] In order to make the militia absolutely effective local gentry needed to have control of when they would raise it. Under Charles II they found that conceding the point that the crown had ultimate control of the militia could impede local initiative designed to maintain security.

However in the West Riding the point was seen to be fairly academic. The militia was raised on 16 November and foot regiments posted at Pontefract, Knaresborough, Skipton and on Acomb Hill, near York. The horse was drawn to Pontefract but dismissed a few days later with orders to be in readiness. The forces initially had orders for fourteen days pay but Danby ordered that one company each of his own regiment and those of Henry Lord Fairfax, Sir Henry Goodricke and Sir Thomas Slingsby should be stationed at Pontefract, Leeds, Skipton and York respectively for twelve days. Thereafter the other companies of these regiments were to serve in rotation until all had served twelve days each. This left each regiment with two days spare duty for the rest of the year. Thus Danby kept part of the West Riding militia on foot from 16 November to 27 December. The county could clearly afford to do so. His deputies asked whether they should pay the ensigns and lieutenants as well as the trumpets, serjeants and drums out of the week's tax which they were well able to do if they could raise the next week's tax in advance. [260]

In the Commons many of the arguments surrounding the militia were wrapped up with increasing fears of a standing army. Sir John Hotham

complained about free quarter in Beverley and in 1676 was insistent that a soldier in John Lord Frescheville's regiment be dealt with by the justices for some civil offence. [261] However, there were few other voices raised against the military presence in Yorkshire. Garrisons were still maintained in York, Hull and Scarborough but, as in the early 1660s, the army functioned alongside the militia and was not perceived as a threat to it. There was a slight increase in the number of forces in the county during this period. On 6 May 1671 the King gave orders for raising 540 recruits to be distributed amongst six garrisons, including Hull and York. [262] In addition a garrison was created at Bridlington on the east coast. This was first thought of in late 1672 but nothing happened until February 1678 when Sir John Reresby heard that the fort there might be repaired and applied for the post of governor. With the support of Danby and the Duke of York he was appointed at a salary of £200 per annum and given an independent company of a hundred foot. [263] Far from there being an outcry at this increase in military presence in Yorkshire, the people and gentry of the Bridlington and the surrounding countryside were glad of the increase in security. The only complaint amongst some of the gentry was that a West Riding gentleman had been appointed to an East Riding command. [264]

Although Reresby bristled with pride at his new appointment he soon found similar problems to those experienced by other Yorkshire governors. The fort was much out of repair having been left to decay throughout the restoration period. His company, though complimented as being excellently well disciplined, were "put into a little dirty stable" for their guardhouse. [265] In 1670 John Lord Frescheville had complained that York guardhouse was inconvenient and could not house the garrison for the winter. In the same year it was reported that Hull blockhouse was in need of repair. [266] Reresby found difficulties in obtaining money to pay his troop and whilst local people were civil, they were too poor to provide meat and drink for the soldiers. The officers reminded Reresby on more than one occasion that the company needed drums coats and colours since they looked "naked" without them and "cannot well march to the town of Bridlington and show ourselves without colours". By November the problem of the soldiers' pay was so acute that the officers feared a mutiny. Adding to the problem were constant rumours that the town was to be disgarrisoned almost as soon as it had been established. [267]

During the 1670s the militia in Yorkshire had performed a much less public function than in the insecure years of the early restoration period. However, when called upon to ensure the security and defence of the county in 1678 it performed well, even better than some had expected. The army forces in the garrisons were testimony enough that the government had no plan to supplant it in the counties. Indeed the experience of Yorkshire governors indicated that the government might have been accused of neglecting its forces rather than strengthening them. The fears of a standing army which were expressed in the Commons was an indication of the opposition's distrust of the King rather than based on actual experience in the county. However, as later developments were to show, the opposition did have some cause for concern.

#### Conclusions.

Of the thirty Yorkshire members of parliament elected in 1661 only fourteen remained in the Commons at the dissolution of the Cavalier parliament. Shaftesbury believed that four of them possessed differing degrees of vileness. Sir Solomon Swale, triply vile, had been ejected from the Commons for his recusancy in 1678. Sir Metcalfe Robinson, Sir John Dawney and Sir William Lowther were worthy, Sir Gilbert Gerard, Roger Talbot and William Thompson were doubly worthy and Sir John Hotham, Michael Warton, William Stockdale and Sir Hugh Bethell all triply worthy. The worthies had lost Andrew Marvell late in 1678 through his death. Of new members elected during the course of the parliament there were equal numbers of viles and worthies. Thus on the eve of the dissolution of the Cavalier parliament the Yorkshire representative was divided, with a third identified as court supporters and two-thirds in opposition. However, if in assigning a triple letter to a member Shaftesbury was indicating definite commitment to one side or the other, the Yorkshire representative had more court supporters than opposition members. Eight were designated triply vile against five triply worthy. In addition, those categorised with the opposition were divided almost equally into three groups of different degrees of commitment. On the court side no Yorkshire member was simply 'vile'. [268]



Shaftesbury's analysis of the Commons towards the end of the Cavalier parliament reinforces the picture of fluid party development rather than strict polarisation, particularly amongst the opposition. A handful of Yorkshire members had moved from criticism of the government to open hostility. Slightly more had rallied to the crown's defence as it faced dangerous attacks on the prerogative. The majority of the rest of the Yorkshire representative were clearly unhappy with the political situation but were wary of going into total opposition. The resistance to party formation was still evident at the end of the period. Sir John Talbot told the Commons in the debate on the King's speech on 22 November 1678

We shall cease to be a parliament, if Sacheverell uses the phrases "those gentlemen" and "they," etc. We would go on in a parliamentary way of proceeding, in a way of reason, a fair way. [269]

He was echoed in the county by Sir Thomas Wharton of Edlington who believed that because the nation had so many enemies this was no time for division amongst themselves. [270]

In the last session of the Cavalier parliament all the grievances of the past decade were thrown at Danby's door. He was accused of encouraging popery, the French alliance and a standing army, of monopolising the King's ear in council and of self-advancement. He had corrupted parliament through bribes and pensions given to court supporters and had mismanaged the revenue. Montagu's revelations showed Danby to be as untrustworthy as the King whom he served. [271] The grievances were much the same as those expressed at Clarendon's fall ten years earlier. Little had been done to satisfy the Commons that the government worked in the nation's interest. In the last ten years they had seen the growth of popery and the beginnings of a standing army, as well as a dangerous friendship with the French king. Now, the heir to the throne, a known papist, was implicated in a plot to murder his brother and impose catholicism in England. The situation was dire indeed. As the Yorkshire gentry came back into the county in early 1679 to be involved in the first general election for eighteen years, they could not but be aware that cures had to be found for the nation's ills. Whilst they might have been in agreement on the nature of the malady, they differed on the remedy which should be used.

CHAPTER FOUR

CRISIS AND RE-ADJUSTMENT: 1679 - FEBRUARY 1685

Introduction.

In November 1679 James, Duke of York, passed through Yorkshire with his catholic wife on their way to Scotland. Although the visit was brief, it provided the county gentry with an opportunity to make a public display of their loyalties towards the crown. At York

all the loyal gentry waited upon them, and paid their respects. Those of another party were distinguished by not doing it ...

Sir John Reresby clearly categorised himself amongst the 'loyal' gentlemen. He waited upon the Duke at Welbeck, home of the Duke of Newcastle, before going back into Yorkshire to organise an escort of gentry and tenants, "well horsed and in a good equipage", to conduct the Duke into the county. Reresby got together fifty gentlemen from his neighbourhood. [1] William, second Earl of Strafford and George Viscount Castleton met the Duke but Reresby criticised them for being "but very poorly attended". Whilst displaying the courtesy due to the King's brother, these two lords were signifying their criticism of the crown by making only a token effort towards greeting the Duke into their county. [2] At York, the corporation's opposition to the crown was even more emphatic. There the Duke

had no kind reception, neither being met or complimented by the Mayor or Aldermen.

The city's cold reception of the Duke earned the corporation bench a rebuke from the King who warned them that should the Duke pass through York again he was to be treated with the respect due to the heir to the throne. [3]

The Duke of York's reception in Yorkshire was a clear indication that the county gentry were divided. For the rest of Charles II's reign they were to divide further and for the first time since the Restoration division can be seen clearly at the county level. As early as the Duke's visit Reresby was distinguishing himself and other 'loyal' gentlemen from those "of another party". Division was expressed in the three general elections between 1679 and 1681, in petitions and addresses to central government, at assizes and quarter sessions and in day to day business and leisure contacts. The situation was so advanced in York by about 1681 that

there is not only a separation of interests, but few do buy of, or have any commerce but with those of their own principle. [4]

The King made the schism deeper after 1681 by choosing to govern the county through only one of the parties which had emerged. The struggle for consensus which had hitherto been the hallmark of county politics broke down. Failure to find a compromise solution to the problems which concerned all gentry ultimately resulted in one of the most exciting and formative periods of Restoration politics. It is the task of this chapter to investigate the nature of the division between the Yorkshire gentry and what effect it had on the development of their politics.

### Local Office Holding

Up to 1679 local office holding in Yorkshire had remained relatively stable in the hands of a broad spectrum of county gentry. Partisanship had really only extended so far as to ensure that local government was administered by gentlemen who supported monarchy. Even though the 1670s had seen increasing division amongst the gentry on their approach to problems at the centre, none had challenged the basic monarchical constitution of the Restoration period. During the last six years of Charles II's reign divisions amongst the gentry became deeper. This process was compounded by the crown's increased use of political considerations in the appointment of gentry to local office. After 1681 particularly, the government assessed the suitability of the gentry for local office on their wider political opinions. The process was by no means a simple one of removing from office any person who voted for or was known to support exclusion but certainly the crown ensured that one party, the loyalists, dominated local office holding.

Between 1679 and 1685 the shrievalty was a key political office in the county. The gentlemen appointed had important roles to play in three general elections and in the new fashion for addressing and petitioning the King. The increased responsibility does not appear to have dissuaded gentlemen from coveting the office. In keeping with the trend since the Restoration there were always several hopeful candidates for the shrievalty. Sir Richard Grahme of Norton, appointed in November 1680, as early as March 1681 was lobbying to be continued for a further year. Sir Ralph Knight had entertained hopes of being

appointed in 1682 and in the same year Sir John Reresby hoped that his friend Sir John Kaye would be pricked, but both were overlooked in favour of Ambrose Pudsey. Sir William Chaytor appears also to have had aspirations for the office in 1684 when Christopher Tancred was appointed. [5]

Along with the heightened political importance of the office went increased interest in who was appointed both at the centre and in the county. The Duke of York played a key role in two of the appointments - Sir Richard Grahme's in 1680 and Christopher Tancred's in 1684. When Grahme was lobbying for a second term of office the Duke of York informed the King that it was his "particular desire" that he should be continued. On this occasion however William Lowther of Swillington was being promoted as a rival candidate by Halifax. Grahme hoped that Halifax would not "contend with the Duke of York about so small a trifle" but accept of an expedient whereby Grahme should be continued for a year and Halifax have a promise for Lowther for the year after. [6] The promotion of rival candidates serves to illustrate how central division, in this case between Halifax and the Duke, could affect county office holding. The strength of Halifax's position at court at this time was reflected in Lowther's appointment in November 1681. By 1684 the Duke of York's influence had increased. Christopher Tancred

came in upon the alone account of the Duke, my Lord [Chief] Justice and the Lord Ro[chester].

Halifax was not even consulted. [7]

Sir John Reresby was a rising political figure in Yorkshire during this period and his influence can be detected in the appointment of sheriffs. Sir Richard Grahme was Reresby's "particular friend". [8] Presumably on the basis of this friendship Reresby was one of those whom Grahme requested to lobby for the extension of his term of office. Ambrose Pudsey was also friendly with Reresby and the latter was pleased when he replaced William Lowther as sheriff in 1682. [9] Pudsey's successor was Sir Bryan Stapleton of Myton whom Reresby had defended against the Common's committee of abhorrence in October 1680. He was also the son-in-law of Sir John Kaye whom Reresby had actively supported in the Second Exclusion Parliament county election and promoted as a candidate for the shrievalty in 1682. Stapleton had an interest in Aldborough, Reresby's old parliamentary seat, by the proximity of his Myton estate to the borough. [10] Christopher Tancred also had an interest in Aldborough and had been appointed to the West

Riding commission of the peace on Reresby's recommendation in 1680.  
[11]

These connections would suggest a successful attempt by loyalist West Riding gentry, led by Reresby and Kaye, to ensure the appointment of likeminded sheriffs during the period of the 'Tory reaction'. All the gentlemen concerned in this group were anti-exclusionist abhorrrers. However the picture is complicated somewhat by the Halifax connection. Reresby was very much under Halifax's wing from 1682 onwards. The Viscount first promoted and later defended Reresby's appointment as Governor of York. [12] At Court the relationship between Rochester and Halifax disintegrated into a mutual enmity and Halifax became increasingly identified with opposition to the Duke of York and his circle. [13] Reresby and Kaye remained as Halifax supporters therefore when Tancred was appointed to the shrievalty in 1684 it was possibly a blow to their political ascendancy in the county as well as to Halifax's position at the centre. By 1684 what was emerging in the county was a division of the loyalists into two camps, one identified by firm support of the Duke of York and the other by a tendency to look towards Halifax for leadership.

The sheriffs of this period were all loyal gentlemen. During the elections they were clearly expected by some loyalist candidates to be partisan. However, on two occasions the sheriffs displayed cautiousness in supporting loyal candidates lest they be accused of corruption of their office. Richard Shuttleworth of Forcett was an obscure man, evidently not even thought worthy of the North Riding bench. It was said that as sheriff he

lives well and hath eight footmen, though but little company  
except the soldiers who are his constant guests. [14]

Unfortunately for Shuttleworth, shortly after his appointment as sheriff in November 1678 he had to organise the first general election for eighteen years. His influence does not feature large in the extant sources except at Aldborough. The dispute concerning the franchise there had never been decided during the Cavalier parliament. At the general election Reresby and Sir Godfrey Copley stood against each other on different franchises. Sheriff Shuttleworth, "a timorous man", had already received a letter from Danby instructing him to be "kind" to Reresby in the Aldborough return and by Reresby's persuasion he put off the election date to Reresby's convenience. At the election Reresby's indenture was signed by five burgage holders whilst Copley's

had forty-eight signatures. Shuttleworth was inclined to return the indenture with most names, particularly since Copley and three lawyers warned him of the dangers of not so doing. However the sheriff was browbeaten for two hours by Reresby into returning only his indenture. When the disputed election came to be considered at the committee of elections poor Shuttleworth was sent for to explain why he had returned only one indenture. The man clearly panicked and first tried to get his appearance deferred and then had such a "grievous fit of the stone" that he could not travel to London "in reality without a manifest danger of his life". Reresby lost his seat in the Commons and Shuttleworth must have been greatly relieved when his term of office was over. He was not one of those who lobbied for a second term! [15] It was Reresby again who attempted to corrupt the sheriff during the Oxford Parliament elections. At Reresby's request the sheriff, Sir Richard Grahme, held onto the precept until he could get to Aldborough for the election. Sir Godfrey Copley, the other candidate, naturally became impatient when he was made to wait ten days for the delivery of the precept. By 17 February Reresby had arrived in Boroughbridge and Copley demanded that Grahme send the precept for the election. Reresby however appears to have expected the precept to be sent to him and possibly wished to delay the election even longer. Grahme was in an uncomfortable position between the ties of friendship with Reresby and the duties of his office. He told Reresby that he would serve him "wherein I can do it without danger to my reputation" and further

Consider what an imputation t'would bring upon me in the country, for all people would exclaim against my partiality and indirect dealing, which amongst other prejudices would no doubt give me a journey to Oxford when the Parliament sits, as it did lately to my predecessor, Mr Shuttleworth.

He refused to deliver the precept to Reresby, reminding him that it would be illegal to do so. Significantly Grahme said that he had refused all gentlemen upon the same account therefore it seems that Reresby was not alone in expecting the sheriff to corrupt his trust. Throughout his correspondence with Reresby, Grahme stressed that he had to keep within the legal limits of his office. His honour and reputation for integrity were at stake in the county. Moreover, the Commons was watching out, eagle-like, for corruption in favour of court candidates. From the reaction of Shuttleworth to being called to the Commons and from Grahme's cautiousness to avoid that fate, it seems that it was no trifling matter to be brought before the House on

charges of corruption as sheriff. Reresby no doubt understood Grahme's position, even if it did inconvenience him. On the night after the election Reresby stayed with his friend to discuss private matters. The election business had evidently not affected their friendship. [16]

The sheriff's high profile at the assizes meant that they were prominent in the moves for addressing and petitioning. Ambrose Pudsey promoted the address sent from the county following the disclosure of the Rye House Plot. Again the coincidence of central and local divisions was visible. Pudsey favoured conveying the address to the Earl of Burlington which, as Reresby knew, meant that it would be presented by Lord Rochester. Reresby preferred that his own patron, Halifax, should gain the honour of presenting the address and contrived a meeting of Halifax's friends whereby they decided to ask him to present it. [17]

On two occasions during this period the sheriff came to blows with the governor of York. The first occasion was in 1682 when William Lowther of Swillington defended the county's rights against the encroachment of the governorship. The issue revolved around jurisdiction of the keys to the Castle Gates which both the sheriff, as responsible for the county gaol, and the governor, as responsible for Clifford's Tower, claimed. [18] Since both men were patronised by Halifax the issue appears to have involved only local conceptions of the role of the King's officers in the county. When the dispute was renewed by Christopher Tancred in 1684 it took on a new dimension. As noted above, Tancred was supported by the York - Rochester faction at court whilst Reresby was still supported by Halifax. It is possible that Tancred's attack on Reresby's jurisdiction was inspired by the York-Rochester-Burlington faction's efforts to have the governorship of York dissolved. This is supported by the fact that later in his shrievalty, when James was King, Tancred started another row with Reresby concerning a garden in the Castle precincts and found the support of the King. [19]

During the period 1679-85 the court ensured that loyal gentlemen were appointed as sheriff in Yorkshire. The sheriffs themselves reciprocated this show of support from the crown by leading the county in loyal addresses and helping court candidates in the elections. For the most part however they would do so only within the legal limits of their office which demonstrates a concern with the opinion of the



county. None wished to be accused of partiality in an office which should appear politically neutral. However, this neutrality was increasingly difficult to maintain as sheriffs were obviously selected along partisan lines and the influence of the Duke of York becomes unmistakable. The Duke was identified by the Yorkshire gentry as being the key to court favour during this period. [20] He took a much greater interest in selecting his personal supporters for local office than his brother, a policy which was to have more impact during his own reign, but of which the early signs are indentifiable during the closing years of Charles II's reign.

The commissions of the peace came under scrutiny by central government several times between 1679 and 1685. In January 1679 the King gave orders that disaffected justices should be removed and protestants who would act with vigour and good affection were to replace them. During the following spring and summer the new Privy Council, dominated by the opposition leader Shaftesbury, attempted to remodel the commissions along 'Whiggish' lines. Neither of these reviews had much affect nationally and certainly Yorkshire's three commissions remained intact. [21] The only significant changes appear to have been in the liberty of Ripon. Sir Edmund Jennings, Richard Aldborough, Walter Lister and the recorder, William Dawson, found out that they had been removed in about December 1679 and complained about it to Thomas Viscount Fauconberg, as custos rotulorum of the liberty. It is possible that the Archbishop of York was behind their removal since Thomas Cartwright, the Dean of Ripon, believed that the change had been inspired by the Archbishop of York's steward, Towers Driffield, who was amongst those added at this time. It seems likely that the Archbishop would have welcomed at least Jennings's removal who had led Ripon corporation's opposition to his jurisdiction in the borough. Cartwright thought that their removal might be "prejudicial both to the King and the Church at this critical time". Fauconberg probably knew nothing of the change until it was brought to his attention. He appealed to the Lord Chancellor, pointing out that the gentlemen removed were "not only men of figure but loyal principles" and it seems likely that they were all recommissioned. Although the initiative for their removal probably came from the locality there is a suggestion also that the remodelling of this commission was politically inspired. Jennings was a Danby supporter and an anti-exclusionist whom Shaftesbury thought doubly vile. Amongst those added

were Edward Blackett of Newby Hall who had been particularly zealous against catholics in Northumberland where he was sheriff during the Popish Plot. Also added was Mr Bislowe, a former nonconformist preacher who had subsequently trained as a lawyer. What appears to have happened in the liberty of Ripon is that a local struggle concerning the Archbishop's jurisdiction inspired the moves against these four gentlemen. Shaftesbury would have welcomed at least Jennings's removal and also took the opportunity to put in gentlemen considered to be supportive of the opposition. [22]

From about the beginning of 1680 the government remodelled the county commissions along loyalist lines. In all three ridings a number of gentlemen associated with the opposition were removed. However, the purges were not comprehensive in that no single reason can be given for the removals. Several gentlemen who had voted in favour of the Exclusion bill division were put out of the commissions. Sir Gilbert Gerard lost his place on the North Riding bench in January 1680. Sir William Frankland was probably removed somewhat later. He was still acting at quarter sessions in July 1681 but was probably put out of the commission soon afterwards. Sir John Hotham, a vociferous oppositionist, was removed as custos rotulorum of the East Riding in January 1680. However, Henry Lord Fairfax and Sir John Dawney, both of whom had voted for the Exclusion bill division, survived on the West Riding commission. Michael Warton, a member for Beverley with Hotham and a fellow exclusionist, also survived on the East Riding bench. On the other hand, several gentlemen who had been absent on the division were removed. This category included William Palmes from the West and North Riding commissions, Sir Watkinson Payler from the East and North Ridings and Humphrey Wharton from the North Riding. [23]

One of the criteria used for remodelling the commissions of the peace appears to have been unrelenting opposition to the government rather than specific political acts such as voting for the Exclusion Bill division. Sir John Hotham, Sir Gilbert Gerard, Sir William Frankland and Humphrey Wharton all continued their opposition to Charles II's government after the dissolution of the Oxford parliament. Those who survived on the commissions probably had softened their attitude towards the crown. Henry Lord Fairfax for instance was said in July 1681 to have "become a great convert". [24] Perhaps Fairfax had rethought his position on his return into the county following the dissolution of the Oxford parliament where he would have seen the

further development of deep and acrimonious divisions amongst the county gentry. Also though, the government clearly was trying to win over the more important county gentry who had been critical of the crown by not removing them from county office. Lord Clifford was put onto the West Riding commission in 1682. Sir John Dawney was created Viscount Downe in 1681 and survived on the West Riding commission of the peace. His son, another Sir John, was put into commission in January 1680. Few prominent county gentry were put out of the commissions and removal from the bench appears to have been a last resort by the government rather than a retributive purge. [25]

What purge there was affected only a minority of justices. In all three ridings a solid core survived the changes made in the early 1680s. In the West Riding the former practice of adding loyal men rather than removing opposition gentry continued. Here there is certain evidence for only five removals which includes George, Duke of Buckingham. [26] Between 1680 and 1684 at least thirty-three new justices were commissioned. [27] Many were appointed on the recommendations of leading West Riding gentry. Loyalist gentlemen such as Kaye and Reresby started a campaign to ensure the loyalty of the bench before the dissolution of the Oxford parliament in an attempt to strengthen their party in the county. Their method was to have loyal justices appointed rather than the opposition removed. Sir John Reresby had a row with Francis Jessop concerning the laws against dissent and although Reresby reported the matter to central government he made it clear that he had no wish to see Jessop removed. [28] Reresby suggested John Peables, the former clerk of the peace, to Halifax for inclusion on the bench in 1681. Sir John Kaye was pleased with Peables' appointment since he "understands the business very well and is truly loyal". Kaye himself suggested eight gentlemen who ought to be in commission to Reresby who was clearly the riding's spokesman with regard to new appointments, probably because of his close relationship with Viscount Halifax in the early 1680s. Reresby also recommended Christopher Tancred in April 1680 who thought it a great kindness in Reresby to consider him worthy of the position at a time when "so many (honest men) as some call them are turned out of commission". [29] Gradually such efforts proved successful. By strength of numbers, bolstered by the King's support, loyalist gentry were able to dominate and manipulate the business at quarter sessions. Opposition justices who had survived the remodellings were in too much

of a minority to stem the tide of loyalist reaction which began to characterise the work of the West Riding justices in their sessions.

During the course of the Exclusion parliaments the Commons questioned the present structure of the lieutenancies, arguing that honest, loyal gentlemen were being replaced by others who favoured popery and tyranny. J.R. Western has argued that these attacks, coupled with motions for disarming papists and a protestant association, were motivated by the opposition's desire to create "a sort of private army in rivalry with the militia - or more probably, consisting of a part of the militia itself under opposition command". [30] Whilst opposition gentry no doubt hoped to have control of the militia in the counties, the views being expressed were essentially no different from gentry attitudes towards the lieutenancies since the Restoration. They had always expected the deputies to be drawn from the cream of county society and principal officers from the next layer of the gentry hierarchy. In addition the lieutenancy and militia were expected to be protestant and loyal to monarchy. The gentry's concern in the early 1680s was not primarily the result of the opposition's desire to create a partisan lieutenancy. Rather it stemmed from the fear that local security forces could be monopolised by papists, their sympathisers and men of mean rank if traditional selection methods were not adhered to. As James II's reign was to prove, the opposition's fears in this matter had some foundation.

In April 1679 the Earl of Burlington took up the office of lord lieutenant of the West Riding for the second time since the Restoration. During the mid-1670s Burlington was mildly supportive of the country opposition. In 1675 he was prepared to give electoral support to an alliance inspired by Yorkshire's country party members between his son, Charles Lord Clifford, and Henry Lord Fairfax if there was to be a general election. In May 1677 Shaftesbury considered him to be doubly worthy. However, Burlington was a discreet man, not willing to commit himself too far in any political direction, perhaps nervous of giving offence to the King. For instance in August 1680 William Hammond complained that his recent removal from the West Riding commission of the peace, where Burlington was custos rotulorum, was on account of his opposing Lord Clifford in the last parliamentary election. Burlington claimed to have no knowledge of Hammond or the reasons for his removal from the bench. Further, he

told his son-in-law, Lawrence Hyde, that "I never concerned myself in that Lord's election". Whilst it is possible that Burlington was being truthful in this statement it seems more likely that he was at pains to disassociate himself from his son's opposition to Charles II and his support of Exclusion in the first 1679 parliament. This view is given confirmation by Reresby in his Memoirs. At the time of the Rye House Plot Reresby claimed that Burlington was considered by the court to be cautious, not willing to venture too far for fear of losing his great estate and one who tried "to carry fair with all parties". In an attempt to make a display of his loyalty, Burlington allied with the loyalist Reresby in securing the county and framing a loyal address to the King. Yet relations between Reresby and Burlington were not always so cordial, particularly as Reresby adhered to Viscount Halifax and Burlington was associated with Lawrence Hyde, the Earl of Rochester. The picture of Burlington is one of a politically prudent man who resisted faction and discord and one who kept any thoughts of criticism of the government very much to himself. [31]

In the North Riding the by now middle-aged Fauconberg retained the lord lieutenancy until the end of Charles II's reign. Fauconberg was less of a closet critic of the government in the 1670s than Burlington. He had adopted a political position close to that of Viscount Halifax, although Shaftesbury thought him only singly worthy in May 1677. Like Halifax, Fauconberg's tolerance of the opposition was broken by exclusion issue. After the dissolution of the Oxford parliament Fauconberg remained in London for some time, evidently pleased with the King's management of affairs. He was nervous of the excesses of the opposition both during the Exclusion parliaments and afterwards which persuaded him to retreat from open criticism of the crown in the early 1680s. [32]

In December 1679, following Monmouth's fall from the King's favour, John Sheffield, third Earl of Mulgrave was appointed lord lieutenant of the East Riding. His time in the office was short. In October 1682 he offended at court, apparently for making overtures to Anne, the Duke of York's daughter, although Reresby and others said that he was under "a suspicion of adhering to the Duke of Monmouth's interest". [33] Rumours circulated that the vacant lieutenancy would go to either Halifax or Charles Seymour, Earl of Somerset who had "great concern there by his lady". It was reported in a newsletter of 9 November 1682 that Halifax had been granted the place but in fact on the same day

Somerset was appointed. [34] Charles II departed from his usual practice of combining the lieutenancy of the riding with the lieutenancy and governorship of Hull. Somerset was given command only of the riding whilst Thomas Lord Windsor, soon to be created the Earl of Plymouth, took over responsibility for Hull. [35] It is clear that all these East Riding appointments were inspired by central rather than local politics. Halifax's increasing alienation from Rochester and the Duke of York meant that his chances of preferment over their allies were slim.

The lords lieutenant were expected by the government to provide information for a remodelling of the deputy lieutenancy and militia commands during the early 1680s. By and large the existing deputy lieutenants and militia officers were loyal. Annotated lists of the West and East Riding commands of November 1680 show that the majority were considered to be "right" or "honest". It is unclear who annotated the lists, but some of the comments show that the annotator was unsure of the identity of some of the officers which would suggest a lack of local knowledge. A few deputies were singled out as being particularly loyal. Sir Thomas Slingsby, a West Riding deputy, was thought "very right; never gave one vote for the country". Sir John Kaye and Sir Thomas Mauleverer were also described as being "very right" West Riding deputies. Several of the East Riding deputies were noted as being "old cavaliers". Five of the loyal West Riding deputies had been brought in by Burlington in April 1680. Richard Hutton was a particularly good choice. He was described as "an abhorrer, very honest". Burlington had inherited a loyal selection of deputies from Danby and had bolstered them with the addition of more. [36]

However, in all three ridings some gentlemen who were opposed to the crown were still in commission in the early 1680s. As with the peace commissions, there was no simple equation for deciding who should be removed. Extremists such as Sir John Hotham, Sir Gilbert Gerard and Sir William Frankland appear to have lost their commissions early on, probably by November 1680 in all three cases. The East and West Riding annotated lists show that only a minority of politically suspect deputies remained in commission. In the West Riding the two exclusionist knights of the shire, Henry Lord Fairfax and Charles Lord Clifford, were simply marked with an 'X'. In the East Riding the assignation of 'X's was retained for the Hotham-Warton faction. Michael Warton and his son, Sir Michael, were evidently considered to

be disaffected. John Eastoft was described as "a violent man, a Hothamite, out of the Commission of Peace or deserves to be". [37] However, removing gentry from local office for their general political opinions had wide implications. Burlington was worried in June 1681 that Michael Warton would lose his places in the East Riding militia and lieutenancy. He explained to Lord Hyde that Warton had been careful to choose loyal officers. Any change "would occasion much disorder in this country" since Warton's younger brother, Sir Ralph, a more moderate man and "a very considerable person", was bound to lay down his commission should his brother be removed. Not only would this upset the whole structure of the East Riding militia but Burlington could think of no-one who could be commissioned in the Warton brothers' places. [38]

The government's conception of what constituted the opposition had a different affect in the North Riding. In July 1683 Fauconberg was keen to include Sir Barrington Bouchier amongst his deputies but could only approach the King about it if he had a recommendatory letter from some of the local gentry. Otherwise he could not do so "by reason of the objection you know of". The objection may have been that Bouchier's father had been a regicide. Also Sir John Cochrane, the Scottish whig, Bouchier's uncle, had visited him before escaping abroad at the time of the Rye House plot. Since the Restoration Bouchier had attempted to display his loyalty to the Stuart monarchy and was clearly well respected by his fellow gentry. However, because of the government's general antipathy towards anyone associated with opposition politics, however loosely, Fauconberg was unable to promote a gentleman whom he knew to be truly loyal. [39] In the East Riding, where local office holders were drawn from a small circle of gentry, the government had to continue an opposition gentleman in office if local government was to function smoothly.

In Yorkshire the government had several governorships at its disposal which could be used both as a source of patronage and as a means of placing loyal gentlemen into positions of power in the county. In 1678 Bridlington had been transformed into a small garrison. Command was given to Sir John Reresby who was then being wooed by Danby into political acquiescence to the crown. However, Reresby's independent troop was disbanded along with the rest of the army in the summer of 1679 and Reresby was a governor with no company, gunner or salary by

the end of that year. Problems with finding money to pay the soldiers at the disbandment caused considerable problems and hardly endeared Resby to Bridlington's inhabitants. Some said that he was no better than a papist in June 1679 because of his intimacy with the Duke of York and Danby. Even when Resby was made governor of York in 1682 he was still nominally also governor of Bridlington though there was no garrison there as late as March 1682 and he seems to have had considerable difficulty in wrenching his £200 a year salary out of the Treasury Commissioners and never managed to obtain an independent troop in order to garrison the town. Resby's governorship of Bridlington was something of a white elephant. It was hardly a prestigious position and in fact caused Resby problems rather than enhanced his standing in the county. It was a mark of Danby's failure to promote loyal gentlemen to positions of real power and influence in Yorkshire in the late 1670s. It was only when Resby became a satellite of Viscount Halifax during the early 1680s that his career and influence in Yorkshire really began to develop. [40]

As John Lord Frescheville became increasingly old and infirm during the early 1680s the question of his successor as governor of York began to be raised. Halifax was pressing the King for a reversion of the office for Sir John Resby from at least May 1681. After some initial doubts about taking on the position Resby, with Halifax's constant help and encouragement, lobbied the King for the reversion at any available opportunity and received the King's spoken promise on more than one occasion. He was nervous that his competitors for the office would sway the King from his promise. In March 1682 Resby even mooted the idea of purchasing the governorship from Frescheville rather than waiting for it to become vacant on his death. Both the King and Halifax advised Resby against it. [41] Resby's patience was rewarded with Frescheville's death at about the beginning of April and his own commission as governor on 10 April 1682 whereupon he received the warm congratulations of friends in the county and of the Duke of Newcastle. [42] On 26 June he made his grand entry into York attended by friends from his neighbourhood and Aldborough, his old parliamentary borough, as well as various gentlemen, the high sheriff William Lowther, citizens of York and the one company of foot then in the City. Those in attendance numbered nearly four hundred. The guns were fired on his entrance and his supporters were feasted on venison.



Reresby, bristling with confidence, was greatly pleased with such an honourable reception. [43]

This great show of rejoicing was overshadowed by numerous objections at his appointment. Several came from gentlemen who had fancied the office for themselves. The Earls of Burlington, Huntington and Scarsdale, Lord Conyers, and Sir Ralph Knight were all said to have entertained hopes of the governorship. [44] Sir Thomas Slingsby, probably Reresby's greatest competitor for the post, had good reason to feel slighted at being overlooked. He already possessed a great deal of interest in York having had special responsibility for the city militia since the Restoration and also by commanding the garrison in Frescheville's absence. He had purchased Frescheville's troop of horse in the royal regiment of horse guards under Lord Oxford some time before, apparently with a view to taking over the command of the garrison when it fell vacant. In addition he had several years experience as governor of Scarborough Castle, a much more important garrison than Bridlington where Reresby had gained his experience as a governor. Slingsby was also of greater standing than Reresby in the county, being a knight of the shire and having considerable interest in all three ridings. He could claim court backing since his candidature was promoted by the Duke of York. Although Reresby was successful in getting the position he had not heard the last of Sir Thomas's opposition. [45]

Burlington's pretensions for the governorship had the Earl of Rochester's backing and both were disgruntled with Reresby's appointment. Burlington, once Reresby had been successful, began to raise difficulties. He complained that Reresby's commission encroached upon his own power as lord lieutenant of the City of York since the new governor was given command of the city militia. Charles II apparently effected a compromise whereby Reresby was given command when the militia was raised as part of the garrison and in times of national danger. Presumably then Burlington's overall command was left intact and he was to muster and exercise the city militia along with the rest of the West Riding. Although Burlington's opposition appeared to stem from personal ambition it is possible that his desire for the office had a deeper root. There had been a long standing dispute between York corporation and the lieutenantancy concerning the City militia. By combining the command of the West Riding with that of the city Burlington may have been able to settle the disputes by virtue

of his power in both spheres. [46] The relationship between Reresby and Burlington blew hot and cold and whilst Burlington often praised Reresby for his service in the county there were indications that their political relationship was not quite as sound. [47]

Reresby's appointment also caused unrest amongst the county gentry who were keen to know who had promoted him at court. It was widely suspected that Halifax had been his chief patron. [48] Initially there was no mention of specific objections against Reresby nor of who was voicing them. Certainly Sir Thomas Slingsby was amongst his main opponents. John Millington, a correspondent of Halifax, presumed that George Viscount Castleton would be displeased also though he fails to give his reasons for the assumption. Castleton and Reresby appear to have enjoyed good relations over a long period. In 1669 Castleton had acted as godparent to Reresby's eldest son and in 1677 dined at Thrybergh. It is possible that Castleton's objections were political since he was identified with opposition to the court in the late 1670s. However Reresby met with Castleton at the lord mayor of Doncaster's feast in September 1683 for the first time for some years. Castleton drank Reresby's health on this occasion and Reresby gives no indication in the Memoirs that there was any bone of contention between the two men. [49]

York corporation's opposition was almost certainly on political grounds. Reresby himself described the City as "one of the most factious towns of the kingdom" and he made it clear from the outset that he intended to bring the City into greater obedience to the crown. The very day after his entry into York Reresby warned the mayor, John Wood, that he would suffer no encroachment of the civil upon his military power and that care should be taken in future to show greater loyalty to the King. [50] Reresby's appointment over the heads of some greater gentlemen and against the wishes of the Duke of York, and the flattery of his triumphal entry into the City reinforced his self-confidence to an immeasurable degree. Within the space of a few months however his ego was to take some severe blows.

At first, general opposition to Reresby's governorship manifested itself in a muffled murmur of discontent. [51] The new governor found himself in the unhappy position of being unable to please hardly any of the people any of the time. His superiors were displeased that he had been promoted above them, his equals jealous that he had been shown a mark of favour not accorded to themselves and his inferiors,

particularly oppositionists, believed that his appointment was the result of being hand in glove with the court. At the same time the centre complained that he had favoured the county in a dispute over the King's revenue. Reresby's solution was that

finding it very difficult to steer an even course amongst so many several and different persons and interests, I resolved first to keep the honour of my employment and the good opinion of my master and friends above (both for my own advantage and that of others that sought to me) as long as I justly and honestly could; and at the same time to do country business, but only defensively and as it was brought to me, according to my conscience; declining, however, to seek for it, or to rival those in their ambition who had no greater than to be esteemed leading men at a country sessions. [52]

Reresby's resolve was to be put to the test only a few months after he had taken up his command. A furious dispute arose between him and the high sheriff of the county, William Lowther, concerning the possession of the keys to the Castle Yard. Reresby demanded the keys of the sheriff on the grounds that he had custody of Clifford's Tower, the only access being via the Castle Yard. He claimed that the sheriff only held the keys by the remissness of Frescheville in not keeping them and in this Reresby had a valid point. The sheriff however refused because the county gaol, which was part of his responsibility, was also within the precincts of the Castle Yard. Reresby changed the locks. The sheriff pulled them off. Reresby mounted a guard on the gates. The sheriff then appealed to the county gentry by issuing a circular letter asking them to meet at York in order to settle the matter.[53]

The argument developed out of all proportion since it could have been referred either to the lord lieutenant or to central government for settlement. Indeed several gentlemen thought that the lord lieutenant's arbitration should have been sought, as the link between the court and the county. However the personalities of two gentlemen had clashed. Reresby, pugnacious to the core, wished to display his authority in York from the outset. Lowther, according to the Earl of Strafford, was "a covetous man and something weak", and had shown the Earl such disrespect the month before that he complained of him to Halifax. The real interest in the incident however lies in the alternative views of the roles of local governors with respect to the crown. Reresby's argument was that he was merely serving the King in asserting his right to the keys. He had the King's commission,

Clifford's Tower was part of that commission and therefore he would be doing the King a disservice if he failed to fulfil his responsibilities as governor. In addition he regarded Lowther, as well as himself, as the King's man in the county. Reresby believed that Lowther should not have appealed to the county "when nobody ought properly to determine it but the King from whom both the sheriff and myself derived our power". Lowther on the other hand saw himself as the county man and Reresby as the King's man and thus the dispute one between court and country. By appealing to the county gentry he was assuming that the county gaol was none of the centre's business. According to Reresby very few county gentry concerned themselves in the matter. Less than twenty met at York and Reresby addressed them "not as the governor of York but as a gentleman of the country" still maintaining that they had no right to be judges of the dispute. He claimed that they saw the justice of his case and agreed either that it was none of their concern or that he had merely been exercising his duty. Perhaps Reresby did not persuade them as fully as he intimated since a compromise was drawn up whereby Reresby had the key to one gate, the sheriff another, and a third was walled up. [54]

Obviously Lowther was playing on the fact that there was ill feeling towards Reresby amongst some of the county gentry and was attempting to discredit him by the gentry meeting. Both Halifax, who attempted to defend Reresby's action at court, and Sir Henry Marwood were concerned that the gentry meeting was an insult to Reresby. Halifax believed that Reresby had mishandled the situation in a time when he had enough enemies who claimed that his governorship was superfluous and that the incident would make him appear "more mealy ... and less considerable" in his governorship. Reresby's attempt to increase his standing in the county was miscalculated both in its timing and the method. Neither did he succeed in his cause. It was not until a new sheriff was pricked in November 1682 who was more compliant that he came into possession of all the keys. [55]

In October 1682 Sir Christopher Musgrave, the lieutenant of the ordnance, came to view York garrison, telling Reresby that the King intended to improve it. [56] The following January however Reresby received the news that the King's council had advised him to dissolve garrisons which were useless and to use the revenue instead for building up the fleet. York was one of the garrisons targeted for dissolution. [57] Reresby argued fiercely against the proposals. His

reputation and honour were at stake. It would have been better never to have been appointed than

to be lifted up to be let fall the lower and to be under the feet of some before I had time to deserve their emulation. [58]

Halifax took upon himself the task of defending Reresby's interests at court and advised him to come down to London which Reresby did in February 1683. There he learned that there was more than economics behind the proposals. Halifax told Reresby that the Earl of Rochester had a hand in it, being angry that Reresby had been made governor rather than Burlington and that this "was the root of their endeavours to throw" Reresby out. [59] He also learned that Musgrave, far from arguing for an improvement of the garrison had reported that it would cost £30,000 to make the place defensible. Reresby told Lord Dartmouth, "who was the great stickler in it", that it was unnecessary to spend such a vast amount but merely to repair Clifford's Tower. For defence of the city the one company there and the 500 city militiamen were adequate. Dartmouth answered that

there would be still a face of a garrison, for the lord lieutenant, or he that commanded the militia regiment of the city, might keep Clifford's Tower. [60]

Herein probably lay the crux of the matter. Reresby's position was being presented as superfluous to the King by his enemies, particularly Burlington and possibly Sir Thomas Slingsby, so that the lord lieutenant could have the command he desired and Slingsby, who commanded the militia regiments, could be satisfied also. There is no evidence that positively links Slingsby with Burlington but the coincidence of their interests suggests that they would have been backing each other up. Adding fuel to the fire was enmity between Rochester and Halifax, who could use Reresby's governorship as a trial of strength before the King. [61]

In the end nothing appears to have been done about reducing the garrison. Reresby returned to Yorkshire in March none the wiser as to his fate. But his confidence had been shaken. He complained to Halifax that the business had lessened his interest in York to the extent that he was reluctant to go there. [62] If the proposals were still being considered over the summer the Rye House Plot in June could not have come at a better time for Reresby. The garrison and city militia were raised together to secure the city and Reresby presented himself as being diligent and loyal throughout the crisis. He had managed to

weather yet another storm although Dartmouth constantly pestered him to take another appointment, on one occasion suggesting the deputy governorship of Hull. [63]

In November 1682 when Ambrose Pudsey had been pricked sheriff the gaoler of York, "Duke" Butler, was put out of office having quarrelled with Pudsey about the fee for the gaol. Reresby was glad to be rid of the man who had favoured William Lowther in the dispute over the possession of the keys. The new gaoler however failed to give satisfactory service. His conduct was so poor that the judges of assize threatened to fine Pudsey. [64] Sir Bryan Stapleton, pricked sheriff in 1683, was solicited by numerous friends and relatives to reinstate Butler, arguing that he was the fittest man for the job. *Reresby objected and thus brought himself into yet another dispute with the county gentry.* Stapleton was unsure what to do, not wishing to offend any of the parties concerned. In the end Butler outbid his competitors for the position, he had the backing of the majority of the gentry and was known to be good at his job therefore Stapleton decided to appoint him. Reresby was furious and all that Stapleton could do to pacify him was to command Butler to be careful not to encroach upon Reresby's commission and to appeal to Reresby himself to be reasonable about the matter. Reresby appears to have been alone in his objections since even his friends Sir Henry Marwood and Sir Michael Wentworth encouraged Stapleton to take Butler on. The governor's opposition caused considerable resentment. In January 1684 as gentlemen began making their interests in expectation of a parliament some gentlemen concerned at Reresby's old borough of Aldborough, such as Christopher Tancred and Sir Roger Strickland were dissatisfied with Reresby's objections to Butler. It was perhaps tactless of Reresby to argue with Sir Bryan Stapleton who had great interest in Aldborough where Reresby hoped to be elected in the future. [65] The following year Christopher Tancred was pricked sheriff and renewed the dispute concerning the keys. On this occasion Reresby was less inclined to allow the affair to be made public and referred the matter to Halifax who advised Reresby to come to a compromise if possible, which Reresby did. [66] The matter was shelved for the time being and Reresby survived to the end of Charles II's reign without too much further trouble. On St George's Day 1684 his gunner accidentally blew the top off Clifford's Tower and set the place

on fire. Reresby was worried that it would be used as an excuse to reduce the garrison but nothing happened. [67]

By the time Charles II died in February 1685 Reresby had been governor of York for less than three years. During this period he had managed to upset many of the county gentry, the lord lieutenant of the West Riding, York corporation, the county gaoler, three high sheriffs, and various army officers. The garrison remained unimproved and in fact was put into a poorer condition by the accidental destruction of Clifford's Tower. His problems stemmed not a little from his own pugnacious attitude and his determination to uphold his rights and authority no matter what the consequences. Also though he was beleaguered by the opposition and jealousies of men both in the county and at the centre. He was harassed by those who had desired the governorship. His position became entangled with the bitter disputes at court between Halifax and Rochester. Reresby's dispute concerning the gaoler and the second argument about the keys were intermingled with the pretensions of various gentlemen at Aldborough. Given so many problems, factions, disputes and jealousies Reresby made a remarkable achievement in surviving into the new King's reign.

During the period 1679 to 1685 Charles II took advantage of existing divisions amongst the gentry to establish loyalist county government. Central oversight of local office holding was felt more keenly than at any time since the Restoration. There was great sensitivity in the county to central conceptions of loyalty and opposition. In many ways the King's policy was successful. It was necessary only to remove the most ardent opponents of the court in order to ensure the loyalty of local office holding. Once loyalists were allowed to dominate the county they were able to direct business at quarter sessions, the use of the militia and addresses and petitions towards support of the crown and government.

With hindsight it is known that the policy of divide and rule initiated by Charles II broke down when James II pushed the principle too far. Yet the very earliest signs of uneasiness with the policy are perceptible in the early 1680s. Many of the gentry abhorred division in the county just as much as they did in parliament. A gentleman like Reresby preferred to be in a loyalist majority which dominated rather than a party which monopolised. Thus he was reluctant to be the cause of Francis Jessop's removal from the West Riding commission of the

peace even though they were politically opposed. Burlington also hoped that Michael Warton could be continued in local office since he had proved his loyalty in his choice of officers for his militia regiment even though he had supported exclusion in parliament. As Reresby said

it was for the King's service not to refuse a fair correspondence with every man (however his principles stood) that would give faithful assurances to be true and constant to the government. [68]

When he made this comment he was thinking of Henry Lord Fairfax, a presbyterian oppositionist, and Charles Lord Fairfax, a catholic. The implication is that healthy criticism of the government was acceptable even to loyalists. The threat came when opposition to the government struck at its foundations.

Although the loyalists dominated local office holding in the final phase of Charles II's reign, relations between them were not necessarily harmonious. Most of Reresby's problems as governor of York stemmed from the opposition of other loyalist gentry. Whilst local pretensions for good offices played a part in this, it is clear that opposition to Reresby was also rooted in the central power struggle between the Duke of York, Rochester and Halifax. From about 1682 the key to court favour was the Duke of York. The gentry had mixed feelings about his growing control. Some, like the Earl of Strafford, were determined to refuse office under James whilst ever he remained a catholic. [69] Others went out of their way to court his favour. "A great many gentlemen went from the north of England to wait upon" the Duke when he went to open the Scottish parliament in July 1681. Conyers Darcy, Sir Thomas Mauleverer, Sir Roger Strickland and Christopher Tancred from Yorkshire were all in attendance. Reresby claimed that he would have journeyed into Scotland too had illness not prevented him from doing so. Tancred later served two terms as sheriff with James's support. Strickland, a first cousin of the catholic Sir Thomas Strickland of Sizergh, was a great favourite of James and was eventually made Rear-Admiral in 1687. [70] Although Reresby tried to ingratiate himself with the Duke, he was clearly not as comfortable with him as these other gentleman. [71] One reason would have been Reresby's association with Halifax. But also perhaps he feared the consequences of a catholic having control of central patronage. The early 1680s were a difficult time for loyalists. Although the monarchy remained intact, the heir was still a catholic. The strength of the



Duke's influence was being felt already. It must have been disconcerting to wonder what would happen when he had full control.

#### The Gentry and the Municipal Corporations

The campaign against the corporations between 1679 and 1685, particularly during the final two years of Charles II's reign, was part of the broader political development of the alliance between the crown and loyalists in the counties. [72] The policy satisfied all concerned. With the increasing use of the removal clause, the crown could ensure electoral success, as James II was to prove, as well as tighten the centre's grip on the management of national policies in the localities. For the loyal gentry the campaign provided the opportunity to build up electoral interests and to have a greater influence on municipal politics, particularly with regard to the enforcement of laws which they had formulated at the centre. The gentry's attempt to entrench themselves in municipal political life had been an ongoing stratagem since the Restoration. What was novel in the period 1681-5 was the chance of success. Whilst ever corporations had unrestricted control of their membership it was difficult for country gentlemen to get into municipal politics, unless they already possessed an interest in town or held a position of influence, such as a governorship. With the crown's policy in 1684-5 of naming municipal officers and introducing local magnates and gentry into the corporations as recorders and town clerks, the loyalists' position in the corporations could only be strengthened. The flaw in this seemingly mutually beneficial arrangement was that the crown had ultimate control over the choice of municipal officers. This was fine so long as the crown's interest was at one with that of the loyal gentry. However, when those interests diverged the result was not satisfactory either for the corporations or the local gentry.

In Yorkshire the local situation greatly influenced both the nature of the attack on particular corporations and the outcome. In some corporations, such as Leeds and Doncaster, internal divisions within the corporation led to acrimony in the town but not to significant changes in the composition of the benches. [73] In Richmond electoral considerations were prominent. Richmond's charter was renewed relatively quickly, being surrendered on 24 May and renewed 9 June

1684. Whilst there was no alteration in the composition of the corporation, the electoral franchise was altered from the burgage-holders to the corporation alone, on the pretext of avoiding excessive drinking contests in parliamentary elections. It is likely that this innovation was the work of Marmaduke Darcy, whose influence in Richmond was being undermined during the exclusion crisis by a local opposition gentleman, Humphrey Wharton. Darcy, a loyalist, appears to have combined an effort to lead the corporation into expressions of loyalty with a more personal concern to re-establish the Darcy's political influence. [74] At Hull, existing internal divisions on the question of nonconformity were exploited by the governor, the Earl of Plymouth, in a single-minded campaign to stamp out religious and political dissent in the town. [75]

A number of Yorkshire corporations showed reluctance to surrender their charters. Sir William Dawson, Ripon's recorder, had a hard time persuading the bench to surrender their charter. [76] Scarborough held out until the very last week before judgement on the quo warranto was to go against them. [77] Beverley likewise showed some initial reluctance to surrender. [78] In York it was said that the corporation and citizens

have scolded with one another and have outdone the fishwomen of Billingsgate in that dialect

over the issue of the surrender. In March 1684 the foreman of the common council refused to set the seal to the warrant of attorney which would allow for an appearance for the corporation. The mayor declared

that it shall never be said (in future ages) that the City of York had once a Lord Mayor who was one of the traitors that delivered up their rights to the betraying his trust and the enslaving their posterity. [79]

Court supporters were often instrumental in persuading corporations to surrender. Pressure was brought to bear on a number of Yorkshire towns by Lord Chief Justice Jeffreys when on the northern circuit for the 1684 summer assizes. The Archbishop of York tried to influence both Ripon and York. Sir William Dawson at Ripon and Marmaduke Darcy at Richmond were doubtless behind the surrenders in their spheres of influence. [80] Sometimes though the initiative came from within the corporation itself. Alderman Headley of Leeds appears to have promoted surrender there. George Rasin, mayor of Doncaster, was joined by two

of his brethren and Sir Henry Cooke of Wheatley in surrendering their charter. [81]

Existing internal divisions amongst Hull's municipal officers facilitated interference by outside agencies during the period 1679 - 1685. Unlike York, where local gentry supported by central government figures sought to manipulate the bench, the main source of interference in Hull came from the three governors of the period, all outsiders, and from the crown itself. Hull's bench was split over the question of dissent, an issue which had proved vexacious throughout the 1670s. [82] It appears that during this period a number of aldermen, probably a slight majority, were keen to disassociate the town from the charges of leniency towards dissent which had invited central disapproval throughout the 1670s. [83] However a small group of dissenting aldermen kept the debate alive in Hull by their continued presence on the bench. [84]

In March 1680 the crown provided the opportunity for a trial of strength between the opposing groups with the enquiry into the enforcement of the Corporations Act. A small majority of aldermen voted that the election of Daniel Hoare, an alderman since 1672, was void since he had allegedly failed to take the sacrament within the year. A protracted row developed as Hoare, then in London, vigorously defended himself against the allegations. He was supported by a few aldermen who evidently shared his nonconformist sympathies, most notably Thomas Johnson. In the end the majority won their case and Hoare was divested of his gown. [85] The incident however did not silence the opposition minority. Hull's address of loyalty to the crown of October 1681 had to make apologies for its lateness and three aldermen voted against sending it. In the following June a motion to present an abhorrence was defeated 7 : 4. [86]

In 1679 Monmouth was still governor of Hull, having been appointed in 1673. He enjoyed cordial relations with the town despite his attempts to impose his nominees in parliamentary elections. In 1678 the corporation had successfully swerved his recommendation for the seat left vacant on Andrew Marvell's death, electing William Ramsden, a leading corporation figure. Whilst Monmouth took no personal offence on that occasion, he made it clear in February 1679 that he expected his nominee, Lemuel Kingdon, to be accepted. After prevaricating a little the corporation conceded and were rewarded in March by a new guard house which the town had been pressing for. Left to their own

devices in the second general election of 1679 the corporation reverted to its preference for local gentlemen. [87]

Monmouth was removed from his offices at the end of 1679 and although Hull corporation maintained friendly relations with him, his influence in the town declined. His successor as lord lieutenant of the East Riding and governor of Hull was John Sheffield, third Earl of Mulgrave. His was a short-lived governorship being removed in autumn 1682 when he was disgraced at court. [88] He appears to have interfered very little in the town's politics. At the same time the deputy governorship does not appear to have been exercised with any great strictness. Anthony Gylby, having been rejected as the town's M.P. in February 1679, died in spring 1682 but seems to have lost the deputy governorship at least a year before his death. During 1681 one Captain Baggot was exercising the office but he was succeeded at the end of 1681 by Captain Lionel Copley. None of these gentlemen appear to have exercised much influence in the town during this period. [89]

Where the governor left off, the crown took over. Not only was the crown's influence brought to bear in the Hoare case but also a row developed with the centre over the appointment of a new common clerk following the death of Charles Vaux. In December 1680 the King refused to approve Samuel Duncalfe, who had been elected by the bench, and imposed Edward Haslam on the town instead. The corporation complained that Haslam was not a member of the corporation, nor had he acted honourably since he had given no indication of his intention to solicit for the office. However, the King was firm in his decision, Secretary Jenkins reminding the corporation that the office was "indisputably in the King's gift". Furthermore, Edward Barnard told the bench that he had heard that

the King declared he found there were factions in the town and so he rather declined the gratifying your desires, which if true, the opposition of the King's grant at this time would not look with a good aspect.

The bench continued their opposition but to no avail and in March 1681 Haslam was finally admitted as common clerk and took the oaths. Here was an early sign of what the corporations might expect from Charles in the last two years of his reign. [90]

Interference in the town's politics by the governor was re-established on a grand scale by Mulgrave's successor, Lord Windsor, created the Earl of Plymouth shortly after his appointment. Since the restoration the lord lieutenancy of the East Riding had been combined with the

governorship of Hull, the governor being also lord lieutenant of Hull since it was a separate county. In 1682 Charles II departed from this convention by appointing the Duke of Somerset lord lieutenant of the Riding. Thus the arrangement was similar to that of the West Riding and York where the lieutenancy of the Riding and of the city were combined but not the governorship. Plymouth was able to concentrate his energies on Hull. His authority was later reinforced by his appointment as high steward in 1683 and as recorder under the new charter of 1685. [91]

Plymouth's mission was two-pronged. He intended to eliminate dissent in Hull and to control the corporation bench. On his first meeting with the bench himself, his son Lord Windsor, Sir John Legard of Ganton, Sir Willoughby Hickman, deputy-governor Copley and Francis Sandys, high sheriff of Nottinghamshire were sworn burgesses. After politely enquiring how other governors had managed their affairs in Hull he observed that two conventicles were being regularly held in the town. The bench immediately sent orders to the reputed preachers and prominent hearers to forbear attending such conventicles or they would answer to the contrary. Plymouth's attitudes and methods were being felt from the very beginning of his governorship. [92]

Unlike Reresby in York, who had to build up support from an unpromising start, Plymouth found a body of potential supporters already entrenched in the corporation. A combination of his own determination with a certain receptiveness to his policies led to a clamp down on dissent during 1683. Alderman Thomas Johnson came under attack in January 1683 for refusing to act with the bench in convicting conventiclers and a record was made of his default. In May it was voted that he and Alderman Shires should be desired to sit in the mayor's pew in Trinity Church. [93] Plymouth was pleased with his progress telling his brother-in-law Halifax on 7 July 1683

The magistrates have been very active against the conventiclers ever since my sending the four aldermen unto them as I formerly acquainted your lordship. They have committed several and distrained upon them ... [94]

What exactly was meant by sending the four aldermen is not clear but it is to be suspected that Plymouth was intent upon influencing the composition of the bench as vacancies arose. Politically the majority on the bench wanted to be seen as loyal. Following the Rye House Plot the bench was quick to draw up a congratulatory address. At the same time a letter sent to the town by Monmouth in 1679 which expressed his

incapacity to serve them as high steward and giving his consent to them to choose another was acted upon. The bench decided to offer the post to Viscount Halifax but since he refused it they pitched upon Plymouth himself. [95] In July and October 1683 several burgesses were disenfranchised, presumably for disaffection to the crown, dissent or both. As Charles began gathering in the nation's charters for review, Hull humbly surrendered theirs without so much as a murmur. [96]

With the impending renewal of the charter in 1684 Plymouth was able to reconstruct the bench according to his own wishes. It appears that he had a free hand in drawing up the list of officers to be inserted in the new charter. Plymouth engaged the corporation's help in gathering incriminating evidence against Alderman Johnson whom he left out of an early list of officers. [97] However, the renewal of the charter dragged on into the middle of 1685, mainly because of Lord Dartmouth's opposition to certain clauses regarding the responsibility for maintenance of banks, jetties and fortifications. [98] By the time it was passed Plymouth had altered his recommendations for the composition of the bench somewhat, in the light of new circumstances. However, at the end of Charles II's reign, his control in Hull reigned supreme. As Edward Haslam, the common clerk, told the brethren

I am apt to believe that whom my Lord Plymouth propounds to be the governing parts of our town must stand. [99]

Significantly, in areas where there existed deep political divisions between local gentry, the corporations suffered relatively more interference with their charters. At Scarborough, Beverley and York oppositionists during the exclusion crisis had attempted to build up political support within the corporations. It was in such towns therefore that loyalists were keenest to alter the structure of the municipal benches in order to create strongholds of support for the crown. At Scarborough there is no firm evidence of who was behind the renewal of the charter. It is known that the corporation resisted surrender for as long as possible and that the town was disaffected to the government and favourable towards exclusion. The town was dominated politically by the Thompson family who favoured exclusion and who were heavily implicated in the escape of Nelthorpe and Wade from the port following the Rye House plot. Sir Hugh Cholmley of Whitby, an anti-exclusionist, believed that the Thompsons had undermined his family's traditional interest in Scarborough and no

doubt the loyalist governor, Sir Thomas Slingsby, was opposed to the dominance of the Thompsons in Scarborough. It probably came as no surprise then in 1684 that the structure of the corporation was altered to allow for a concentration of power in a mayor and aldermen who were nominated in the charter and composed largely of local gentlemen such as the loyalist William Osbaldeston of Hunmanby. [100]

In all three Exclusion Parliaments Beverley chose its two Cavalier parliament M.P.s, Sir John Hotham of Scarborough and Michael Warton of Beverley. Both were exclusionists. Sir John particularly had been a notable member of the parliamentary opposition since about 1670 and removed from local office. Support for the two men was so great in Beverley that neither had to appear at the 1681 election and it cost them but £20 towards the poor. At this time there appears to have been unity on the corporation bench. Following the 1680 enquiry into the execution of the Corporations Act only three capital burgesses were found not to have taken the sacrament. Two of these were removed immediately, but the third, William Matteson, was chosen receiver in place of one of those displaced only five days later. However, he was removed in June 1680 by a letter from the King in Council. [101]

Following the dissolution of the Exclusion parliament however evidence of divisions began to appear within the corporation. Even before the parliament had ended Hotham and Warton were being pressed by the corporation to release it from the obligation of paying their parliamentary wages, which neither M.P. appears to have demanded. In June 1682 there were more positive signs of antagonism. The mayor, Captain Edward Grey, a close associate of Hotham and a captain in his militia regiment, writing to Secretary Jenkins on the news of the King's recovery from illness said that he would keep

so strict a guard upon myself and all my actions that neither they nor any false informations from mistaking or malicious hands shall ever be able to misrepresent my true loyalty. [102]

The divisions developed into ruptures during the time of the Rye House plot. In three anonymous letters sent to Secretary Jenkins, the Earl of Sunderland and Lord Dartmouth Hotham, Grey and others were accused of sedition and treachery. Hotham, described by one of the authors as "a great anti-monarchist", "treason and rebellion running in the veins of his family", was accused of possessing a store of arms. Grey had often drunk the King's health with "a scornful, wry mouth" and refused to drink that of the Duke of York whom with his "badger's tongue and

teeth would revile and bite" his Royal Highness. Hotham and Grey had begun the practice of providing venison for the trade companies' feasts, Hotham supplying half a buck, Grey attending as principal guest. Their aim was to preach sedition, ally with the fanatic party and warn their hearers of the design to bring in popery. Grey then refused to subscribe the corporation's address abhorring the assassination plot, telling Alderman Dymoke that those who had signed were betraying the town. All this, said the author of the letter to Sunderland was a fit subject for his lordship's "penetrating brain"! Jenkins's answer to the allegations was that nothing could be done unless the proper course of law was followed. Yet the damage had been done and the government made aware of the opposition's tactics in Beverley. [103]

By this time the majority on the bench was probably swinging in favour of demonstrating its loyalty to the crown. Only Grey and his kinsman Johnson were named as refusing to sign the address after the Rye House plot. The corporation intensified its pressure on Hotham to release it from demands for parliamentary wages. It is possible that the bench had no intention of electing Hotham again and were afraid he would charge them for his services since 1661. Hotham was quite upset by the matter, believing it to have been promoted by "a few extravagant men who were equally false to me and your government". He would not give in to their demands, ominously telling the bench,

If I shall have reason to believe the friendship of the Corporation and Borough of Beverley dies not before me, then I intend at my death they shall receive the release they desire as a legacy from their most faithful servant.

The corporation refused to accept venison from Hotham and Michael Warton in January 1684. It was perhaps a sign of the times that on the same day they offered Sir Ralph Warton, Michael's younger, more moderate brother, his freedom free of charge as thanks for his great services to the town. [104]

Divisions still appear to have existed when Beverley was called upon to surrender the charter in 1684. Mayor Ashmole, Aldermen Dymoke and Fotherby delivered the charter to London in the summer but renewal was not completed until James's reign. Grey lost his gown along with six other aldermen. Hotham lost his interest in the corporation to the extent that he was defeated in the 1685 election by Sir Ralph Warton. [105]

From 1679 the city of York showed itself to be virulently anti-court.



Individually and collectively the corporation of York contributed to the city's reputation as the most factious of cities. It was said that Edward Thompson as mayor during 1683 refused to drink the Duke of York's health at his table. The city was amongst those who petitioned the King to allow parliament to sit in the summer of 1680. In all three Exclusion Parliament elections the city returned Sir John Hewley and Sir Henry Thompson, two prominent exclusionists, in 1681 urging them to persevere in their defence of the King, government and protestant religion from popery and arbitrary power. In November 1679 the Duke of York was received "but very coldly" by the corporation as he passed through York on his way to Scotland. Edward Thompson reluctantly gave up his fine house to lodge the Duke and his wife but on quitting it took with him all his furniture! The city's lack of respect towards the Duke earned them a sharp rebuke from the King. [106] Much of the corporation's antagonism towards the government stemmed from its policy of leniency towards protestant nonconformity. After 1681 increasingly York became an island of toleration in a sea of persecution. The city magistrates came under attack as favourers, and in some cases practitioners, of dissent. [107]

Divisions in York were so deep by the early 1680s that it was one of the few places in Yorkshire where the terms Whig and Tory were used to describe the opposing parties. Alderman Robert Waller had a gentleman of quality clapped in the stocks for calling him a Whig in April 1682. [108] Reresby, in his assessment of York in the first half of 1682, found that the divisions were so deep rooted that "there is not only a separation of interests, but few do buy of, or have any commerce but with those of their own principle". [109] Adding fuel to the resident fire of opposition in York was the fact that the city became the resort of a number of gentry and aristocracy closely associated with opposition to the crown during the Exclusion crisis. [110]

Edward Thompson and Robert Waller were amongst those whom Reresby identified as the leaders of what he called the "factious" party in York in mid-1682. Thompson had been given the freedom of the city in 1672 and served as an alderman from 1681. He was a member of the prominent merchant family of York, a man of strong character, inspiring invective from a number of his political opposites. Thomas Fairfax, one of Thompson's more vicious critics, described him as "the greatest villain in nature against the King". [111] In October 1682 Fairfax told Reresby

The election of our mayor is not till eight days after Christmas and Ned Thompson is next the chair, though if he had his due he ought to be as near the ladder. [112]

Thomas Fairfax conducted a personal vendetta against Thompson of such intensity that it suggests there was more behind it than complete disagreement over politics. Certainly personal animosity existed between Fairfax and the Thompsons. Fairfax though was an extreme loyalist, an almost fanatical opponent of dissent and in favour of crushing all forms of opposition to the monarchy, particularly York corporation. The new Archbishop of York, John Dolben, found Thompson "warm in his temper and thinks himself eloquent", whilst Reresby thought him "a peevish, antimonarchical", "close, sensible fellow". [113] Thompson became an almost symbolic object of York's opposition to the crown. As such he suffered many personal attacks. Francis Sterling, captain of the garrison company at this time, despised Thompson, doing all in his power to discredit him. Mr Aldborough, the muster master, publicly broke Thompson's sword at the militia muster during his mayoralty. Thompson was brought before the Privy Council on two counts of seditious words, partly on the testimony of Thomas Fairfax. Yet as a symbol of York's defence of its rights and privileges Thompson also found great admiration and affection from some in the city. On his return from London following the failure of the allegations against him he was given a massive, joyous reception. For many who cared about preserving the dignity and privileges of the city, Thompson was a vigorous, outspoken man who would defend York to the last. [114]

Alderman Robert Waller was elected mayor in 1684. Reresby described him as "a rich attorney, very spiteful but open". He had set up a memorial tablet with an inscription against the papists in a York church without leave from the ecclesiastical authorities and was "called to an account for some extravagances in its substance". Naturally he was ordered by the archbishop to remove it. [115] Reresby also singled out York's former M.P.s Sir Henry Thompson of Escrick (Edward's brother) a leading corporation figure, and his partner in parliament Sir John Hewley. Others included one Mr Rokesby, a lawyer and presumably the same as had defended conventiclers in January 1682, Sir John Brooks, M.P. for Boroughbridge in the second 1679 and Oxford parliaments and "the only Churchman amongst them", and Mr Stockdale and Mr Paulins who were called in to advise the corporation when needed. [116]

Although York continued to be considered factious throughout the remainder of Charles II's reign in 1682 certain coincidental events led to a subtle change in the politics of the city. The first of these was the appointment of Sir John Reresby as governor in April 1682. As noted elsewhere Reresby was determined to bring the city into greater loyalty to the King. In this Reresby employed the politics of mediation and conciliation, rather than attempt to impose his will on the corporation as say Lord Yarmouth did in Norwich or Plymouth in Hull. [117] In November 1682 at the mayor's feast Reresby was pointedly pleasant to all citizens with the idea of creating a good relationship between the city and garrison. He felt that he had succeeded, obtaining not only "great expressions of kindness from them that day but some effects of it afterwards". [118] By the summer of 1683 Reresby was convinced that his method was working :

And the truth is I did endeavour to do the duty of my place with as much softness as I honestly could, and found it was for the King's service not to refuse a fair correspondence with every man (however his principles stood) that would give faithful assurances to be true and constant to the Government; and by this method, though it displeased some, the city of York was much changed to the better in a short time. [119]

Initially through negotiations with more moderate men Reresby sought grounds on which the aldermen might be willing and able to show some repentance for their recent opposition to the crown.

Reresby's task was made easier by the growing fears in York from about 1682 that quo warranto proceedings would be taken against their charter once the King had been successful in subjecting London to his will, which "cast a damp upon some of the principal mutineers of that city". [120] He found that there was a group of aldermen who were willing to be seen as more moderate in order to prevent the surrender of the charter. It is possible that the group included the mayor and eight aldermen who subscribed a letter to Secretary Jenkins on 2 June 1682 thanking him for the news of Charles's recent recovery from an illness. The list included Alderman William Ramsden whom Reresby singled out as "one of the most wit of the whole fraternity". The mayor in 1682, John Wood, headed the list of subscribers. He had thanked Reresby for his plain dealing on his taking up the governorship, promising to work towards creating a good relationship between the city and garrison. In September it was thought that he might follow in the footsteps of the mayor of Nottingham by breaking

open the city chest and posting the charter to London without the consent of his brethren. If Wood was in favour of surrender then he appears to have been in a minority since William Ramsden said that the city was unwilling to regain the court's favour at the price of the charter. Alderman Elcock, another of the nine signatories, was suggested by Thomas Fairfax as a fit successor to Wood rather than Edward Thompson whose seniority guaranteed him the mayoralty in 1683. Included also though was Alderman Waller, perhaps an indication that even the more extreme oppositionists were beginning to mellow. It was upon such men that Reresby intended to form the basis of a moderate party who would at once pay respect and loyalty to the government and protect the city's liberties. [121]

From private discussions between Reresby and William Ramsden in December 1682 three possible courses of action were suggested. The first was to prevent Edward Thompson from being mayor the following year by the King's letter. Halifax however advised that this should only be attempted if there was an assurance of success since the King was in a strong position in his dealings with London's charter and refusal by York to recognise his letter would give undoubted encouragement to the opposition nationally. Thompson's election was therefore left undisturbed. Ramsden also suggested the election of more satisfactory M.P.s but this could only be effective should a new parliament be called. A third suggestion was to choose a new high steward in place of Buckingham and to offer it to the Duke of York or Viscount Halifax if the Duke refused it. On this the city took positive action and decided to request Buckingham to resign the high stewardship and to choose another in an attempt to flatter the crown. Halifax advised against offering it to the Duke of York but it is doubtful whether aldermen such as Edward Thompson and Robert Waller would have gone that far anyway. Reresby initially promoted Halifax at the latter's request but Halifax later decided not to pursue the post out of respect to Buckingham with whom he appeared to be on friendly terms. In spring 1683 the corporation eventually pitched on the child Duke of Richmond, Charles II's son by the Duchess of Portsmouth. Buckingham was evidently very displeased at his removal but the city thought it had made an ideal choice in the Duke of Richmond. Thomas Fairfax scathingly told Reresby that the city believed that the new high steward would "defend us from all quo warranta, fee farms or

whatsoever and represent us a loyal, lively and acceptable city to his Majesty". [122]

Reresby's policy of conciliation was seriously undermined during Edward Thompson's mayoralty in 1683. Initially the two men did not get on, a mutual wariness colouring their relationship. However, during the Rye House Plot crisis Reresby found Thompson very cooperative. No doubt the mayor wanted to take the opportunity to display the city's loyalty but he also had a personal concern in that he was related by marriage to the wanted man, Richard Nelthorpe. Thompson was at pains to disassociate himself from any involvement in the plot. [123] The searches for arms though caused further division and antagonism. Whilst Reresby could attempt to pursue his conciliatory policy as governor, as a deputy lieutenant he was forced to be involved with the searches of some whom he had hoped to bring over to support of the crown. His situation was not helped by the fact that some deputy lieutenants and other gentlemen, such as Sir Thomas Mauleverer and Thomas Fairfax, welcomed the opportunity to persecute York's factious citizens. [124]

Meanwhile central government was also undermining Reresby's position and the city fathers found that their confidence in the new high steward to prevent quo warranto proceedings against York's charter was seriously misplaced. Following the judgement against London's charter in June 1683 Charles II was in a powerful position to subject all corporations to his will. In November 1683 the King asked Reresby if he knew of grounds on which York's charter could be forfeited but Reresby appears to have prevaricated and it was only in January 1684 that he spoke to the King about the charter. Other Yorkshire gentlemen were less cautious and in February a group of gentry led by Sir Thomas Slingsby and Sir Thomas Mauleverer sent an agent, possibly Thomas Fairfax, up to London who could give grounds for the forfeiture of York's charter. Reresby, not wanting to appear too favourable towards the city or to allow his enemies an advantage over him, presented the agent to the King. It was decided to begin quo warranto proceedings against York's charter. [125]

The corporation's enemies were joyous. Thomas Fairfax was the happy messenger of the news of the quo warranto to the city in early March 1684. The dean of York went along with the attorney and "some young unthinking blades of the country who profess to hate and despise the corporation" to deliver the quo warranto to the assize hall. The

attorney was reprimanded by the judges of assize for the affront to the city. On the Monday following the mayor and aldermen attended church to hear the sermons and wait on the judges and found that the dean had set up the papers concerning the quo warranto over the archdeacon's stalls where they sat. The suitably annoyed aldermen refused to come into the church again until they had been removed. Archbishop Dolben thought it "an unseasonable provocation ... and this seconded the same day by the other unkindness irritates wonderfully the Mayor who is as proud and hot as ---- (sic)". [126]

Internal divisions in York corporation concerning the surrender of the charter led to a stalemate and it was expected that the charter would fall into the King's hands by default. [127] On 25 April Reresby with Sir Thomas Slingsby, Sir Henry Marwood and others met to decide who should bear office in the city on the Duke of York's command. A list was drawn up and presented to Secretary Godolphin which was presumably that dated 26 May 1684 in the Entry Book which appointed Marmaduke Butler and Leonard Robinson as sheriffs within pleasure and listing those who were to be the chief officers headed by Sir Stephen Thompson as mayor. [128] Still the corporation refused to either appear or surrender but the crown allowed more and more time rather than enter a judgement. [129] The seizure was then suspended by the King's order until Judge Jeffreys had visited the city during the 1684 summer assizes in order to "inform himself of the temper of that place". Reresby was at pains to welcome and entertain him and the mayor (Robert Waller) and aldermen "subtly submitting to his lordship and offering to give up their charter into his hands for the King's use, his lordship was content to continue their privileges till his return to the King". Jeffreys even dined with the city which raised a few eyebrows locally. [130]

The new aldermen named in the list produced by Slingsby, Reresby and other gentlemen were angry at this turn of events. Some of them had even bought their gowns in preparation to take up office. Reresby said that Slingsby and his party were both disappointed and displeased and that the prosecution against York's charter stemmed more from private revenge rather than public reasons. Reresby continued to steer a course between the factions but he must have been aware that part of the reason behind the challenge to the charter was an attempt to undermine his influence in York. [131]

For the corporation this was but a temporary reprieve. Following the receipt of a letter from Lord Chief Justice Jeffreys in September 1684 a committee of sixteen headed by Sir Henry Thompson, William Ramsden, Alderman Elcock and Edward Thompson began to consider ways of obtaining a new charter and the alterations which they desired. The mayor and several others spent the winter in London soliciting for a new charter. It was widely expected that few alterations would be made, other than Burlington being made recorder. On 4 December it was reported that the Lord Chief Justice had finished the list of officers but by the end of December the Mayor had returned to York "with his fingers in his mouth, without the charter". York had to await James's reign before receiving its new charter. [132]

In many ways Reresby's policy of mediation and conciliation had been successful. He attracted to him a group of aldermen who were willing to attenuate their criticism of the crown if they could at the same time protect the city's liberties. Indeed Reresby was so successful that a body of eminent citizens promised to elect him as their M.P. should there be a new parliament. [133] Reresby's moderates achieved a considerable victory in July 1684 when they persuaded Jeffreys of their loyalty and prevented Slingsby's supporters from taking over the city. However, Slingsby had not given up. Determined to undermine Reresby and to create a partisan corporation, he continued his opposition into James's reign. Then circumstances were changed. Slingsby had more influence with James than he had had with Charles II and also the new King had a long standing grudge against York corporation because of their slight in 1679. As Reresby was to find after February 1685, Sir Thomas Slingsby was gaining the upper hand.

The remodelling of the corporations during the final years of Charles II's reign was a triumph for the loyalists. Not only did it further cement the alliance between the crown and loyal gentry but also it allowed the gentry to succeed in their efforts to integrate themselves into municipal politics. Some gentlemen were themselves appointed to corporations in the 1684-5 charters. The Earl of Burlington became York's recorder, his son Lord Clifford had the same post at Leeds. Plymouth embedded himself further into Hull's corporate life as their recorder whilst Sir William Dawson, Ripon's old recorder and a chief promoter of surrender there, was confirmed in his post. [134] Many

gentlemen who had influenced surrenders and renewals of charters were elected to James II's parliament, a fact which greatly contributed to the loyal character of Yorkshire's representative in his parliament. [135] However, electoral considerations were not necessarily the primary motive behind remodelling. In many cases dissent was a principal issue. Hull, Beverley, Scarborough and York corporations all in various ways were forced to recant their former leniency towards nonconformists. This could be seen as a sop to the new era of persecution which dawned as the crown came down on the side of the loyal Anglican gentry. However in many Yorkshire corporations there appears to have been a genuine swing to greater loyalty towards the crown. This was no doubt partly inspired by the *fear of the loss of privileges*, indeed of corporate status itself. But many corporators would have been caught up in the reaction against the attack on the succession and, more importantly, genuinely shocked and disturbed by the Rye House plot. No doubt they were aware of the connections between dissent and disaffection to the crown which were being seen in loyalist quarters. In this they shared some of the fears of those loyal gentry who sought to interfere in their affairs.

With loyal magistrates on the municipal benches and their role as overseers of corporate affairs embodied into the new charters, the loyal gentry appeared to be at the pinnacle of their strength in the county. Yet the position was an illusion. It would last only as long as the interests of crown and gentry coincided. As in the sphere of local county government Charles II, in cahoots with the loyal gentry, had divided in order to rule. It proved as weak and misguided a policy in the corporations as it did in the county.

#### Parliamentary Elections and Electioneering

After eighteen years of occasional by-elections, the county witnessed three general elections in quick succession between February 1679 and February 1681. The First Exclusion parliament elections produced a real shake up of the county's representative. Less than half of the Cavalier parliament M.P.s were re-elected to the same borough in February 1679. Only Beverley and Hedon re-elected both sitting members. Many boroughs re-elected one of the sitting members but chose



a new gentleman for the other seat. There were nine election contests. [136] Thereafter there was more continuity. In the autumn 1679 elections twenty-five sitting members were re-elected to the same borough. Of the eleven places which returned the same two M.P.s (including the county), nine went uncontested. [137] In the next elections this trend was confirmed. Twenty-seven of the thirty M.P.s found re-election to the same borough, the county and eleven boroughs returning the same two members. The only contest on election day was at Pontefract. [138]

The majority of those elected had some sort of personal influence in the borough which elected them. Usually this was based on a family interest - the Slingsbys and Stockdales in Knaresborough, the Thompsons in Scarborough, Sir William Frankland at Thirsk, to name but a few. Remarkably few outsiders were involved in Yorkshire during these elections. Henry Guy held onto his seat at Hedon and Richard Sterne, the Archbishop of York's son, was returned to all three Exclusion parliaments on the episcopal interest in Ripon. [139] Monmouth, Hull's governor, imposed Lemuel Kingdon, Paymaster of the Forces, on a reluctant corporation for the February 1679 election. Left to a "free choice" in the next two elections Hull chose local gentry. [140] York and Scarborough, both of which had *accepted outside* nominees since the Restoration, made a free choice of local men in all three elections. [141] The absence of great numbers of outsiders confirms the trend which had been going on since the 1660s of the county gentry building up and consolidating their interests in their own boroughs and also of the corporations attempting to shake free from the interference of government or other outside nominees.

Mark Kishlansky has argued that even in 1679 "one can detect little initiative from the electorate" and that its participation was "orchestrated from above". [142] In the broadest sense this is true. Parliamentary representation was seen as an extension of the natural right of the leaders of county and corporate society to represent the interests of the county. However, there are some important qualifications which should be made. Arthur Smithson, a leading Aldborough inhabitant informed the lord of the manor John Wentworth just before the Oxford parliament election that the town had already resolved to choose Sir John Reresby as one of their burgesses but requested Wentworth to nominate the second, specifying either Sir Godfrey Copley, the sitting member, or Ruisshe Wentworth who had

represented the borough in the last months of the Cavalier parliament. The town preferred Copley but Smithson warned that his election would be dependant upon his settling debts incurred at the last election. Thus, although Aldborough was willing, indeed expected, to consent to the lord of the manor's nominee, their acceptance of him was conditional. [143] The approbation of candidates by the electorate was crucial, even if it was gained at the basic level of treating. Sir Gilbert Gerard and Sir Henry Calverley, who were almost certain to be re-elected at Northallerton in the autumn of 1679, nevertheless sent their agents to treat the borough as soon as the First Exclusion parliament was dissolved. One trooper, lucky enough to be passing through town at the time was given "sack as long as he could drink". [144] Other candidates, equally secure, went to the same sort of trouble and expense. [145] Treating did not guarantee election. Reresby's local agent, the Reverend Edward Morris overspent the budget on assurance of Reresby's success at Aldborough in August 1679. However Reresby desisted at the last minute commenting

in most of these little boroughs, which consisted of mean and mercenary people, one had no man sure longer than you was with him, and he that made him drunk or obliged him last was his first friend. [146]

Although Reresby's criticism might have been well founded in many cases, some of the electorate were concerned with political issues as well as drink and favours. Traditionally it has been argued that during the period 1679 to 1681 it was the issue of exclusion which dominated the political scene, both nationally and locally. [147] Just three Yorkshire members voted against the committal of the Exclusion Bill in May 1679. Only one of them found re-election in the autumn. By contrast all twelve members who voted in favour of the division were re-elected. [148] The issue of exclusion certainly influenced the electorate at Boroughbridge. When Sir Henry Goodricke wrote to say that he had voted "for the innocent Duke" and therefore against exclusion, the news "was received even with a hissing amongst the neighbourhood". The local Anglican minister, Edward Morris, angrily told them that

though God should in revenge set over us even a devil incarnate, yet ought we of the Church of England to be obedient for conscience sake in what was not directly opposite to God's express will in the scriptures.

Unconvinced, the neighbours claimed that there was a pope in the minister's belly too and chose the exclusionist Sir John Brookes at the election in the autumn. [149]

On the basis of such evidence it could be argued that the Yorkshire elections from 1679 to 1681 were dominated by the issue of exclusion. A majority of members who were opposed to the government were returned in February 1679. many of them had been associated with the country party in the 1670s. The forty per cent who voted for exclusion were returned in the autumn. If Speck's assertion is accepted that "the Court party was metamorphosed into the Tory party, while the Country party became the Whig party", then Yorkshire seems to be slipping into a neat model of Whig and Tory parties battling out the elections over the single issue of exclusion. [150]

Yet it is not true that exclusion was the sole motivating force behind these elections. The Boroughbridge example is an isolated case. The Court and Country parties did not transform into Whigs and Tories overnight in Yorkshire. The party labels 'Whig' and 'Tory' were not even used during the course of these elections. It is necessary to take a close look at the Yorkshire elections in order to establish the exact nature of the issues dividing the gentry and the extent to which they were subjected to 'party' organisation.

Despite the absence of Whig and Tory party terminology, it is clear that efforts were made by gentlemen of similar principles to aid each other's elections. Sir William Hickman, writing to Halifax about the Yorkshire elections in September 1679, commented on how

the activest sort of people being averse to any change where  
the person pleased them last parliament

had led to great opposition to Sir John Kaye's candidature for a knightship. [151] Kaye himself wrote to John Wentworth just before the Oxford parliament elections that

it concerns all honest men to be as stirring on the one hand  
as no doubt others are, and if possible to get a change of  
members. [152]

The gentry took great interest in the elections during this period. In February 1679 Resesby claimed that there were three hundred "gentlemen and others" at the Aldborough election, a borough with only nine burghage holders. [153] Some merely hoped that their personal friends would find success. Sir William Frankland regretted that gout prevented him from attending the York election to "countenance our

good neighbour" Sir Metcalfe Robinson. The latter was being opposed by Sir John Hewley who, although perhaps more extreme, was in fact on the same side of the political fence as Frankland. [20] Some combined friendly and political interest in visiting other's elections. Reresby supported his friends and fellow loyalists Sir Henry Goodricke at Boroughbridge in February 1679 and Sir John Kaye at Pontefract in 1681 with his presence at their elections. The Thirsk election in February 1679 was attended by Sir William Frankland's friends and neighbours as well as Sir Godfrey Copley, Ruisse and Michael Wentworth who came over from Aldborough where they were campaigning. Both Frankland and Copley were to vote for the division on the exclusion bill. Fauconberg, an opposition lord, promised to attend Clifford, an opposition Commoner, at the election of the knights of the shire in February 1679 with as many freeholders as he could muster, "to make the name of Clifford sound as loud as formerly it has done in Yorkshire". Traditional lobbying and soliciting letters to borough patrons also found their place in these elections. Thomas Viscount Fauconberg wrote forty letters on Clifford's behalf before the First Exclusion parliament election. [155]

The usual practice of using interests on behalf of favoured candidates also persisted and in a number of cases was punctuated by political considerations. Thomas Lascelles, as the Bishop of Durham's bailiff, acted as returning officer at Northallerton. Twice imprisoned since the Restoration, he was still in opposition to the government in 1679. On 3 February he assured Sir William Frankland that he was doing all in his power to secure the election of Sir Gilbert Gerard and Sir Henry Calverley, even in opposition to the Bishop's brother. Frankland, Gerard and Calverley were all members of the parliamentary opposition. Frankland and Calverley had also been leader's of the county's opposition to the taxing of smiths' forges. [156] Reresby, no doubt agreeing with Kaye's maxim that honest men should join interests to achieve a change of members in 1681, attempted to postpone the Aldborough election to give Kaye a chance to stand should he be defeated at Pontefract. Kaye was defeated at the latter town but became so disillusioned with the whole electoral process that he refused to stand elsewhere. However he was keen that his kinsman Christopher Tancred, "an honest gentleman and much disposed to [the King's] service", should partner Reresby. This suggestion was made on the very eve of the election. All these efforts, unsuccessful as it

turned out, to introduce another 'honest' gentleman at Aldborough were directed against Sir Godfrey Copley, an exclusionist. [157]

The heightened awareness of political division amongst the gentry brought an intensity to electioneering which had not been present during the 1670s. Nowhere was this more evident than in the elections for knights of the shire. Sir John Kaye of Woodsome contested both the 1679 elections against the partnership of Thomas Lord Fairfax and Charles Lord Clifford. Kaye represented the 'loyal' interest. A respected figure in his own locality he combined support for the monarchy with keen Anglican persecuting zeal against dissent. Clifford had been identified with the opposition as M.P. for Tamworth in the Cavalier parliament. Fairfax appears to have been a Buckingham supporter during the 1670s and was regarded as the leader of the presbyterian interest in the West Riding. [158] The idea of a partnership between the two lords had been first proposed in November 1675 when there had been an expectation of a new parliament. Sir Henry Goodricke, at that time identified with the Country party, wrote to Fairfax on behalf of "many of the Yorkshire nobility and gentry" urging him to join his interest with Clifford, "an excellent patriot". [159] Support for the two lords remained strong three years later.

The gentry were divided on who should be their knights although the division was greater at the second 1679 election than at the first. A poll was avoided at the first 1679 election by the device of gentry meetings at The George, York, on 3 and 7 February. The meetings were designed primarily to persuade Kaye to desist. Supporters of the two lords were not only more numerous but also better organized. Much effort was put into trying to persuade them to join interests though Fairfax was reluctant to do so. Despite this the majority of gentry who took an interest in this election were determined that the two lords would be returned. [160]

Kaye received little support in his offer to stand and as early as 28 January 1679 appears to have thought of desisting but he persisted with his ambition at the gentry meetings in York, perhaps persuaded to it by supporters in South Yorkshire. Supporters of the two lords feared that Kaye would attempt to introduce the interest of Viscount Latimer, Danby's son, at the meeting on 7 February. To avoid this an anonymous correspondent of Sir William Frankland of Thirkleby advised the North Riding gentry to attend en masse to block any such attempt. In addition an alternative strategy had been worked out whereby

Frankland himself would stand to oppose Latimer if he stood. Frankland admitted that he was reluctant to undertake it but would do so "rather than have submitted to such a trick upon the county". [161] In the event Latimer's interest or candidature proved a red herring. He neither attended the gentry meetings nor appears to have made any attempt to build up an interest in the county. His candidature appears to have been proposed merely to upset the applecart rather than to have been based on any real support. [162]

Kaye very graciously desisted at the 7 February meeting. Presumably he realistically assessed his chances of election and decided to cut his losses. The gentry made it easier for him by requesting John Wentworth to reserve a place for him at Aldborough, though since there were several candidates there already and a disputed franchise, it is unlikely that he would have been successful. Clifford was still worried that Kaye would force a poll on election day but his fears must have been allayed by the widespread support throughout the county for the two lords partnership which won the day. [163]

The character of the autumn election was to be guessed at from the July assizes where "there was great factions for choosing knights of the shire". [164] Gentry division was by now deeper than in February. Kaye had no intention of desisting this time since he had considerable support from his own locality of South Yorkshire. During August Clifford decided to desist. His motives are unclear since both he, and the rest of the county, were aware that he had a widespread interest. [165] Kaye felt very insecure in his candidature. He suspected underhand dealings at a meeting between the two lords in mid-August. Clifford told him

if I had a mind to disturb your election I should not do it  
in such a manner (having so considerable a party) but appear  
at the head of it. [166]

Kaye took the opportunity of discussing the forthcoming election with Fairfax at a horserace meeting which several gentry attended in the third week of August. Fairfax proposed that since Clifford had desisted and there was no likelihood of a contest that their friends should be relieved of the trouble of travelling to York for the election. Kaye, having heard that Fairfax "had endeavoured to engage several gentlemen upon the field for my Lord Clifford and himself" insisted that he would not forbid his supporters to attend the election. [167]

Clifford appears to have been sincere in his offer of desisting in Kaye's favour. However, a large proportion of the gentry were in favour of returning the sitting members. [168] On 6 September Sir William Hickman reported to Halifax that it was unclear whether Clifford would stand but rumour had it that if the county chose him then he would serve. A week later Hickman noted that there would be great opposition to Kaye. [169] The latter's supporters in South Yorkshire also became aware of this and went to considerable lengths to gain freeholders to attend Kaye at York on 14 September. [170] They showed a much greater degree of organization than they had at the previous election. Five hundred met Sir John Reresby at Tadcaster to accompany Kaye into the city where it was claimed that the number of his supporters swelled to six thousand. After a massive poll Reresby suggested that it be adjourned to eight market towns in order to relieve Kaye of the expense of polling further in York to which the high sheriff agreed. [171]

Kaye's South Yorkshire supporters, co-ordinated by Sir John Reresby from Thrybergh, immediately began to solicit support for Kaye. Thomas Belton, the vicar of Mexborough, "fixed" Mexborough and Swinton, and campaigned amongst the freeholders in Barnburgh. He persuaded John Bingley of Aldwick to vote for Kaye who in turn persuaded six of his neighbours to do likewise. Belton visited Reresby's cousin Mr Vincent of Barnburgh Grange who promised to fix about forty freeholders for Kaye and to order his tenants to attend Kaye at the Pontefract poll. Others, such as Mr Darwent of Rotherham, Jasper Blytheman of Newlaithes, Sir Gervase Cutler of Stainborough and Benjamin Watts in the Sheffield area who had been active before the York poll continued in their zeal. Reresby offended Sir John Jackson of Hickleton by engaging his freeholders when Jackson himself had wanted the honour of bringing them in for Kaye. [172]

At Pontefract all this effort paid off. Kaye's supporters met at Rigstone Hill to go en masse to the poll which lasted for three days. He clearly had the advantage. At the conclusion of the next poll at Wakefield Kaye was in the lead with 2624 votes, followed by Fairfax with 1618 and Clifford with 1348. The most popular combination appears to have been Kaye and Fairfax, the least popular the two lords. [173] Ranged against Kaye's success in his own locality however was the strength of interest for the two lords in the rest of the county. Although Kaye was expected to do well at Skipton, Fairfax outstripped

him by 500 and Clifford by 300 votes. By this time Kaye was polling in regions where he had no natural interest. Fairfax, with an estate at Denton, might reasonably have expected to do well at Skipton. It was claimed by an opponent of the two lords that they had achieved success at Skipton "by bringing in all the cottagers and the great interest of the [Lord] [Clifford], the chief of that side". Initially he was supposed to have given his interest to Kaye but once he had decided to stand again he had moved his tenants to change their allegiance back to himself. [174]

At Knaresborough there was a further blow. Supporters of the two lords used tactics guaranteed either to force Kaye to desist or to produce a double return which would be decided in parliament. Sir John Hewley and Sir Henry Thompson, the exclusionist M.P.s of York, came to Knaresborough at the head of the citizens of York and freeholders of the Ainsty, demanding that they be allowed to vote. After a long debate the high sheriff, Richard Shuttleworth, "(who was fair enough in his carriage), could not refuse them". Kaye desisted

rather than suffer such a precedent to be of the Ainsty polling in the county (through my standing) I was resolved to proceed no further, being unwilling the county should be hereafter injured by so unjust a precedent as their being admitted to poll, a privilege I am satisfied they have no right to within the county at large. [175]

Kaye believed he would have achieved success at the Richmond poll and also that "Thirsk would not have been so hard upon me as I once imagined". This though was probably self-consolation. Thirsk was at the centre of the Frankland - Fauconberg interest and it is unlikely that they had altered their allegiance to the two lords since February. Kaye also had little chance of success in the East Riding which he believed to be "much against" him. On 28 September John Peables of Dewsbury, a Kaye supporter, encouraged Reresby to go to Pocklington "to glean up some of the freeholders to meet with us there which may prove very advantageous to us at concluding". The Boyle family seat at Londesborough was on Pocklington's doorstep which put Kaye at considerable disadvantage. [176]

Kaye did not stand for the county in 1681. His supporters attempted to make an interest for him "and if they find a probability of prevailing they will pull me out of my house", but he doubted if they would succeed. He hoped however that someone would be found to oppose the two lords. A possible candidate was Sir David Foulis of Ingleby



Greenhow in the North Riding. Kaye believed him to be "a very worthy, well-principled" gentleman to whom the county stood "well affected". However the interest of the two lords was already being revitalised as early as 26 January and they were returned unopposed on 28 February 1681. [177]

Clifford and Fairfax were successful at the county elections because they enjoyed widespread support throughout the county. The North Riding gentry were particularly active on their behalf in February 1679. The Marquis of Winchester secured Wensleydale and surrounding dales for the two lords. Fauconberg offered support from the eastern side of the Riding based on his massive estate at Newburgh Priory. Interspersed were supportive gentry such as Sir Marmaduke Dalton of Hawkeswell, Sir Christopher Wyvell of Constable Burton, Sir William Frankland of Thirkleby and Thomas Lascelles of Mount Grace Priory. [178] The proximity of the Boyle family estate to Pocklington in the East Riding, one of the polling towns in the autumn of 1679, has already been mentioned. Although the Earl of Burlington later claimed that he had not interested himself in his son's election the family must have had a natural interest in the East Riding as well as in the West Riding where Burlington was by now lord lieutenant. [179] There is little evidence of other support for the two lords in the East Riding although Sir John Hewley's estate at Naburn and Sir Henry Thompson's at Escrick were both just inside the East Riding border. In the West Riding Fairfax's Denton estate gave him the advantage in the lower Wharfedale area. The Cliffords had a traditional interest in the West Riding dales around Skipton. In addition Conyers Darcy of Aston, Francis Jessop of Broomhall, the Company of Cutlers in Sheffield, Mr Gill of Rotherham and Sir Ralph Knight of Letwell formed an arc of opposition to Sir John Kaye in the very south of the West Riding. Sir George Cooke of Wheatley, a little further north, also supported Clifford and Fairfax. [180]

This pocket of support for the two lords in South Yorkshire stood in direct opposition to one of Kaye's strongholds based on gentry influence. Sir John Reresby of Thrybergh, Sir John Jackson of Hickleton, Sir Gervase Cutler of Stainborough and Jasper Blytheman of Newlaithes were all active on his behalf. Kaye's own estate at Woodsome was further west and the support he enjoyed in this region no doubt ensured his success at the Pontefract and Wakefield polls in September 1679. However, Kaye does not appear to have found much

support outside his own locality, a factor likely to go against a candidate running for the county. [181]

It is clear then that during the elections to the three Exclusion parliaments the gentry were divided politically. However, this division was not centred on the specific or sole issue of exclusion. Rather, the rhetoric used in these elections was that of the Court and Country divide which had developed during the 1670s. Sir Godfrey Copley, writing to John Wentworth to seek support for his candidature at Aldborough on 25 January 1679 said

I see mean sort of people by sinister means come to be parliamentmen and when once obtained they think of nothing less than the interest of the country for which they were chosen.

This was an obvious reference to Resesby's conversion to the Court party. Copley drew upon the long traditional of the court-country divide which all gentlemen knew and understood. [182] Two years later John Wentworth was disillusioned with parliament's failure to reach a settlement of the nation's grievances. So the loyalist Sir John Kaye could recommend Resesby to him in January 1681 as a gentleman "well principled both to the King and Church and such are the only men must make this poor nation happy". [183] What is important here is that Resesby was not recommended as an opponent of exclusion but rather as a traditional defender of the monarchy and the church. Wentworth would not support Resesby outright, having already committed himself to Copley who had defended the Wentworth family interest in the borough against the traditional burgage franchise. However he gave him enough tacit support for the electorate to see it as an approbation and for the first time Resesby's election at Aldborough went uncontested. [184] The court-country rhetoric continued at Aldborough even after the dissolution of the Oxford parliament. When hopes of a parliament were raised in the winter of 1681-2, one of Resesby's opponents terrified some of the inhabitants "with the never before, now terrible name of 'Courtier', insinuating that you [ie. Resesby] intended to live no longer at Thrybergh". [185]

Likewise the elections of knights of the shire took place in the context of the court-country divide. Resesby claimed that Clifford and Fairfax had the support of "most of our Yorkshire Members of Parliament" in September 1679. [186] Many of the old Country opposition of the 1670s, such as Sir William Frankland, Sir Henry Thompson, William Stockdale and William Palmes, were persistently

supportive of the two lords. The first 1679 election was based to a great extent on attitudes towards Danby. When it was rumoured that the court party would introduce Danby's son for a knightship, the country gentlemen made contingency plans to prevent his being elected. [187] There is no evidence to suggest that the country opposition's success in Yorkshire had anything at all to do with national 'Whig' organisation. Indeed, the elections were more of a private county affair than at any time since the Restoration. Of three outsiders elected in February 1679 only one managed to hold onto his seat in the autumn. [188] Neither is it true that only the opposition engaged in electoral organisation. As shown above, loyalists were just as keen to help each other get elected as oppositionists were. Moreover, party lines were far from rigidly drawn, even within the context of the court-country divide. Sir John Reresby, a known supporter of Danby and the court, interested freeholders on Clifford's behalf in February 1679 and initially favoured his partnership with Kaye in September. Clifford was an opponent of Danby. [189] Likewise Conyers Darcy and Sir Ralph Knight of Langold were supposed Danby supporters, yet both were very active on Clifford's behalf. Darcy was Clifford's brother-in-law but his zeal for the lord in all three elections suggests that his support was inspired by more than just family ties. [190] As will be argued below the single issue of Exclusion is by no means sufficient explanation for the complex of factors influencing politics in the period 1679 to 1685.

Religion was clearly a factor which influenced these elections. Reresby claimed that the two lords had the support of "the entire dissenting party in matter of religion". [191] As a leading figure in the West Riding presbyterian community Fairfax certainly should have expected the support of his co-religionists. A number of the gentry who supported the two lords and some of whom were themselves elected to all three parliaments had associations with dissent. In September 1679 Oliver Heywood, the famous nonconformist minister and diarist, was a house guest of Sir John Hewley and dined there with Lord Clifford, Sir Gilbert Gerard and Sir John Brookes all of whom were successful in the elections. [192] Not all opposition M.P.s however were associated with dissent. William Palmes for instance was one of those who had supported the persecuting activities of William Ellis in the early 1670s. There is no particular evidence to associate Sir John Dawney or Sir William Frankland with dissent. Indeed Dawney has been

characterised by one researcher as a persecuting magistrate. Therefore although there were connections between the opposition members and dissent there was no de facto association. [193] On the other side of the coin, some loyalists were tarred with the brush of popery. Edward Morris's defence of Sir Henry Goodricke and the Duke of York led the electorate to believe he had a pope in his belly. Some Bridlington inhabitants thought their governor, Reresby, was no better than a papist because of his adherence to the Duke of York and Danby in June 1679. [194]

Evidence for national 'Whig' organisation has rested partly on the election addresses presented to members either shortly before or on the day of the Oxford parliament elections. [195] The Yorkshire knights of the shire and the members for Northallerton, York and Hull were so addressed. [196] There is no evidence that the addresses were in any way co-ordinated. These addresses bring into focus the concerns which underlay the three elections in Yorkshire between 1679 and 1681. They show a wide and general concern for the protection of the protestant religion, law, liberties and property. The address to the York members following their unanimous election urged them to protect the nation from "popery and arbitrary power". Exclusion was neither a central issue in these addresses, nor was it seen as the only alternative solution to the nation's grievances. Only the address to Clifford and Fairfax specifically urged them to continue to pursue exclusion. But it also urged the knights to "preserve the protestant religion" and to "unite his Majesty's protestant subjects". This was clearly a call for the comprehension of peaceable protestants against the popish threat, a theme which some Yorkshire members had pursued in the 1670s. There was also concern for law, property and taxation. Northallerton's address commended their members' "affections to his Majesty, our law and liberties" in the last parliament. The county address promised that when their grievances had been settled, the freeholders would be happy to supply the King's needs. This was a tactic of grievances before supply which had its roots in the early seventeenth century. Moreover, it was closely reminiscent of the threat of a tax strike in the county petition for a free parliament of February 1660.

The county address also pointed to another general concern - "to purge out the corruptions which abound in elections of members to serve in Parliament". The opposition made this something of an acid test to

distinguish corrupt courtiers from 'honest' country gentlemen. Thus the opposition made much of the fact that at York first the corporation and then two hundred citizens feasted its members after the Oxford parliament election

thereby showing their dislike and abhorrence of debauched and irregular elections as also to take off their representatives from any occasion of expense.

Likewise at Beverley and Northallerton, it was claimed that the country members were elected at absolutely no expense to themselves. [197]

Yet much of this was pure hyperbole. Sir Gilbert Gerard and Sir Henry Calverley certainly went to the trouble of treating Northallerton's voters. In York, Sir John Hewley, one of those whose undebauched election was lauded in 1681, was drinking hard in December 1683 to make his interest for the expected election. Neither did the opposition have a monopoly of righteous disapproval of corrupt elections. Kaye refused to be drawn into "a drinking contest" at Pontefract. Reresby's opinion of the drunken Aldborough electorate has been mentioned already. All this was part of a broad concern to ensure the purity, representativeness and sobriety of parliament. [198] Surely it was allied to the same sentiments as those sparked off by Danby's secret service payments and pensions to parliamentmen. Christopher Tancred sent Reresby a copy of the address to the knights of the shire, saying

The day the lords were elected, a greater shame was put upon the county than the petition which was offered to the Grand Jury.

He claimed that no-one knew that the address was to be presented except "these rascals, Sir John Hewley, Sir Harry Thompson, Sir William Ayscough, Sir Watkinson Payler, Mr Gipson, Mr Lascelles and Mr Hutton". They passed the address to the sheriff's seal keeper, Mr Sowry, who subsequently lost his post for reading it. Few other gentlemen were present when the address was read. Tancred was desperate in case his own name were linked with the address since he was there when it was read. He asked Reresby to inform the King that none but those named in his letter were involved. When Reresby met the King in Oxford in March 1681 he disassociated both himself and many other gentlemen from the address. The Northallerton address was signed by approximately a third of the town's electorate and presumably the four hundred citizens of York who made a joyous display of re-electing

their two exclusionist M.P.s also concurred in the address made to them. These open expressions of support from the electorate were therefore from a minority. However, since so many oppositionists were returned to the last two parliaments of Charles II's reign tacit support was surely being expressed. [199] It is significant that in only one address was the exclusion of the Duke of York specifically mentioned. Exclusion was but one issue amongst the multiferous grievances felt in Yorkshire between 1679 and 1681. The electorate was voting against popery, arbitrary power and for the preservation of their church, law and liberties. Some were also voting against a popish successor. The fulfilment of their hopes rested with the strength of their representatives in parliament.

#### The Yorkshire Gentry in Parliament, 1679 - 1681

From the several lists of members of the Commons, old and new, it is clear that the majority of Yorkshire's representative in February 1679 were in opposition to the government. Shaftesbury identified eleven of the old Cavalier M.P.s as worthy members of the new parliament, eight of them being designated either doubly or triply worthy in the 1677-8 list. Sir John Hotham, Michael Warton, William Stockdale and Sir Gilbert Gerard had all been consistently outspoken members of the country party since at least 1677. Hotham's disaffection could be traced to the beginning of the 1670s. Sir John Dawney and Sir William Frankland had warranted only one 'w' in the earlier list but were still considered to be 'old worthies' in 1679. This core of old oppositionists were joined by no less than nine new members whom Shaftesbury believed to be "honest". Two who were given no designation proved themselves as supporters of exclusion and Sir John Hewley, believed by Shaftesbury to be 'doubtful' was in fact a vocal member of the opposition. Court supporters were few. Five old members were doubly or triply vile but their numbers were strengthened only by three new 'base' members. Significantly two of them - Lemuel Kingdon and Richard Sterne - were outsiders who had been forced upon a Yorkshire borough. From the outset it was clear that the government could expect a rough ride from the Yorkshire representative. [200]

Shaftesbury's assessment of the Commons at the opening of the session was based largely on attitudes towards Danby. [201] The Lord Treasurer certainly found few supporters from amongst his countrymen in the Commons. Reresby had noted at the time of the elections that the county "was very much poisoned with an ill conceit of my Lord Treasurer, as concerned in the design to bring in popery". [202] On 22 March 1679 Henry Lord Fairfax informed his wife of the King's speech in defence of Danby and his loss of office.

The effects of our meeting will prove very hard to your old friend, our countryman, the scheme of the house being so violent against him ... The Commons ... will have a further fling at him, being guilty of so great a guilt, yet his Majesty has given him his pardon which he must plead and then expect further mischief which will not be staved off. [203]

From this it is hard to tell Fairfax's attitude. Perhaps he felt sympathy with Danby, but believed with the rest of the House in his crimes against the nation. Even Reresby, a *more committed Danby-man*, disapproved of the trade in offices which he believed had been carried on by Lady Danby with her husband's knowledge. [204] Only Sir Edmund Jennings attempted to defend his patron. The leaders of the Yorkshire opposition however joined in the chorus which called for the minister's downfall. [205]

It has been argued recently that the prevalent atmosphere in the Exclusion parliaments was one of conflict and that debates in the Commons signified the breakdown of consensus politics. [206] Yet there was consensus on at least one issue - the need to eradicate the growing popish influence in England. All gentlemen had been seriously disturbed by the revelations of the Popish Plot. Even those who might have doubted the authenticity of some of Oates's evidence nevertheless believed that Catholics were capable of contriving a plot to murder the King and bring in their own religion. [207] Sir Edmund Jennings, a vociferous member of the Court party in the Cavalier parliament and an anti-exclusionist, and Sir John Hotham, an outspoken exclusionist could denounce the catholics in equally strong terms. [208] As Sir John Reresby explained

... it is necessary to know that it was universally agreed by the whole House that popery was to be kept out; the difference was only in the means. [209]

The need to crush popery was a priority shared by gentlemen in the county. In November 1680 Sir John Kaye told Reresby that he believed

so long as we transgress not the laws of the land but makes them loyalty to our sovereign and the Protestant religion as we have it by law now established amongst us the rule of our actions, which may bid a defiance to all popish fooleries and frogeries and fanatical and enthusiastic treacheries and perfidiousness. [210]

Initially there appears to have been hope amongst some Yorkshire gentry that consensus could be achieved. Reresby's correspondents in the county believed that the first 1679 parliament could and ought to settle the nation's grievances. [211] Conyers Darcy, who had supported Clifford in the county election, told Reresby on 20 March, in the language of a 'country' supporter, that he was

much comforted with the good character you give of this parliament. We cannot miscarry under such patriots... I am glad you are over the great rock about your speaker. No question all things will go now currently on. [212]

The day before Exclusion was explicitly proposed in the Commons Sir Thomas Yarburgh informed Reresby of the feeling in his locality :

The King complies so fully with the sense of the Parliament that at this distance we conclude here much peace and happiness in your determinations. [213]

These were not the naive hopes of ill informed country gentlemen. Reresby in his letters to them was obviously giving them cause to expect consensus. It is interesting to note also that Conyers Darcy, who was on reasonably friendly terms with Reresby at this point, was a keen supporter of his exclusionist brother-in-law Lord Clifford. Reresby himself had offered to interest freeholders on Clifford's behalf during the February elections. [214] Up to May 1679 there was still a degree of unity amongst the gentry, even if they differed on certain specific issues.

Hopes of consensus were threatened, however, by the dominance of Commons debates by the old guard of the country opposition. Gentlemen such as Sir John Hotham and Sir Gilbert Gerard continued to speak out against the government in the first 1679 parliament. They resurrected many of the unresolved grievances of the Cavalier parliament. Sir John Hotham returned to Westminster with the same bee in his hat concerning the dangers of a standing army. Sir Gilbert Gerard continued to urge the House to support their militia. The King's rejection of the Common's choice of speaker revived debates on the freedom of parliament and its privileges. Sir John Hewley, the new M.P. for York, argued with considerable conviction that the King should be readdressed on the issue. "Shall the King put a tongue in our mouths



to speak for us?" he challenged the House. Resolutions against placemen, court bribes and 'Secret Service' payments were an extension of grievances aired during the course of the Cavalier parliament. The debates on these issues were intended to discredit Court M.P.s. However they proved embarrassing for the exclusionist Sir Gilbert Gerard who was named as one in receipt of 'Secret Service' payments. Explaining that he had received these monies in compensation for the loss of a tax farm he declared "I would rather be buried as deep as the centre of the earth" than be bribed for a vote and gave a resume of his unfailing opposition to the Duke of York and popery in the Cavalier parliament. [215]

Continuity of issues with the previous parliament was given its best expression by Sir Hugh Cholmley of Whitby. He did not represent a Yorkshire borough but had been returned for Northampton in February 1679. In a debate on the removal of Lauderdale he argued that removing individual ministers settled nothing: "Unless you mend your maxims you will never mend your ministers". In this he was echoing Sacheverel, his political opposite, who had argued similarly in the debate on Danby. Cholmley went on to explain that the King had probably been imbued with continental ideas of government whilst in exile abroad. On his Restoration "men's hearts were so full of gladness and their eyes of joy" that they had allowed the introduction of a standing army. Too much liberality with the people's money had made the King have less regard than he should have for his revenue. Catholics had been allowed to settle at Court in the spirit of hospitality. Now they intruded their ideas and religion on England. Although Cholmley wrapped up his statements in an attack on foreign influences in England, most notably the French ambassador, he clearly saw the ills of 1679 as having begun in 1660. "Our sufferings", he explained, "are the punishments for our own transgressions". The implication is that the first transgression was the unconditional restoration. Thereafter the Cavalier parliament had failed to tackle the roots of the nation's problems by concentrating on the removal of ministers rather than by seeking the clarification of the fundamental "maxims" of government. [216]

Cholmley was not an exclusionist. He believed that "Such an extraordinary case" as the catholicism of the future King and the dangers of popery generally "must have an extraordinary way". He even suggested that theoretically the only way to prevent catholic attempts on the King's life was to make it in their interests that the King

should live by giving them ease in their religion. [217] It has been argued that the three parliaments between 1679 and 1681 were "single issue" parliaments. Whilst it is true that exclusion did eventually dominate the debates, some members did suggest alternative solutions. Some Yorkshire members continued to press for moderation and consensus, particularly by supporting the King's offer of limitations on a future catholic monarch. Exclusion was another in a long series of issues on which the gentry divided in their approach to find a solution. As Reresby said members agreed on the dangers of popery and a catholic monarch. They simply differed on the means of achieving their security from these grave threats. [218]

On the basis of Shaftesbury's analysis of the Commons none of the Yorkshire representative voted the wrong way in the sole division on the Exclusion bill. That is to say, no gentleman designated either honourable or worthy voted against the division and no base or vile gentleman voted for it. [219] Six old and four new M.P.s voted for the division, the latter including the 'doubtful' Sir John Hewley. Most of Yorkshire's exclusionists were drawn from the old Country opposition. Sir William Frankland for instance was not a regular speaker in the Commons but had been amongst the leaders of the Yorkshire resistance to the hearth tax on smiths's forges during the 1670s. There was also a dissenting element. Henry Lord Fairfax was the recognised lay leader of the West Yorkshire presbyterians. An election address made to him and his fellow knight Charles Lord Clifford in 1681 urged them to work towards uniting protestant subjects, presumably through comprehension. Sir John Hewley also had protestant dissenting connections. [220]

The extreme wing of the Country party, which had seriously threatened the crown's prerogative towards the end of the Cavalier parliament, were generally the most active and tenacious exclusionists in the next three parliaments. For them it was Exclusion or nothing. Sir John Hotham was one of those who had steadily moved towards the more extreme position within the Country party during the 1670s and in 1679 took up the banner of exclusion. He appears to have been a well known and respected member of the Commons. On the opening of the Second Exclusion parliament he wrote to his wife that "I was never so saluted in the House, so many having heard of my illness that I was despaired of". [221] He told the House on 4 January 1681, "Nothing will secure us but standing to this Bill of Exclusion, which is both for our

Bodies and Souls, the Glory of our King, and the King of Kings". James was not one to be coerced against his will therefore limitations would be fruitless. If he were made King, then he would act as a King. Hotham found military support for the Duke ominous :

If Papists have so much interest as about me, where, upon return of a great one thither (the Duke out of Scotland) he was no sooner come into the Country but the military officers went and attended him in a body. It is very dangerous they should so far adore a person who, I believe, is so far concerned in the Plot. [222]

Sir Gilbert Gerard stressed how James's involvement with the popish plot and his zeal for his chosen religion was dangerous both at the present and for the future. He asked the Commons on 12 May 1679 to consider

he that will hazard his brother's life, and have a hand in such things as were reported you yesterday, what will he do if he comes to the Crown? [223]

This wing of the opposition had come to believe that the monarchy could not even be limited by the law. There had been not only a complete breakdown of consensus but also of trust. There could be no guarantee that James, as King, would abide by limitations imposed upon his monarchy. Given his character it was unlikely that he would do so. The only means of ensuring the safety of the government and the protestant religion was by the crown's interests being at one with the nation's. A catholic king could not, by definition, share a protestant nation's interest.

Some of Yorkshire's exclusionists extended their attack on the Duke beyond parliament. Michael Warton was seen speaking against the Duke of York and drinking Monmouth's health in London coffeehouses in February 1680. [224] Gerard was sent for by the King in April 1680 to answer allegations that he was in possession of a 'Black Box' containing documentary evidence of Charles's marriage to Lucy Walters, Monmouth's mother. It was said that John Cosin, the bishop of Durham, had performed the marriage whilst the King was in exile and had entrusted the 'Black Box' to Gerard, his son-in-law. Gerard naturally denied all knowledge of the matter but would give a signed statement and oath to that effect only after the judges had ruled that the King's examination of him in council was legal. Gerard had presumably been drawn into the Monmouth circle of exclusionists by his kinsman Lord Gerard. In the following June Gerard and his fellow M.P. for Northallerton Sir Henry Calverley were amongst those who attempted to

indict the Duke of York for recusancy. [225] Others such as Sir William Frankland and Sir John Brookes openly identified themselves with Yorkshire's "whiggish" party in the county. [226]

Calverley's involvement with the indictment of the Duke of York is interesting since he was absent on the Exclusion bill division. This casts doubt on the usefulness of the lists in categorising M.P.s on the basis of this one division. It is unlikely that Calverley went from a position of wavering on the question of Exclusion to one of full support. More likely he was a consistent supporter who for some reason was unable to attend the debate on that day. However, the same might not be true for the other four new "honest" M.P.s and five old "worthy" M.P.s who failed to vote in the division.

A considerable number of the Yorkshire representative did abstain and most of these had been categorised by Shaftesbury as probable supporters. Only Sir Thomas Slingsby of the old loyal M.P.s was absent on the bill. He left no trace in the records of the first 1679 parliament therefore it might be questioned whether he even attended. [227] Three new members who Shaftesbury believed to be 'base' were also absent. It has been suggested that some M.P.s such as Thomas Cradock may have paired on the division but there is no direct evidence for this conclusion. [228] Rather, it is likely that these were gentlemen who had come to Westminster as opponents of the government and of Danby, but were not sure of how to handle the thorny question of Exclusion. It has been argued recently that exclusion was adopted cautiously by many members and that as a solution it was neither superior to other alternatives nor was it without its own inherent difficulties. No doubt this goes some way to explain the wariness of the Yorkshire members who failed to vote on the bill. [229]

Ranged against the single-minded, vociferous exclusionists were just three old Yorkshire M.P.s who voted against the division. They had little to say in support of their position. Sir Edmund Jennings, in a speech remarkable for its absurdity, suggested an alternative bill which would force all catholics who refused to conform to the Church of England to sell their estates to the crown and go into exile. His reasoning was "If there be no Papists in England, what danger could there be, if we had a Popish Prince?". [230]

However, several of the anti-exclusionists favoured the King's offer of limitations. It had the advantages of the King's backing,

preserving the succession and perhaps even ironing out some of the problems which had dogged the relationship between King and parliament since the Restoration. This group argued that exclusion removed James's birthright which he had to the crown as much "as any man there had to his father's estate". [231] Outright exclusion brought with it its own difficulties. If denied his succession now James might gain his crown through civil war, an even surer way of losing religion and government as now established. [232] Limitations might be better than nothing. Sir Hugh Cholmley warned the House "We shall lose all, if we grasp at more than we can hold". He also feared where the precedent of excluding one heir could lead. Cholmley believed that a popish successor could be limited by legislation. He insisted that those who believed otherwise thought "too meanly of the laws of England". He even hinted at a protestant association by arguing that in the final analysis the nation could arm itself against any attempt to impose popery on the nation. Even this could be legislated for. [233] Besides Cholmley, Sir Henry Goodricke and Sir John Reresby also appear to have favoured limitations rather than exclusion. Reresby lost his seat in the House only a week before the division on the Exclusion bill. Edward Morris consoled him that "you are freed from swallowing some pills, which I am sure the honest constitution of your stomach would never have digested". [234]

Because the issue of the succession was bulldozed into a question of Exclusion or not Exclusion, it is difficult to ascertain which M.P.s, if any, were against any interference either with the succession or with the conduct of a catholic monarch. Grey's Debates provide little elucidation. Some may have rejected even limitations on the grounds that they altered "the very frame of the government and of monarchy, to make it a republic". [235] However from the evidence that is available it seems that most of the Yorkshire *anti-exclusionists* preferred to come to an accomodation with the King on the question of a Catholic succession.

The anti-exclusionists faced considerable hostility in the Commons. It was widely believed that the committee of elections was a stronghold of the extreme wing of the opposition. Court supporters could find little comfort there. Sir John Reresby made valiant efforts to secure his disputed Aldborough seat in the First Exclusion parliament spending much time and trouble gathering witnesses and evidence for his defence. Less worthy was his attempt to slander his adversary, Sir

Godfrey Copley, as a papist. Such tactics again emphasise the universality of the belief in the threat from popery. [236] However, Copley was able to ignore such attacks. He had no qualms about a double return since he knew that he could rely on the committee of elections. When the case came to be heard on 7 May 1679 only Sir John's closest friends and political allies, Sir Henry Goodricke, Sir Edmund Jennings and Sir John Talbot spoke in his favour. Reresby himself noted how "all the adverse party did muster strongly against me". He had been forewarned not to rely on the support of Yorkshire's knights of the shire. Copley was supported particularly by Lord Castleton, Colonel Birch, Mr Apreece and Ruisshe Wentworth as well as the majority of the rest of the committee, virtually all opposition members. Reresby claimed that the question of whether he was duly elected was lost by only two votes, which he took as some measure of victory considering the opposition he faced. Copley however said that no-one voted against his being sitting member. Once Reresby had lost his case it was inevitable that Copley would replace him as member for Aldborough. [237]

The strength of the opposition in the committee dissuaded some from even pursuing disputed elections into the parliamentary arena. Sir John Kaye relinquished the poll in September 1679 when an attempt was made to bring York citizens in to vote in the county election. He explained to Reresby that had he continued with the poll "it must have been a committee business and then I must have expected the measure you met with". [238] The committee of elections had become a body to be feared. Richard Shuttleworth, high sheriff in 1679 had become suddenly ill when called before it to explain his conduct during the February Aldborough election. The high sheriff in 1681 was not willing to suffer the same fate by being accused of partiality in Reresby's election. [239]

During the Second Exclusion parliament another fearsome committee emerged. Following the vote that abhorers of petitions for parliament's sitting were "betrayers of the liberties of the people and abettors of arbitrary power" the committee of abhorrences was set up. An attempt to introduce a petition for parliament's sitting at the York summer assizes in 1680 was thwarted by a grand juror, Mr Darcy, who simply tore it up. The next day at least fifty gentlemen met to subscribe an abhorrence drawn up by Reresby. Sir Thomas Mauleverer and Sir Bryan Stapleton, M.P.s, were brought before the committee of

abhorrences to answer for their part in it. Reresby himself was threatened with an attendance. However he had "penned it so carefully that no great exceptions could be taken at it, and so they got off". The careful wording of the counter-petition was confirmed in the Commons by Sir Richard Grahme, M.P. for Cockermonth, a recent convert to the court. Sir John Kaye, evidently party to the abhorrence, said that it had been "done with such caution and regard not to violate either a law or a privilege" that he never believed anyone could be expelled from the House for their involvement with it. [240]

For many anti-exclusionists the opposition were going too far in demanding that the King assemble parliament. Most believed with Reresby that the King was "the only fit judge when parliaments ought to sit". [241] Equally there was considerable resentment that they were being charged with betraying the liberties of the people and abetting arbitrary power in failing to support exclusion or petitioning. Sir John Kaye underlined further the idea that basically there was a general consensus on aims though not on means :

none of us was against the meeting and sitting of the parliament but wished it as much as others could, though not expressed in their way. [242]

The opposition's violence against the Duke of York and their intransigent adherence to the sole issue of Exclusion contributed to the swing of some of the opposition to the court. Reresby noted that by the time of the Oxford parliament it was not only the exclusion of the Duke that was aimed at. The exclusionists also sought to limit Charles II's military and civil power. [243] Viscount Castleton for instance was shocked to hear Goodwin Wharton's vicious personal attacks on the Duke of York. [244] Sir John Dawney had voted for exclusion but by the end of 1680 had accepted Halifax's patronage and an Irish viscountcy in February 1681. [245] Sir Richard Graham and Charles Lord Clifford also moved towards support of the court as the Exclusion parliaments progressed. [246] Clifford made no recorded speeches during the three parliaments but he did vote for the division on the exclusion bill. However the continued support of his brother-in-law Conyers Darcy in county elections is perhaps evidence of his increasingly moderate position. Darcy himself had been designated as a courtier during the Cavalier parliament and during the early 1680s was friendly with the limitationist Reresby. If Clifford had maintained an

unyielding exclusionist position he might have expected to have lost Darcy's support in the elections. [247]

In the Lords Thomas Viscount Fauconberg moved from a position of "country peer" opposed to Danby at the beginning of the First Exclusion parliament to one of moderation by late 1680. In November 1680 he spoke against the exclusion bill as failing to find "security for the King, Lords and the Church". By the spring of the following year he was satisfied with efforts being made at court to settle the nation. Fauconberg's conversion was partly influenced by what he saw as excesses in the Commons. In March 1681 he confided to the Earl of Carlisle, whose politics had similarly moved from the country opposition nearer to the court, that public affairs "every day gives me greater cause of despair". The Commons had chosen the same speaker and Fauconberg believed that "if they proceed by the same methods", meaning exclusion, when the King had explicitly rejected it in his opening speech, then they could expect an early dissolution. Since his fears proved well founded it is probable that Fauconberg did not even have time to get to Oxford during the parliament's sitting. [248]

Those who consistently opposed exclusion and those who began to soften on the issue were given a considerable fillip when Halifax stood out against the bill in November 1680. His personal influence probably persuaded Dawney and Clifford to move towards a more moderate position. Certainly Reresby warmed to the rising star of the Court at the end of 1680. Realising that Danby was a spent force Reresby had already begun to court Halifax's favour in 1679. Initially he was uncertain of Halifax's position. In a draft letter to Halifax of August 1679 Reresby said "I must confess myself a true servant to the government" but significantly scored out the next phrase "so long as I find it doth not entrench upon the liberty of the people". Reresby however pursued Halifax's patronage with more vigour following the Viscount's explicit rejection of the bill and so began a long association of patron and client. [249] Other Yorkshire gentlemen in the county were also relieved at last to have a leader for their cause. Sir John Kaye for instance was overjoyed at Halifax's favour with the King in November 1680. [250]

The opposition's refusal to consider any business other than exclusion annoyed a great many gentlemen both within Westminster and outside. John Wentworth heard people in his locality ask what the parliaments had done for them, and the answer was invariably "nothing". [251]



News of the short prorogation in January 1681 came as no surprise to Sir John Kaye. He only hoped that when parliament did meet it would work some good. He and others continually hoped for an accomodation with the King:

For a right understanding betwixt our good King and them is what only can make this nation happy. [252]

But there was to be no accomodation on the issue of exclusion. Furious with the Commons for continuing to pursue their bill Charles dissolved the Oxford parliament after only seven days. John Wentworth's neighbours were right to complain that the parliaments had achieved nothing. The Duke of York was still in line for the throne, his catholicism unscathed. Nothing had been done to settle the nation's grievances concerning the standing army, the militia, religious comprehension or taxation. Danby remained in the Tower but not brought to justice. The Exclusion parliaments had failed miserably to achieve anything close to a settlement.

### Religion and Politics

The revelations of the Popish Plot, the Duke of York's catholicism and the crown's French connection which combined to produce the stormy final sessions of the Cavalier parliament virtually guaranteed that catholics would be penalised in 1679. Throughout the parliaments of 1679-1681 the threat of catholicism was raised again and again. Sir John Hotham, an exclusionist, believed on 13 December 1680 that "there is not a Papist of Quality in England but is guilty of cutting all your throats". [253] Sir Richard Graham of Nunnington, soon to be raised to the peerage as Viscount Preston, said "The Papists are enemies to all mankind, but those of their own persuasion". [254] Sir Edmund Jennings, a loyalist and anti-exclusionist, admitted in November 1678 that he included some catholics amongst his personal friends. Yet in the next parliament he could still call for their banishment from the nation on the grounds that papists generally subverted protestantism and contrived rebellion. [255] The belief in the threat of catholicism to the church and state transcended party boundaries.

Yet Jennings's position highlighted the contradiction in many gentry's attitude towards catholicism. Whilst most may have agreed that catholicism endangered the nation, few would have suspected their catholic neighbours and friends of contriving a bloody massacre in order to impose their religion. Searches of papist houses at the time of the Popish Plot produced no evidence that Yorkshire catholics were armed to the hilt and ready to rise. Fear of catholicism was not based on practical experience in the locality. Rather it was an ideological nightmare that popery could ultimately destroy protestantism and bring arbitrary and absolutist rule into England. [256]

The contradictions in attitudes towards catholicism underlays much of the somewhat confused pattern of persecution of catholics in Yorkshire. On the one hand there was evidence of acts of severity. Some catholics imprisoned for refusing oaths in 1679-80 were still languishing in prison at the start of James II's reign in spite of appeals to the government for clemency. [257] Nicholas Postgate, an eighty-two year old priest, *too frail to mount the scaffold alone*, was tried and condemned to be hung, drawn and quartered in August 1679. His crime was to faithfully administer to his catholic flock in the North Riding for over forty years. [258] In both the West and North Ridings people were presented for possession of catholic books, relics and beads. [259] Yet at the same time justices in these two ridings did not respond to the King's Order in Council of January 1679, which demanded strict enforcement of the penal laws on threat of instant dismissal for negligence, with the zeal which virulent anti-catholicism might have warranted. [260] Justices at the Epiphany sessions in both ridings were unsure how rigorous they should be in enforcing the recusancy laws. In the West Riding all the sessions were adjourned to a later date, partly because there had been too little time to bring in all the papists. However Sir Thomas Yarburgh indicated that justices were not taking the initiative in persecuting catholics but were rather waiting for a further lead from the centre. He told Resesby that the adjournments were also

that we might know how in other places they proceeded with them ... Pray let me know what is expected from us upon their appearance and what is generally done in the southern parts against them. [261]

Sir William Lowther, William Ellis, Henry Edmunds and William Horne had already issued recognizances against recusants within their areas to appear at the sessions and at Doncaster eleven catholics took the

oaths of allegiance and supremacy. However, further action had to wait until the general Pontefract sessions at Easter. [262] North Riding justices at Richmond in January 1679 decided that since their brethren at Helmsley, York and in the West Riding had done nothing other than bind papists over to appear at the next sessions, then they should do likewise and did not tender the oaths. [263]

Clearly some North Riding justices were reluctant to execute the full rigour of the law against catholics. On 8 February 1679 Philip Lloyd wrote to Viscount Fauconberg, evidently in reply to an enquiry from the North Riding justices, that the Lords of the Council

do not think that the great number of papists in the North Riding of Yorkshire ought to be looked upon as any ground for their not being prosecuted according to law, but on the contrary that therefore the greater severity should be used ... in regard that as the number, so consequently the danger must be great.

He sent the justices information for their guidance in prosecuting catholics. [264] Under such pressure a session was held at Richmond on 18 February where twenty-two catholics were committed to prison for refusing the oaths of allegiance and supremacy. The list included one baronet, six esquires, twelve gentlemen, a yeoman and two women, an indication that men of higher social status were being presented for the first time since the Restoration. Thereafter in the North Riding only a handful of people were presented for refusing the oath of allegiance. Catholics who failed to attend the sessions according to their recognizances were allowed to go before their local justices instead which surely indicated a rather relaxed attitude towards popery at quarter sessions. [265]

During 1680 the justices in both the West and North Ridings reverted to the practice of presenting people for non-attendance at church. The numbers being presented in the North Riding were much less than in 1674-5 but included some leading gentry figures. Edward Saltmarsh was presented at Richmond in July 1680 along with Sir William Tancred of Branton. In October at Thirsk Charles Lord Fairfax of Gilling was amongst those presented for non-attendance. The North Riding bench's non-persecutory attitude again was demonstrated at Stokesley in July 1684 when the court and jury agreed that dissenters and absentees should be presented for three weeks absence from church rather than the full month which effectively reduced their fines from £20 to three shillings. [266]

In the West Riding the justices at the Pontefract sessions in April 1679 were still unsure how far they were expected to go. Taking their lead from the judge at the recent assizes in York, the bench discharged the recognizances of catholics who took the oath of allegiance and committed those who refused. However, they also tendered the oath of supremacy according to the proclamation and refusal resulted in a return to the King's bench. Sir Thomas Yarburgh and possibly some other gentry were unsure of the legality of this procedure since

the statutes and commission seem not to reach the power of justices of the peace to tender that of supremacy to papists in general

although justices at the Doncaster and Richmond sessions earlier in the year had tendered both oaths. [267]

Part of the explanation for the inconsistencies in persecution of catholicism was the divergence of attitudes amongst the gentry. Sir Joseph Cradock of Richmond was one of the few gentlemen who perceived a grave catholic threat. He complained to Fauconberg that a York alderman and justice had refused to issue a warrant against a papist priest. Yorkshire, he believed, abounded with catholics and only a stricter search would allay the fears that the county was full of. [268] In the West Riding Sir William Ingleby of Ripley found lame excuses not to bind five recusants brought before him as the local justice. Ripley was a strongly catholic area and the Ingleby family had a long catholic history. Although Sir William was himself a protestant he evidently still had some sympathy with his neighbours and kinsmen and was prepared to flout the law in their favour. [269] Yet other West Riding justices complained in July 1682 that protestant dissenters were being persecuted more than catholics. Sir John Kaye explained to Reresby that it was decided therefore that constables should be required to make returns of absentees and to levy the appropriate fines. Unlike their North Riding brethren they were to charge £20 for a month's absence. However the justices at these sessions asked for the concurrence of those at Rotherham "for we desire not to be singular, if better judgements approve not as well of it". [270] Again it is evidence of not all justices being completely behind a policy of persecution of catholics.

The Yorkshire gentry's attitude towards their catholic neighbours was illustrated by their reactions to the trials at York assizes of

several leading gentry catholics between 1679 and 1682 for alleged involvement in a Popish Plot. The accusations were made by two disreputable men, Thomas Bolron and Lawrence Mowbray, against Sir Thomas Gascoigne of Barnbow and various members of his family and friends. Suffice to say here that the informers concocted a false story in which the only grain of truth concerned a plan by these wealthy catholics to found a nunnery in the county. [271] The gentry took a great interest in the trials. From the outset Bolron and Mowbray were disbelieved. Jasper Blythman wrote to Reresby from London on 5 July 1679, "We are now entertained by the Yorkshire plotters", a remark which was surely made with a certain amount of scepticism as to the truth of the allegations. [272] In July 1681 Edward Morris informed Reresby that

Sir Thomas Mauleverer, Sir Roger Strickland and I think Captain Tancred was thought unworthy by the rogue Bolron to serve on that jury. Base things has been made appear against him and the rest of that kind. [273]

All but one of the so-called plotters were acquitted. The judge of the assize advised the jury to find the evidence against Lady Tempest, Sir Thomas Gascoigne's daughter, but the jury brought her in not guilty, which greatly pleased the everyone in court except the judge. [274] Reresby's comment on this was very revealing :

Though some had been found guilty in London upon this or the like evidence, yet it found so little credit in this county that three of the four were acquitted,

the unlucky one being Thomas Thweng whose guilt was rather that he was a priest than his being invloved in a plot. Reresby was re-emphasising the point that the catholic threat so talked about at the centre was not translated into a local perception. The Yorkshire gentry were above the type of scare-mongery which prevailed in London and Westminster and they resisted attempts to have it thrust upon them. One of the jury men, Mr Tancred (possibly Christopher), "appearing active" to clear one of the accused "the judge reflected upon him". A group of about twenty gentry drawn from both the loyalist camp and the opposition complained on Tancred's behalf at his treatment, for which the judge openly apologised the next day. [275] The campaign against catholicism was never backed by any widespread or commonly held belief in an actual threat. There is little evidence of denunciatory statements in gentry correspondence of the type which attended their comments on protestant dissent. Once central pressure to enforce the

penal laws was removed after about 1681 persecution of catholics dwindled into insignificance in both the West and North Ridings. [276]

By the time of the dissolution of the Oxford parliament the mood towards religious dissent had changed both at the centre and in the localities. At last Charles II allied with loyal Anglican gentry and threw his weight behind a government policy of suppression of protestant dissent. [277] Although there was a renewed onslaught against protestant dissent in Yorkshire it was neither a simple response to government directives nor universally approved. In the West Riding, where persecution of dissent was severest, some gentlemen anticipated the government's drive and eagerly awaited central approbation of their desire to crush the nonconformists. "You cannot imagine to what height the dissenting party are grown to" Sir John Kaye told Reresby in January 1681. He was echoed in the following April by Jasper Blythman who was greatly troubled with nonconformist fanatics in the Penistone area. [278] On 16 December 1681, before the King's proclamation to enforce the laws against conventicles had reached the north, Blythman enquired of Reresby whether the King might approve of justices using the Second Conventicle Act and the Elizabethan Act against dissenters. West Riding justices had heard that in Middlesex dissenters were being indicted for conventicles and Blythman was keen to do likewise in Yorkshire. Charles duly obliged the cry for persecution with the first of a series of measures against protestant dissent in December 1681. Thereafter the tempo of the campaign was kept up by judges at York assizes. [279]

But the directives and charges merely provided a back drop for the war being waged against dissent in the West Riding. Local justices used their own initiative. J.P.s at the Doncaster sessions on 17 January 1682 did not even wait for official instructions before renewing the onslaught against Protestant nonconformity. Local constables were ordered to make a strict enquiry into conventicles and to make a return of the names of preachers, householders and "the most considerable persons" in attendance. Although the order was prefaced with a reference to the King's pleasure that conventicles be suppressed it seems that the justices had not actually received the proclamation. Sir John Kaye wrote to Reresby on 31 January 1682 that local justices had read in the Gazette that Middlesex justices were to execute the laws against dissenters and the West Riding J.P.s had

expected like orders at their sessions. However, none arrived therefore

it was debated what should be done and at last agreed that such was their insolency that it was apprehended necessary to humble them, which will moderately enough be done. [280]

Kaye was not at the Doncaster sessions but probably attended the Wakefield sessions a few days before. Therefore his letter may refer to similar moves against dissent as were made at Doncaster. If Wakefield justices had not received the proclamation then presumably neither had those at Doncaster. Three years later the same justices were still taking the initiative. They informed the treasury commissioners that there had been no convictions of conventiclers during the last quarter since they found it of more advantage to the King and more discouraging to the dissenters to indict them for riotous assemblies. By this method the whole fine went to the King rather than just a third part as in the case of conventicles. [281]

Zealous persecutors such as Sir John Kaye, Jasper Blythman, Sir Thomas Yarburgh, Thomas Yarburgh and Christopher Tancred had made the same connections between political and religious dissent as the crown had. Kaye was worried that the Oxford parliament might pursue the idea of religious comprehension.

If they should, farewell Church of England, for if order be once broken, and they unlimited, I shall read the sad consequences of it. [282]

His neighbour, Jasper Blythman, expressed similar sentiments but in stronger terms. The fanatics intended to create a new civil war, oust monarchy and set up "their darling", a commonwealth. He had evidence of it from the troublesome Penistone nonconformists who talked of bringing in a new King because of the failure of Charles II to rule for the good of his subjects. Blythman took informations from several people but could not pin the treasonable words on any particular person. Nor did he know the exact words which were used but he was convinced that "had they been spoken with some small variation I believe they would have been treason within the 13th of this King", that is the 1661 Act for the preservation of the King's person and government. [283] The attitudes of gentlemen like Kaye and Blythman were reminiscent of the early 1660s when fear and insecurity had given birth to a series of repressive laws against religious dissent.

Only four J.P.s were present at the January 1682 Doncaster sessions but their action was upheld at the larger general session at

Pontefract in April. Warrants were issued on the basis of the returns which had been made. The justices were dissatisfied with the result of the search which had been ordered at Doncaster. They renewed the order to search for conventicles and extended it to include absentees from church. To make the point further that nonconformity was to be suppressed, the clerk of the peace was ordered to make no abatement in his fees to conventiclers "least it encourage them in their obstinancy". One man was fined for not attending church. Mark Trickett, a preacher at conventicles at Tanshelf, was brought before the court on the basis of the Five Mile Act. Refusing the oaths in both that statute and the Corporations Act he was committed to gaol for six months. At the same time one James Chappell, previously convicted of conventicling, was imprisoned until he would find sureties for his good behaviour. Several presentments for conventicles were made which "filled the town with many people". Thomas Yarburgh was well pleased with the justices' work : "At Pontefract sessions we trounced dissenters". [284]

Dissenters continued to be "trounced" throughout the rest of Charles II's reign in the West Riding. In October 1682 a total of twenty three persons were committed to gaol for religious offences. In January 1683 they were followed by 130 more and three conventiclers losing an appeal were ordered to pay triple costs as the law directed. Further orders to present absentees and dissenters were issued from Leeds and Rotherham sessions in July and Barnsley in October. [285] There had been complaints in Leeds that the dissenters were being persecuted more than the papists. Again local justices showed their initiative, as Kaye explained to Reresby:

to take off that calumny (since nothing further out of the Exchequer is upon their [ie. papists'] convictions at present done) it was the sense of the court that warrants go out requiring all officers enjoined by the statute monthly to present all absenters and to levy 12d for a Sunday and £20 for a month. [286]

J.P.s at Wakefield in the same October fined two conventiclers £100 apiece. This was reduced to £10 each at Barnsley a few days later though it is unclear why. [287] After 1683 the heat on dissenters was reduced somewhat but justices acting in sessions continued to scrutinise the constables' returns of dissenters and absentees and to imprison recalcitrant offenders. [288] In January 1685 for instance Oliver Heywood, the most famous of Yorkshire's presbyterian preachers,



stood indicted of riot, rout and unlawful assembly at the Wakefield sessions. [289]

The West Riding campaign was all encompassing, quakers, presbyterians, independents and the occasional catholic being "trounced" at the sessions. It has been pointed out that enforcing the laws against absenteeism and tendering oaths was especially irksome for Quakers. [290] Certainly this was the case in the West Riding where the majority of those committed to gaol were Quakers for refusing to take oaths or pay fines. By 1683 there were an estimated 240 Quakers imprisoned in Yorkshire, mainly in York Castle. By January of the following year the numbers had not reduced, one Quaker putting the figure in York Castle at around 260. [291] The quakers could still raise the ire of those in authority even though they were peaceable people by the 1680s, having long renounced walking naked in market towns and attacking church ministers. At the 1684 summer assizes in York Lord Chief Justice Jeffreys spotted a group of quakers who had gathered to hear the judges read their commission in the castle garth. Infuriated by their presence he

said in much bitterness to the bailiffs 'take off those rascal quaker hats and put them in prison, for I will teach them better manners before I have done with them'. [292]

But the orders against conventicling were general, intended to encompass all forms of dissent, and presbyterian and independent congregations suffered at the hands of the Anglican zealots. Great coups were made by breaking up some of the larger conventicles such as Trickett's at Tanshelf, mentioned above. A conventicle at the house of John Hey of Horton Pasture on 21 May 1682 was attended by over sixty people. People known to hold regular conventicles were constantly harrassed. Henry Roebuck of Carbrook Hall near Sheffield was prosecuted in 1682 and 1684. [293]

The West Riding justices brought down the full force of the law on dissent. The Five Mile Act hitherto neglected was now used where possible and the oaths from the Corporations Act were tendered at the same time. Many dissenters could be prosecuted for non-attendance at church. The recusancy laws appear to have been used against both protestant and catholic dissenters for some time but during the 1680s the West Riding J.P.s appear to have wanted the matter to be clarified. On 19 September 1682 Francis Bennet, one of Reresby's colleagues on the Middlesex bench, replied to a letter from Reresby on how to proceed with dissenters. He told him

'Tis a question whether the former statutes are in force or whether fanatics and papists are included in the same predicament. [294]

The problem was cleared up by Baron Street's charge at the 1683 summer assizes when he confirmed that all recusants were comprehended within the Elizabethan Statutes, which, as Resesby informed Secretary Jenkins "have been as little taken for law as practised in some parts of this Country". [295] Once protestant nonconformists could be presented as recusants it becomes difficult to ascertain the denomination of those being prosecuted in court. For example when the constable of Harleton-cum-Hambleforth made a return of "dissenters" to the Wakefield October 1683 sessions he included Sir Miles Stapleton in the list, a prominent catholic gentleman who had recently been discharged of alleged involvement in a northern popish plot at York assizes. [296]

In the North Riding the situation was much less intense than in the West Riding. The policy of presenting persons for non-attendance continued beyond 1681. No doubt this was extended to include protestant nonconformists as well as papists although an order to the constable of Whenby to make a return in July 1681 specified popish recusants above sixteen years of age. [297] The first and only reference in the order books to a conventicle during this period is as late as August 1684 and it is not until the Helmsley session of January 1685 that reference is made to quaker fines. Similarly in the quarter sessions files there is but one record of a conviction of a conventicle made by Charles Tancred of Arden on 22 January 1685. [298] It has been noted elsewhere that unrecorded out of sessions practices by individual justices may have distorted the picture of persecution of dissent. However, from the evidence of the order books alone it does seem that in the North Riding dissenters had an easier time than their West Riding counterparts. The softer attitude towards dissent was made clear in July 1684 when it was decided by the court with the approbation of the jury that absentees be indicted only for three weeks' absence rather than the whole month. This reduced the fine from a hefty £20 to just 3s plus fees to the clerk of the peace. [299]

Part of the explanation for the lesser campaign in the North Riding is the pattern of dissent. The North Riding was much less troubled by presbyterian and independent meetings than the West Riding. There were thriving quaker communities in Wensleydale and Swaledale as well as in Ryedale and Cleveland but older forms of dissent had never taken a firm root in the North Riding. Indeed the weakness of old dissent may

well partly explain the success of quakerism in the North Riding. [300] Even in the West Riding dissent was unevenly spread. Traditional puritan strongholds such as Sheffield and the surrounding district, the Aire and Calder valleys, and the City of York continued throughout the Restoration period to host nonconformist communities. [301] Quakers were particularly strong in the Skipton area. Henry Killinghall of Skipton said that

Friends is much troubled about us, and is summoned to appear one session after another, and there is very strict warrants sent to several constables to molest our meetings. [302]

Sir John Kaye of Woodsome near Halifax and Jasper Blythman of Newlaithes near Penistone both lived in areas rife with long established dissent. Their perception of the problem therefore was likely to have been much more coloured by their local experience than their North Riding brethren. Although there is no evidence of the extent of persecution of dissent in the East Riding from quarter sessions records, it is significant that the only records of conventicles are of two at Bridlington, both prosecuted by William Osbaldeston of Hunmanby. He and Robert Buck ordered the levying of fines on twenty-five persons attending a conventicle in Bridlington on Sunday 30 November 1684. The eastern seaboard was also a noted area of dissent. [303]

The City of York was renowned as a hotbed of protestant nonconformity sustained by ejected ministers, local gentry and the corporation bench. The blatant support which the aldermanic bench and city justices gave to conventicles infuriated Thomas Fairfax, a local official. He informed Reresby in January 1682 of a massive conventicle which was regularly held by Andrew Taylor in Micklegate. Captain Toby Hodgson and two other gentlemen of quality had attempted to obtain search warrants from aldermen living in the same street but had been refused. They therefore gave informations to the mayor and deputy-recorder upon which a record was made and fines levied on seven persons whom they named. The offenders appealed and at the city sessions it was debated whether new spoken evidence could be admitted against the appellants. The recorder believed that it could,

but this being put to the question the learned grocers, chandlers, skimmers and weavers, being the major part of the aldermen upon the bench, gave their judgement in the point that no evidence (yiva voce) was to be given, nor any evidence save what appeared in the informations.

A "whiggish" jury was sworn and Sir John Boynton and Thomas Rokeby, counsel for the defence, shredded the evidence upon technicalities. Interestingly they argued that the Conventicle Act was intended only against those meeting to contrive insurrection and rebellion. Despite all the objections being fully answered by the prosecution lawyers the jury acquitted the appellants and awarded the restitution of their fines. On the same day the jury would not find the bill of indictment against Ralph Ward, a conventicle preacher, on the basis of the Five Mile Act despite the evidence of eight witnesses against him.

And thus the law is eluded and made useless and insignificant, these seditious and disloyal persons encouraged to go on in their dangerous practices in the open breach thereof. [304]

Taylor was eventually prosecuted at York Assizes in 1684. The informations given at this time reveal the extent of the collusion between presebyterians and the authorities in York. The conventicle had been held at the house of Mrs Rokeby, probably the wife of the same defence lawyer in the 1682 case. Ralph Ward was in attendance as well as Alderman Dawson's wife. [305]

The persecution of protestant dissent though was by no means universally approved. Zealous justices often found resistance in the localities from local officers. Constables' returns of conventicles were made at the sessions in July 1682 in the West Riding.

And some made such false ones to the knowledge of some justices then present and refusing to amend them that they was bound to their good behaviours. [306]

Similarly warrants for suppressing conventicles in the East Riding which were issued by William Osbaldeston of Hunmanby were neglected by Bridlington constables. He distrained £5 apiece upon the recalcitrant officials who then appealed to the sessions at Beverley. It was likely that they would win their case since the undersheriff had returned a jury of "all or most fanatics and disaffected to the government". However, when the East Riding bench expressed their displeasure the constables submitted to the court. [307] Some parochial officials would have had little desire to persecute their peaceable neighbours. Self interest might also have been a factor. Philip Swale of Hartforth, a leading North Riding quaker, said that the local constable

may with some hazard levy on me for I have both within and out of doors goods belonging to the Lord Wharton and other

persons that I believe would not let them go for my fine, but might call him to account for them. [308]

The gaoler at York castle was "very favourable" to the quakers whom Lord Chief Justice Jeffreys ordered into prison and allowed them their liberty. [309] Informers could make a substantial profit from presenting dissenters, since in the case of conventicles they received a third of the fines. Some tried to bribe conventiclers into paying to keep the informers quiet. But apart from such men it is unlikely that there were many common people who were overly concerned at the religious practices of their neighbours, particularly if they were not disturbing the peace. [310]

Some justices maintained their sympathy with dissenters even in the face of their persecuting colleagues on the benches. Naturally this led to fierce divisions amongst the gentry. Francis Jessop of Broomhall, a justice of the peace in the noted dissenting area around Sheffield "and some few more that absented themselves on purpose" distanced themselves from other J.P.s when they were issuing warrants to search for conventicles. However, at the Rotherham sessions in July 1682 Jessop took a stand against the seven other justices on the bench. The Sheffield constables had failed to make a return and Jessop had not bound them over to the sessions to answer their neglect "although he was empowered by a bench warrant to do so". Jessop was defying the collective orders of the West Riding bench. The matter was debated but Jessop refused to be persuaded by the arguments of his seven colleagues. Reresby suggested that he write his opinion down so that the matter could be decided "above". Jessop, isolated in his sympathy with the dissenters, angrily told Reresby that "he understood very well where and how I consulted above". Not one to be insulted without a return, Reresby told Jessop that he "as well understood how he consulted underneath". Later the debate was renewed and Jessop finally gave his opinion that "all the proceedings against the nonconformists and the warrants granted on that occasion were illegal". Reresby replied that

I was not here when anything was done in that concern but it looked something saucy to arraign all the justices of the peace and their proceedings of so many sessions upon his own single opinion.

Jessop told Reresby that he was impudent which angered him so much that he threw an ink horn directly at Jessop's head, cutting his face. Swords were drawn but the other justices prevented any further

trouble. As calm was restored to the proceedings the two men apologised to each other and Jessop confessed that "the justices of the peace were in the right". [311]

The Jessop incident is most revealing. Firstly it illustrates the strength of the persecuting gentry in the West Riding. Gentry with dissenting sympathies could disassociate themselves from the campaign only so long as other justices allowed them to do so. In Jessop's case he ignored warrants issued from the bench. Whether he liked it or not the arm of persecution had extended into his locality. When he admitted that the justices were in the right he was merely accepting that their actions were legal. He was not necessarily condoning the campaign against dissent itself. In July 1684 Jessop himself signed recognizances against seven hearers at a conventicle in Sheffield. In October he ordered three others to give information to the court concerning a conventicle at Carbrook Hall. It is doubtful whether he had a complete change of heart concerning dissent. Rather, the pressure of his Anglican neighbours had forced him into acquiescence in their campaign. He was no doubt aware that his opinion at the Rotherham sessions in 1682 would have been reported to the government and would have been reluctant to suffer the ignominy of being removed from the bench. [312]

Jessop was not alone in having to comply with a campaign which he did not agree with. George Smithson, a North Riding justice, had some sympathy for the quakers but nevertheless carried out the duties of his commission. Philip Swale of Hartforth wrote to complain to him of a warrant out against him for hosting a conventicle which he said he was not at. Concerning Smithson's issue of the warrant Swale wrote

I can assure myself that neither unkindness nor prejudice helped it forward, but rather it was unwillingly done; and then may I not say those laws may admit of mending that puts sober men (under penalty) against their will to prosecute their peaceable neighbours, and such as they have no fear of, but a good esteem for. [313]

But Swale had identified the crux of the matter in this paragraph. Smithson was legally bound to issue warrants and levy fines on conventiclors when there was evidence from two witnesses, as there was in this case. Those fined could appeal, of course, but the initial conviction could be secured without the accused being given a hearing. Attitudes towards this aspect of the law differed. Swale claimed that in the Bishopric of Durham justices heard the parties concerned before

proceeding to a conviction. In York the bench believed that it was "against the law of God, nature and liberty of an Englishman to be condemned without hearing". [314] However, the Second Conventicle Act stated that conventiclors could be convicted upon the oaths of two witnesses or notorious evidence and circumstance of the fact. Given their inherent respect for rule by law, and the threat of fine or even removal from the bench most justices would fulfil their obligations by prosecuting dissenters who had been presented before them upon oath.

Sympathetic justices could mitigate the harsh effects of the penal laws by various means. Henry Lord Fairfax had long been regarded as the gentry leader of the West Riding presbyterians. As late as 1678 it was said that he "with all his family and allies hang towards the presbyters". Thomas Hardcastle, the nonconformist chaplain of Fairfax's mother-in-law Lady Ursula Barwick described him as "my constant and faithful friend in my sufferings for Christ". [315] However, at the trial of Sir Miles Stapleton in July 1681 it was said that he "is become a great convert". [316] The exact meaning of this comment is unclear. It is possible that it related to his religious views and that Fairfax was beginning to move away from the presbyterian tradition of his family. Equally though it may have signified that Fairfax was more sympathetic to the papist on trial than his support of exclusion may have suggested, or simply that his politics had become more moderate. Even if Fairfax had become more moderate, it is unlikely that he would have forsaken the presbyterians very easily. His part in persecuting them was probably inspired by peer pressure just as in Jessop's case. It is not a little significant that after he and his son had made a record of a conventicle at the house of Abigail Stett in Skipton on 26 November 1682 and levied £44 on the conventiclors, nothing had been collected by January 1683 and at the Leeds session in the following July only £24 5s had been collected. He and his son Thomas certified that no more could be levied since the persons involved were poor "most part of them not having goods or chattels ... and neither hath house and lands". [317] The evidence is difficult to interpret but the impression given is that Lord Fairfax by his position on the bench had to be seen to be prosecuting dissenters but that where he was able he would mitigate the harsh effects of the persecution.

There was no necessary connection between opposition gentry and sympathy with dissenters. In the North Riding some justices who had

supported the court over the issue of exclusion attempted to ease the burden of the new persecution on quakers. Before the Helmsley sessions in January 1684 George Robinson, a Richmond quaker, visited local justices Sir Richard Grahme at Norton Conyers and Charles Tancred at Arden. Both treated him with great respect and "were willing to do anything they safely could do as for any I said was poor. They were quite past by for those of ability". At the sessions Robinson spoke to Grahme again and also to Sir Hugh Cholmley and others who gave encouragement that all would go well for his friends at the sessions. Grahme and possibly Tancred or Cholmley "proved fast friends indeed". Grahme and Cholmley attempted to bring the fine down to 5s per person but

though all endeavours was used they could bring it no lower than 12s, the 3s for absenting being included.

The same night the court officers decided that if the quakers refused to pay fees then the oaths would be tendered. Sir Richard Grahme gave Robinson prior warning of the decision who took the opportunity to negotiate with the clerk of the peace whereby a satisfactory settlement was reached. Cholmley also defended a quaker for being at a silent meeting, with support from Sir Richard Grahme. George Robinson was most appreciative of the intervention of these two justices:

in that as in any other thing for they were both strongly for us or else our matters had gone all wrong.

Even so, Robinson was aware that these sympathetic justices were subject to the influence of their colleagues on the bench as well as officers of the court. He was nicknamed "the Solicitor General" by one *Edward Hodgson at the Helmsley sessions*. Hodgson was not a J.P. and *must have been one of the court officers*. However, he appears to have taken upon himself a leading role in the prosecution of quakers. He told Robinson that he must bring the Friends into the court

and vowed when he had them there he would tender them the oath of allegiance upon which many words passed between us very briskly and the justices let us alone and never concerned themselves.

It was no doubt Hodgson who persuaded the other court officers to resolve that if the quakers refused to pay their fees then they would be tendered the oaths. It appears to have been up to the individual clerk whether he would waive his fees or just take what was offered him. [318] On this occasion negotiations between the quaker spokesmen and the clerk of the peace came to a satisfactory arrangement.



However, if the clerks had demanded that fees be paid in full and the quakers refused, then the justices would have had no choice but to imprison them in order to keep within the law. Indeed, as mentioned above, the West Riding justices ordered their clerk not to make any abatement, another sign that they were being more harshly treated in the West Riding than in the North.

In the West Riding the campaign against protestant dissent was briefly successful. Some successes were recorded in the quarter sessions records with offenders making official promises that they would no longer attend conventicles or would attend church more regularly. Sir John Kaye noted as early as May 1682 that "Their meetings are neither so frequent nor public where the laws are executed". [319] The West Riding justices were determined to make the campaign general rather than limiting their efforts to their own localities. J.P.s at Leeds sessions in July 1682 sought the concurrence of their brethren at Rotherham for their actions both against conventicles and popish recusants. [320] Whilst the increase in persecution in the West Riding was not only due to central direction, the government's backing of the campaign greatly enhanced its chances of success. In this area a coincidence of central and local policies and concerns gave a confidence to the persecuting gentry which allowed them to pressurise more sympathetic justices into acting with them. The results of this alliance of policies could be seen in microcosm in Hull. The town's pre-Civil War dissenting reputation had been maintained since the Restoration by ejected ministers and the support of the corporation bench. When the Earl of Plymouth arrived as governor in 1682 he left no doubt that he would stamp out dissent with or without the aid of the bench. He found a group of aldermen willing to join him in his campaign through a desire to be seen as loyal. Perhaps also they were similarly concerned about the association of political and religious dissent. Whatever their reasons a series of orders were passed by the corporation bench suppressing conventicles, distraining offenders' goods, tendering the oaths and helping to remove sympathetic aldermen from the bench. [321]

Between 1679 and 1685 catholics were persecuted in Yorkshire for the first time on any scale since the Restoration. Justices were uncertain how vigorous they should be in enforcing the laws against them. Partly this was the result of the lack of a firm line from the government. Sir John Reresby noted that when Charles II reprimanded Middlesex

justices in December 1681 for being remiss in enquiring into the number of papists, he did it only "to comply with the times (for everybody suspected it was not his inclinations)". [322] Translated into the county, where few gentry had any apprehensions about rebellious catholic neighbours, this meant that justices were cautious in how they handled catholic recusancy.

Persecution of protestant dissent was quite different. Both the government and the loyalist Anglican gentry associated protestant dissent with anti-monarchism. This association was deepened by the opposition's activities in the parliaments of 1679-1681 and thereafter in the county. Thus the campaign against protestant dissent was a two-pronged battle against nonconformity and political disaffection. The problem was that persecuting Anglicans could only sustain the campaign at such a high level whilst ever there was an interaction of interests between themselves and the crown. Government directives could both fire and dampen local initiatives. Once the crown decided that it was no longer in its interests to further the persecution of protestant dissent, as it did under James II, persecuting Anglicans were once again at odds with the centre.

#### Security : the militia and the garrisons.

During the last six years of Charles II's reign the Yorkshire gentry had more to do in terms of security than they had had at any time during the 1670s. First the Popish Plot in 1678 to 1679 and then the Rye House Plot in 1683 gave rise to extensive security measures being taken within the county. During the time of the Popish Plot the militia was raised and searches made of papist households. The gentry were generally pleased with the militia's performance during this crisis. At the time of the Rye House Plot the whole of the Yorkshire militia was not raised. In the West Riding militia officers kept their forces in readiness to be drawn together should the King command it. On Sir John Reresby's request four companies of foot were drawn into York to supplement the garrison force in case any attempt was made on the city. In the North Riding one troop of Fauconberg's horse was posted to Richmond and Northallerton. In fact the gentry perceived no sign of rebellion in the county. During the searches for arms not one

cache was found in the whole county. [323] Although cautious, the gentry were not unduly worried that any insurrection would disturb their peace.

As in the 1670s, the picture of the militia between 1679 and 1685 in Yorkshire is conflicting. Evidence for the East Riding is scant but it is known that the militia was raised and exercised in 1683 or 1684. [324] In the North Riding Fauconberg ordered his deputies to settle the militia in September 1684 since it had not been mustered for two or three years. Expecting complaints, he ordered them to meet the day after the muster to sort out problems arising from the settlement. [325] Once again the West Riding militia was in much better shape. It was regularly settled and mustered between 1679 and 1684 by deputies meeting in small groups to sort out their own area. Indeed, the deputies were so diligent that the clerk to the lieutenancy, Richard Hewitt, complained of overwork! [326]

According to J.R. Western's view of the militia during this period, court party members of parliament disparaged the militia whilst the opposition called for its wider use. Certainly in parliament Sir Gilbert Gerard, the exclusionist member for Northallerton, continued his awareness campaign about the state of the militia and called for its use in securing the nation. [327] However, in the West Riding it was the loyalist Sir John Reresby who was at the forefront of moves to improve the local security forces. Reresby was a hard-working, diligent gentleman who tackled his duties both at the centre and in the locality with a zeal often lacking amongst his contemporaries. He was very keen that the militia should be brought up to full strength and proposed to other deputies that measures should be taken against persons failing to attend musters. He also wanted the gentry to provide money for uniforms and carbines. Richard Hewitt told him

I fear we have no law to force them but they are all generally so undercharged that if it be refused you may charge them according to their estates, and so considering how they are charged in other lieutenancies they have no reason to grudge the find[ing] of buff coats and carbines. [328]

Several other deputy lieutenants who shared Reresby's zeal, such as Viscount Downe, Sir Thomas Yarburgh and Sir Ralph Knight, probably supported him in these moves to present the West Riding militia as a full, disciplined, smart and well-armed force. It was a trend not

peculiar to the 1680s but one which had influenced gentry thinking on the local militia since the Restoration.

The satisfactory functioning of the militia depended partly upon a good working relationship between the lord lieutenant and those responsible for raising, financing and exercising the forces. York city had been a long standing problem for the West Riding lieutenancy but during the early 1680s the situation worsened as the relationship between the city and both central and local government began to deteriorate. The antagonism was fuelled by the person of Edward Thompson who was mayor in 1683. At the muster of the city militia in November of that year matters came to a head. The muster master, Mr Aldborough, insulted Thompson by breaking his militia sword because it was rusty and "would not draw for the King" and also by saying "Dam', my lord mayor!". Thompson retaliated by bringing a legal suit against Aldborough and by threatening to sue the militia officers for treading down the city's grass where they had mustered. He also objected that Sir Thomas Slingsby's regiment, which acted in the city, was clad in red uniforms, the colour which Slingsby traditionally used for his regiment. Burlington explained to Slingsby that he could not force the mayor to accept the regiment's dress, although it was common practice for the colonels to choose the colour of the uniform. He hoped that the next mayor would not be so "cross". [329]

Although these exchanges may have seemed quite petty, the problems with the city militia had a deeper cause. The city was annoyed that their proportion of the militia was higher than it had been before the civil wars whilst the three companies of the Ainsty, which were supposed to be raised with those of the city, had been unmustered for several years. Inhabitants of the Ainsty claimed that they should contribute to the county and not to the city militia. No doubt this was on the grounds that if they were included with the county then their proportion would be less. However, in 1683 a majority of the deputy lieutenants had agreed that the Ainsty militia should be mustered with the city. Sir Thomas Slingsby failed to do so in November and although Burlington gave him specific orders to muster the Ainsty militia afterwards, the row continued throughout 1684. Burlington eventually achieved a favourable judgement of the case from Lord Chief Justice Jeffreys who determined that the Ainsty militia should be raised with that of the city. By the end of 1684 the Ainsty militia had been settled to Burlington's satisfaction. [330]

However, the case had highlighted further divisions amongst the gentry. Slingsby presumably favoured the Ainsty's claim since he showed a marked reluctance to raise the Ainsty militia. Sir John Resesby, as governor of York, no doubt wished the Ainsty militia to be raised with the city because during the Rye House plot scare, Resesby claimed that he had a right to command all forces drawn into York. The addition of the Ainsty troops would have increased his power. Such a position would also have been tactical for Resesby. He was building up an interest in York both to bring the corporation into greater loyalty to the crown and to create a personal interest in the city. Supporting the corporation over this issue would no doubt have endeared the new governor to the aldermanic bench. [331]

The disclosure of the Rye House plot in June 1683 caused the greatest stir in the county since the Northern Plot twenty years before. Several of the Rye House conspirators were believed to have fled northwards. Intensive searches followed the sighting of Richard Nelthorpe and Richard Goodenough first near Doncaster and later in a Leeds coffeehouse. [332] It was believed that Captain Rumbold, the owner of Rye House in Hertfordshire, was at large in Yorkshire but the suspicious one-eyed traveller arrested near Doncaster proved to be Scottish, not English. [333] The plotters' Scottish connection led to severe security measures against Scotch pedlars and petty-chapmen in the West Riding where they had long caused concern. The heroic arrest of six of them by Justice Bradwerdine Tindall at Ferrybridge was warmly commended by the government. [334] The gentry's concern was not unwarranted. Several wanted men escaped from Yorkshire ports. Richard Nelthorpe and Nathaniel Wade set sail for Holland from Scarborough with the help of Stephen Thompson, the head of the family which had represented Scarborough in all three Exclusion parliaments. [335] Sir John Cochrane, the Scottish Whig, his son John and Robert Martin, escaped from Bridlington with the help of the dissenting Strickland family of Boynton and the nonconformist minister, James Calvert. [336] Up to the end of the 1670s the Yorkshire militia had rarely been used as a repressive agency. The deputies were unsure of the extent of their policing powers. In October 1678 West Riding deputies had to ask Danby, their lord lieutenant, about the procedure for conducting searches. They were unclear whether a commissioned officer had to be present at a search. Danby's reply was that if the order for the search came from the Privy Council "upon an extraordinary occasion"

then the presence of an officer was unnecessary. However, if the order came from two deputies or the lord lieutenant then his attendance was necessary. [337] As at the time of the Popish Plot the deputy lieutenants organised and conducted searches for arms in the summer of 1683. Initially it was left to the deputies' own discretion who should be searched within their localities. [338] North Riding deputies issued warrants for notice to be given of "all such fanatics, dissenters and ill-affected persons to monarchical government" as had been furnishing themselves with arms or were under any suspicion of rebellion. [339] Burlington informed Secretary Jenkins that in the West Riding

such strictness has been observed in this enquiry that there has not been the least connivance or partiality therein, but that every person has been searched and disarmed who may be in the least degree thought dangerous or suspected to be so.

The deputies had included any that had been in arms against the King in the civil wars, conventiclers, the disaffected and any thought to have more than the usual number of arms. [340]

However the local perception of who constituted a threat to security clearly did not accord with that of the government which ordered, through the lords lieutenant, second and more thorough searches. Burlington "received some check from above for not being so strict as he ought to have been" in his initial orders for searches. [341] Fauconberg wrote to his deputies that he was surprised that they had not informed him of their efforts to disarm the disaffected. In other counties, he said, persons who had "either promoted or notoriously approved the Bill of Exclusion" were considered dangerous. He ordered a second, more thorough search to be made. [342]

Some gentry were clearly reticent about searching the homes of their gentry neighbours. Sir John Hotham was initially left out of the East Riding search by the deputies, "out of civility". However, an anonymous letter to Lord Dartmouth of 20 July 1683 claimed that Hotham possessed a store of arms and thirty or forty saddles belonging to the stores at Hull. Panicking in case they be discovered, Hotham allegedly told the deputies of their existence and claimed that they had been put into his custody by Lord Belasyse when he was lord lieutenant. Although Secretary Jenkins said that Hotham could <sup>not</sup> be brought to London for questioning on the basis of anonymous evidence, the King ordered that his house be searched. [343] It was only after Fauconberg's prompting that the North Riding deputies searched the houses of a

number of exclusionists such as Sir William Ayscough, Sir Henry Calverley, Humphrey and Robert Wharton, and William and Francis Thompson. [344] A certain empathy with their disaffected neighbours as members of the same social group must have influenced some deputy lieutenants in their reluctance to invade their homes. Also there was clearly an awareness that such searches increased divisions and antagonism amongst the gentry as a whole. In York Sir John Reresby was keen to pursue a policy of conciliation and mediation in order to lessen factiousness in the city. However, in his capacity as a West Riding deputy lieutenant he was involved in the issue of warrants for searches for arms. The search of Sir John Brookes's house caused Reresby to be publicly derided in the city. At divine service in October 1683 in the Minster, Brookes stole Reresby's cushion which Reresby snatched back when the congregation stood for the psalms. After the service Brookes asked Reresby if he had the same commission to take his cushion as he had to take his arms. Locally the affair became known as the "cushion dance". [345] Far more serious was the attempt of Thomas Fairfax to persuade deputy lieutenants to search the houses of more than twenty leading York citizens, headed by Edward Thompson, the mayor. Thompson was furious and whilst he accepted that Reresby was not concerned in the matter he refused to believe in Fairfax's innocency which the latter strenuously protested. Whatever the truth of the matter, the incident only served to widen the existing divisions in York. As William Ramsden commented,

There has been some ill dealing towards some citizens in this affair under pretence of the deputy lieutenants commission which I believe they had not. [346]

Evidently the loyalist gentry were further divided on how far they should harrass opposition gentry for their political opinions. A few took the opportunity offered by the government's policy of repression to victimise their neighbours. Sir Hugh Cholmley of Whitby claimed that his family's traditional electoral influence in Scarborough had been supplanted by the Thompsons who were not only exclusionists but also now implicated in the escape of traitors to the continent. [347] The allegations against Sir John Hotham were certainly politically inspired as Beverley corporation, which he had represented in parliament since 1661, began to disassociate itself from his opposition politics. [348] Sir Joseph Cradock of Richmond believed that Humphrey Wharton of Gillingwood and his son Robert must be

implicated in the Rye House plot since they had promoted petitions for calling parliament and had refused to sign the abhorrence of associations. [349] Such attitudes were encouraged by the government which used the plot as a pretext to isolate the last remnants of the opposition in the counties. But the policy was not based on any real threat in Yorkshire. Throughout the whole county not one cache of arms was found in opposition gentry's houses. Even after their second search the North Riding deputies reported to Fauconberg that the numbers of arms discovered were so small that they were not encouraged to make any further noise in the matter. [350]

Defence of the militia as a security force therefore was not limited to 'opposition' gentry. Reresby and his loyalist colleagues in the West Riding were keen to support and improve their militia forces. However, there was clearly some unease about the use of the militia as a policing force, particularly at a time when some gentlemen hoped to heal county divisions rather than widen them. Clearly most gentry wanted an effective security force to be used in times of emergency. However, they also wanted it to be under gentry control and used only at their discretion.

Concurrent with the debate on the militia at the centre was the question of the standing army. The Commons' fears that Charles was amassing an army for internal use on the pretext of war with France came to a head during 1678. [351] Opposition members naturally played on the Commons' inherent fears of standing armies and from the Yorkshire representative Sir John Hotham was at the forefront of the opposition campaign to instil fear and distrust of the King over this issue. [352] Yet even loyalist members were unhappy with the thought that the crown might be building up a standing force. Sir John Reresby thought that

the nation (and its representatives) dreading nothing so much as a standing army

led to restrictions being placed on the grant of £200,000 for disbanding the army in June 1678 in case the King misused the money. [353]

In spite of such fears many gentry were prepared to accept commissions for independent troops and indeed lobbied for them. In February 1678 for instance, when the new army was being raised, Sir Thomas Slingsby and Sir Henry Goodricke were given commissions for regiments of foot.



In the following month Reresby was commissioned to raise an independent company of a hundred foot which were soon to be used in the garrison at Bridlington. Local gentry commanded companies in Hull garrison at the time of the disbandment in June 1679. [354] Acceptance of such commands can be seen as an extension of the gentry's attitude towards the militia. Gentry commanders raising local men kept effective control of the armed forces in gentry hands. Apprehensions about a standing army stemmed from the fear that commands would go to outsiders, professional soldiers who had a vested interest in keeping the army on foot. This became especially contentious during 1678 as associations were made between the establishment of a standing army and the growth of popery. [355]

At the county level there is no evidence that Charles II was building up a standing force. Hull garrison still had only six companies of foot in 1683 and these were in fairly bad shape. The new governor, the Earl of Plymouth, found few of the companies full, townsmen and officers turning up at musters just to make up the numbers. Officers were often absent and many soldiers were married, in contravention of the King's orders that only single men should serve. [356] Bridlington was supposed to be a garrison but had neither soldiers nor gunner. [357] Scarborough, under the command of Sir Thomas Slingsby, was not kept up as a garrison after about 1679. [358] When Sir John Reresby took over the governorship of York Nathaniel Bladen sent him an account of the stores there on 22 April 1682 "whereby you will see what an unfurnished garrison you are sent to". The gunner claimed that there had been no supply of powder for three years. However, when Reresby himself viewed Clifford's Tower he considered it to be "in pretty good condition as to repairs and stores (powder only excepted and canon)." [359] Neither does it appear that York was well supplied with garrison soldiers. Thomas Fairfax wrote to Reresby in January 1682 that people were surprised that some of the Royal Guards were not stationed there since the security of the city and garrison depended upon no more than thirty men. It was feared that should there be an insurrection in the north then York would be a certain target as "the most considerable place for their rendezvous". Fairfax pointed out that Clifford's Tower could be made a strong citadel

at cost far less than is spent at Hull, a corner of the world surrounded by water and of no use

and suggested that the city walls could be pulled down in order to provide the building materials. The resident company of foot also appeared to be of little use. The captain was "a man of pleasure", neglectful of his duties and responsibilities, a common problem in the little regarded garrison towns of Restoration England. [360]

Reresby was determined to improve York garrison. He believed quite sincerely that York was of immense strategic importance for internal security. Equally though he was aware that he must make a good impression in order to hold onto the government of York. He had many enemies who constantly represented York garrison as superfluous, arguing that it should be disgarrisoned and could be secured easily by the city militia. Reresby's first line of attack was to lick the existing garrison and its company of foot into shape. He personally oversaw the guards. He took back into his possession the city and castle keys which Frescheville had allowed out of his care. This brought Reresby into a serious dispute with the high sheriff and some of the county gentry but the new governor was determined to make his presence felt no matter what the consequences. [361]

In many ways Reresby was fighting a losing battle. At the centre a number of privy councillors were beginning to urge the King to dissolve inconsiderable garrisons and concentrate on improving nine or ten important garrisons and the fleet. York was targeted for dissolution and Reresby's enemies naturally took the opportunity to discredit the garrison in the hope of getting Reresby removed. In October 1682 Sir Christopher Musgrave, Lieutenant of the Ordnance, was ordered to take a view of York garrison. He led Reresby to believe that the King intended to improve the garrison. However on his return to London he apparently represented it to the King as "an unnecessary expense and gave reasons as to the inconsiderableness of the place and the great difficulty of making it otherwise". Critics of York garrison had a good case. The garrison was indeed in poor repair. The parapet of Clifford's Tower needed immediate attention, being too weak, and in order to make the Tower truly defensible the river had to be brought around it. The military stores were severely depleted and it was questionable whether it was necessary to garrison York against internal disorders. There had been no serious challenge to the government by insurrectionists since the early 1660s. [362]

Reresby put up a spirited defence of his governorship and garrison. He pointed out that there must have been a sudden change of policy at the

centre or otherwise the garrison would have died along with Frescheville. Reresby argued that the proposed dissolution of the garrison must stem from one of three motives - either some defect of his own as governor, to save the King money, or some defects of the garrison itself. If his own defects then he merely hoped to be heard in his defence before any decision was taken. As for the second he argued that the forces then in York would have to be paid in some other place and therefore only his own salary would be saved. If the reason for the proposals were the defects of the garrison itself then it was worth the expense of strengthening the garrison in so considerable a city. He pointed out that it would be more costly to put the garrison in a state of defence suddenly than to continue it as a garrison full time. He only needed £1000 to make essential repairs, bring the river around the Tower and to build a small battery. He questioned the wisdom of disgarrisoning a city which was the likely rendezvous of rebels or the only place of safety for loyal subjects during an insurrection. [363]

Reresby presented his arguments initially through Halifax, his sympathetic patron at court, and later in person to the King. The matter appears to have been shelved for the time being and Reresby returned to Yorkshire in March 1683 still unsure of his own fate and that of the garrison. [364] Then in June the news of the Rye House Plot sent ripples of panic throughout the nation. Reresby was at Thrybergh when he received orders from Secretary Jenkins to make search for Richard Goodenough and Richard Melthorpe. He secured his own part of South Yorkshire before hurrying to York to put the garrison in order. The plot provided Reresby with the opportunity to back up his arguments against dissolution of York garrison with practical examples. He ordered a strict watch to be kept on the City gates to apprehend suspicious travellers. On 30 June he informed Secretary Jenkins

But really, Sir, the number of soldiers is so small here, the gates so many that ought to be watched, and the magistrates so little to be trusted, that without some addition of force I fear I shall not be able in such a conjuncture to serve my Royal Master (whom I pray God preserve) so effectually as I would.

On 4 July he reinforced the point by telling Jenkins that he was not sure how long the guard could be kept up "many of our soldiers being sick with continual duty". [365] A number of suspicious persons were

indeed arrested in Yorkshire and sent to York gaol. Some of the conspirators escaped from Yorkshire ports. This was positive evidence that there were malcontented spirits in the north who might try to take York if there was opportunity. Even if Reresby failed to secure reinforcements he could at least implicitly stress upon the government the need to maintain a good garrison in York.

Reresby was also able to gain another point during the Rye House Plot crisis, this time in relation to the superiority of his command there. The weakness of the garrison, with its single company of foot, prompted Reresby to request Burlington, the lord lieutenant, to raise four companies of the militia for eight to ten days to help the garrison soldiers to secure the city. Reresby asked that these militia forces be under his direct command. A number of deputy lieutenants, unfortunately un-named, objected that Burlington would be setting an ill precedent by allowing command of the militia out of his own hands, or two deputy lieutenants, as specified in the Militia Act. Reresby did have a precedent though in Frescheville who had been given command of the militia in York during the 1670s. Burlington wavered but Reresby stood firm, refusing to admit any armed forces in the garrison who were not under his command. The lord lieutenant decided he did "not think it a time to insist upon niceties if the King's service and security of our peace depends upon it" and gave way to Reresby's demands. This was an important victory for Reresby since Burlington had objected to the issue of his commission on the grounds that it encroached upon his power as lord lieutenant. Now, in a crisis situation, it was practicable to allow Reresby to have the command.

[366]

Reresby's actions throughout this period received the compliments of Halifax and Sir Lionel Jenkins as well as creating a closer working relationship between Reresby and Burlington. Although Reresby continued to be fearful that the garrison would be reduced or dissolved proposals as specific as those of early 1683 were not heard again. However, Reresby failed to secure extra troops for the garrison as also money for repairs even though the garrison was put in an even worse condition when celebratory guns being fired on St George's Day and the anniversary of the King's coronation blew the top off Clifford's Tower and gutted the inside. [367]

All the concerns about security in the period 1679 to 1685 had their roots at the centre, not the locality. In Yorkshire there were no

hoardes of bloodthirsty catholics ready to rise in 1678-9, no disaffected elements arming themselves in 1683, and no sign that the King intended to impose his will through a large standing army. None of the questions which these fears gave rise to were adequately dealt with. The crown retained its control over both the local militia and the army. Under Charles II it was not so much the actual use of this control which generated fear amongst the gentry but rather its potential use. It was the opposition to Charles II's government which recognised this most clearly. Their arguments and tactics may have seemed appalling to most consensus loving gentry but their position had some foundation in fact. Whilst the King of England was protestant and relied on parliament for supply there may have been little to fear. The militia and army would remain in largely protestant gentry hands. However, there was no certainty that such conditions would prevail. The gentry had no means of ensuring that the security forces remained under their control. It was a problem which was shelved, only to be thrashed out when the catholic James came to the throne.

### Conclusions

It was not known in April 1681 that Charles II would rule without parliament until the end of his reign. Indeed, the King's recent Declaration had promised frequent parliaments. Therefore following the dissolution of the Oxford parliament there was no real sense of finality that the questions which divided the gentry had been settled. From mid-1681 the Yorkshire gentry engaged in activities which further defined their positions on national issues. Political clubs were formed at which likeminded gentlemen could express their solidarity. For a brief period, between the summer of 1681 and the end of 1683 the party labels 'Whig' and 'Tory' were used in the county. There were two waves of renewed electioneering, in the winters of 1681/2 and 1683/4. In addition there were addressing campaigns - in mid-1681 following the King's Declaration which explained his dissolution of the Oxford parliament, in the spring of 1682 following the publication of Shaftesbury's Association and in mid-1683 following the revelation of the Rye House plot.

It has been fashionable to label the years 1681 to 1685 as those of the 'Tory reaction'. [368] This implies the deliberate harnessing of power by one party to isolate and castigate its opponents. The label however fails to adequately describe the subtle complexities of Yorkshire gentry politics after 1681. Whilst some gentlemen were certainly labelled Whigs and isolated by both central government and county society, the loyalists were by no means a united force throughout the rest of Charles II's reign. Indeed, one of the most interesting features of this period is the further definition of the loyalist position itself.

As rumours of a new parliament circulated in the autumn of 1681 there emerged divergent opinions in the county on its likely outcome. In June Viscount Fauconberg believed that if all boroughs were true to their recent addresses then Charles II might expect a loyal and fruitful parliament in the winter. It was a sign of the extent of his conversion to the court that he hoped that the two ultra-loyalist Jennings brothers would be elected at Ripon. However, having witnessed "unparalleled disorder" in London following Shaftesbury's acquittal his thoughts of a successful parliament were discouraged unless elections were prudent. [369] By this time the "Whigs" in York were hoping for a parliament to meet in February 1682. [370] The Earl of Strafford was equally eager for a new parliament. He hoped that a fresh parliament could bring the Duke of York back into the Church of England and exhorted Anglican clergy to try to persuade him out of his catholicism before parliament met. Even if they did not prevail with James then at least when parliament should meet

we may all have cause to applaud your endeavours and to love and value you for them and find our own work the much facilitated. [371]

Edward Morris, the zealous Anglican chaplain at Aldborough, would have been unconvinced by Strafford's reasoning. He was "alarmed" at the prospect of a new parliament and judged that Charles II would be less than happy with candidates who were likely to be successful in his area. [372]

However, loyalist gentry were as determined to produce a loyal parliament as their opponents were to produce one which was hostile to the government. The loyalists had Halifax's support whose influence in the county had been extended by his discountenance of exclusion. In November 1681 Sir Henry Marwood, a loyal "traducer of petitioning",

said that it was "much wished" that Halifax's son, Henry Lord Eland, would stand for the county. This would have appealed to Reresby who was very much in league with Halifax by this time. Throughout 1681 he was acting as mediator in negotiations to marry Eland to the Duke of Newcastle's third daughter Catherine. [373] Loyalists also pinned their hopes on Sir John Kaye, their former hope for a knightship. He was willing to stand only if either or both lords desisted or if he had "a partner allotted me as might in probability make the success indisputable". [374]

Kaye declared his intention to be active only on the behalf of those "of untainted reputation in their loyalty to the King, [and] faithfulness to the church". [375] All loyalists were of the same mind. The election campaigns were conducted on the same basis as between 1679 and 1681. The Court-Country rhetoric was still much in evidence and again exclusion as a specific issue did not feature large.

At Aldborough several gentlemen, both loyalist and oppositionist, initially expressed an interest in standing. Christopher Tancred, a local loyalist whose interest had been extended when the franchise was widened, eventually decided against standing. The oppositionist Ruisshe Wentworth, a cousin of the lord of the manor, did likewise, preferring to concentrate on his old seat at Liverpool. This left Sir John Reresby, Sir Michael Wentworth and Sir Godfrey Copley in the running. A strict loyalist - oppositionist division was precluded by kinship ties between Sir Michael Wentworth, the loyalist son of the lord of the manor, and the exclusionist Copley who had represented the borough in the last three parliaments. However, the Court-Country rhetoric persisted. One of Reresby's opponents "used his industry to terrify some of your [ie. Reresby's] friends with the never before, now terrible name of a Courtier, insinuating that you intended to live no longer at Thrybergh". The key to success at Aldborough still lay with John Wentworth, the lord of the manor. His former opposition to Reresby had mellowed somewhat in recent years, partly because he had achieved the alteration of the franchise in his favour but also because he had become disenchanted with the Exclusion parliament's attempts at settling the nation's grievances. Thus Jasper Blythman was able to recommend Reresby to him as being firm to the government, financially secure and therefore above "temptations of preferment" and of such a character as to be "not easily wheedled into schism and

faction by the fallacies of cunning sophisters". Although Wentworth was sceptical about Reresby's honesty he preferred him to Copley. At least the former had "some good and firm principles" whereas "he knew not what to make of" the latter. [376]

At Pontefract also loyalists stood against the former opposition member Sir Patience Ward. Sir John Dawney, by now Viscount Downe, was sure of one seat by his natural interest in the borough. He had moved from supporting exclusion to accepting Halifax's patronage. Several loyalists were possibilities for the second seat. Halifax's son Lord Eland was approached but appears to have shown no interest. Sir John Kaye had suffered such ignoble treatment by the electorate on previous occasions that he vowed never to stand there again. Sir Thomas Yarburgh, Reresby's cousin and Downe's nephew, therefore secured the promise of Halifax's support. Downe prevaricated in supporting Yarburgh, possibly because he designed the second seat for his new son-in-law John Ramsden of Norton. [377]

However, Yarburgh's main rival was the former member Sir Patience Ward. His interest with the corporation was based on family and kinship ties which were reinforced at this time. The new mayor was his kinsman and another alderman had married his daughter to Ward's nephew. In October Dr Nathaniel Johnston, a zealous supporter of the loyalist cause, believed that notwithstanding Pontefract's promise in their recent loyal address to elect loyal members that Ward would infact be successful. It was generally agreed that Yarburgh would face a hard contest. Yarburgh's supporters felt it necessary to step up their campaign. Led by Johnston the loyalist party in Pontefract organised themselves into a canvassing team, each taking a section of the burgesses "to persuade and convince, as upon consultation we thought we had the greatest interest in". They intended also to proceed with writs de excommunicate capiendo against eight or nine dissenters who supported Ward and to court burgage holders not resident in the town. In Pontefract at least the loyalists had a campaign strategy and organisation as elaborate as anything the opposition had to offer. [378]

York's committed opposition to the court, and particularly the Duke of York, gave little hope that loyalist candidates would find success there. The "Whigs" were said to be intent on choosing their old members "or as bad". There was a possibility that the two former M.P.s would not stand through ill health. Sir John Hewley was said to be



deaf and Sir Henry Thompson "rump-sick". In this case the opposition thought of choosing Sir James Bradshaw and Alderman Edward Thompson, "the greatest R[ogue] of the name". [379]

Within York there was much greater evidence of open division along partisan lines than in the rest of the county. Political clubs were formed there. The Whigs were said to be

very frolicsome of late at their plot office where the club meets every night. They drink the health of the King's eldest son and to the confusion of all abhorrrers and papists.

Whigs also met at the coffeehouse in York. [380] City militia and garrison officers appear to have formed a loyalist club in the city by at least 1683. In loyalist correspondence members were referred to as the "Clubbers". In December 1681 Edward Morris, the Anglican minister of Aldborough met the loyalist Sir John Kaye at the "Club of Loyal Gentlemen" at Ouseburn. This could have been another York based club or the so-called "running club" of loyalist gentlemen which met in different places on different occasions. [381]

It was only when groups of gentry gathered in the city that the party labels 'Whig' and rather less often 'Tory' were used. The terms no doubt came into currency through propagandist literature emanating from London. As the social and cultural focus of the county York was the likeliest place to find such literature. However, Robert Willman was wrong to assume that the party names did not reach the north until October 1681. The first recorded use of 'Whig' in Yorkshire was by the high sheriff, Sir Richard Grahme, in a letter dated 20 July 1681. He prevented the "mischief" of "numerous Whigs" at the 1681 summer assizes who evidently intended to promote a counter-petition should the grand juries decide to address the King about his recent Declaration. At the next assizes, in March 1682, the Whigs were furious with the loyalists' abhorrence of Shaftesbury's association. It was said that there was "so much distinguishing of Whigs and Tories that they are become averse to be seen in one another's company". At these assizes Lord Wiltshire made a chauvinistic display of Whiggish solidarity. He evidently found the loyalist political climate in his native Hampshire too hot for him and came to Yorkshire where his father, the Marquis of Winchester, had an estate at Bolton. In York he was "mightily followed by the Whiggish party". He had his servants beat up a civilian, one Senior, presumably for some sort of insult. Senior sent Wiltshire a challenge but the lord would not answer it.

Instead Senior was forced "to cry 'peccavi' and beg his lordship's pardon publicly at a ball at Lady Middleton's, Sir Henry Calverley, Sir William Frankland and Sir John Brookes etc. assisting at the solemnity". [382] The term 'Tory' was rarely used in the Yorkshire context. In December 1683 it was reported that Sir John Brookes "set up altogether for Tory and has quite forsaken the other party". The evidence comes mainly from loyalist hands which may account for the paucity of examples of use of 'Tory' although in Derbyshire on 27 July 1681 it was reported that most of the gentry were "high Tories" and wore little red ribbons in their hats. [383] There is no evidence that the Yorkshire gentry followed suit.

It is clear that the term Whig was considered to be highly insulting. Alderman Waller of York had a gentleman put into the stocks for calling him a "Whiggish alderman" in April 1682. [384] Most often the term was used loosely to distinguish a group rather than an individual. Loyalist contemporaries did not define the characteristics of a Whig any more clearly than modern historians. However, whilst the specific party label may not have been used it is possible to identify some gentlemen who were castigated by other Yorkshire gentry on the basis of specific criteria. One such criteria was their unwillingness to subscribe loyalist addresses after April 1681. At the assizes in July 1681 and March 1682 some gentlemen were defined as Whigs because of their dislike of the loyalist addresses. However, as will be seen below, not all gentlemen who refused to subscribe in March 1682 can be labelled Whig. [385] Humphrey Wharton of Gillingwood Hall and his son Robert were singled out by the North Riding gentleman Sir Joseph Cradock in October 1683 as being particularly suspicious. One of his objections against them was that they were "sticklers in promoting petitions for a parliament and for hindering all they could from signing the abhorrence of the treasonable associations". Both absented themselves from the 1683 mid-summer assizes when a loyal address was to be presented following the Rye House plot. Although the Whartons asked someone else to subscribe the address for them, Cradock suspected that they were covering themselves for all eventualities. In opposition circles they could claim that they had not signed the address themselves. In loyalist circles they could claim that their names were on the address. [386] Likewise in Beverley Sir John Hotham and his friend Alderman Edward Grey came under suspicion because of their activities at the time of the Rye House plot. Grey refused to

sign the loyalist address in July 1683 and said that the "rogues, villains and knaves" who subscribed it had "betrayed the liberty of the town". Hotham would no doubt have resisted an address against Shaftesbury's association since he had promoted the very same scheme in parliament. [387]

The case of the Whartons and that of Hotham and Grey in Beverley point to another criteria for isolating certain opposition gentry - involvement with treasonable activities associated with the Duke of Monmouth. Robert Wharton was reported to have been buying horses for twelve months before the Rye House plot and on one occasion allegedly claimed that they were for the Duke of Monmouth. During a long stay in London he dined with Monmouth and Sir Thomas Armstrong. He and his father were said to have made provision against forfeiting their estates should their traitorous activities be discovered. [388] Hotham and Grey were accused of preaching sedition at Beverley tradesmen's feasts and Hotham was believed to have a store of arms at his estate at Scarborough. [389] The Thompsons in Scarborough were suspected of aiding the escape of some of the Rye House plotters themselves. [390] Whiggery in York was certainly associated with Monmouth. His health was drunk at the Whig club, significantly referred to by one loyalist as their "plot-office". On 21 September 1682 it was reported from York that "Since the news of the Duke of Monmouth there is not a Whig appears here either at coffeehouse or Club", presumably a reference to his disfavour at court or possibly his arrest for disturbing the peace at Stafford the day before. [391]

As a corollary such gentlemen who supported Monmouth were particularly antagonistic towards the Duke of York. Hotham and Grey "broached seditious discourse against the government but spitefully against his Royal Highness". Grey and Alderman Edward Thompson at York were noted for refusing to drink the Duke of York's health. [392] In addition there was some association of the Whigs, or "anti-court party" as Reresby called them, with dissent and republicanism. Sir William Ayscough, member for Thirsk in 1681 and one who had been party to the presentation of the address to the knights of the shire at the 1681 election, in October 1682 was said to have

set up a Ticklinge House (sic.) in the Minster Yard, in the same that Mr [Edward] Bowles (in the late times) held his Repetitions. There was a numerous troop of precious saints there on Wednesday last carrying on the work.

Hotham and Grey were said to court the fanatics in Beverley. Reresby, in describing the most prominent members of the factious group in York noted that Sir John Brookes was "the only churchman" amongst them. In the three anonymous letters which made the accusations against Hotham and Grey it was continually stressed that Grey had been elected to the bench during the interregnum and had been kept there only by Hotham's influence. Both were described as "anti-monarchist" and it was said of Hotham that there was "treason and rebellion running in the veins of the family as their blood", a reference no doubt to his father and grandfather having initially taken parliament's side in the Civil Wars. Sir Joseph Cradock prefaced his diatribe against the Whartons by saying that Charles I's blood had not yet been revenged and that until then

the remainder of that Old Leaven will sour, if not corrupt, a party to continue a disturbance of our peace, if not destruction of our sovereign's sacred person. [393]

Gentlemen believed to be disloyal were distinguished therefore according to both tangible and imagined misdemeanours. Their association with treasonable activities and republican principles, already suspected during the 1681 parliament, was reinforced in the wake of the revelations of the Rye House plot. These gentlemen were easy targets, having already been isolated by removal from local office by the government. The invective against them however was the work of only a few pens, in the case of Hotham and Grey anonymous ones at that. As the searches of gentry households for arms in the summer of 1683 revealed, not all Yorkshire gentry were as suspicious of their opposition neighbours as Sir Joseph Cradock. Equally, not all those who had been in opposition between 1679 and 1681 were castigated. The explanation here lies in the attitudes of the loyalists themselves.

Between 1681 and 1683 loyalists in Yorkshire took every opportunity to attest the county's loyalty to the crown via the addressing movement. There was enough strength of feeling in the county to engender lively debate about the content and purpose of these addresses. Some gentry wished to accommodate the various views of different gentlemen in an attempt to heal the divisions in county society and to represent Yorkshire as a united, loyal county to the centre. Others used the addresses as a test of loyalty to the crown and made no concessions to those who may have wished to temper loyalist zeal. As will be shown

below, it was not only resolute oppositionists who objected to some of the addresses.

The King's declaration following the dissolution of the Oxford parliament caused a further definition of political division in the county, not just between Whigs and loyalists but also amongst the ranks of those who were willing to address the King. The high sheriff, Sir Richard Grahame, agreed with Sir John Reresby's opinion that it would be best to have an address from York assizes in the name of the entire county but it proved impossible to find the necessary consensus. The Earls of Strafford and Burlington had already moved for a separate West Riding address therefore the North Riding gentry decided to send their own as well, "though the East would not at all concern themselves". At the assizes Grahme appears to have tried to get the grand juries to draw up an address but

both the juries and the gentlemen of both ridings that were concerned were flat that they would concern themselves no further, so the thing ceased. [394]

The North Riding address, actively promoted by Sir Metcalfe Robinson, was dutiful and loyal. It thanked the King for "every particular" of his Declaration and promised to "stand by your Majesty in the preservation of your Majesty's sacred person, your heirs and lawful successors and government in both Church and State as it is now established by law against all opposers whatsoever". [395] The West Riding address was not so straightforward. William, the second Earl of Strafford, met three hundred gentry and about a hundred clergy at Wakefield at the gentry's request, but refused to sign any of the addresses which they offered. Eventually he produced one of his own, saying that he would sign that or none. Christopher Tancred and some other gentry complained that it gave no thanks for religion, the government or the succession. They would have preferred an address akin to that from the North Riding which gave the King thanks for every particular of his Declaration. Strafford replied that he thought only the King's promise to have frequent parliaments and to rule by law deserved thanks. He would give no thanks for dissolving parliaments. Only Christopher Tancred and Sir Thomas Yarburgh dared to reply, the latter saying that "only factious and ill men would say such things and he, with several other gentlemen, withdrew and refused to sign". Only eighteen "half-gentlemen" signed Strafford's address. The meeting was then adjourned to Pontefract a few days later where

the Earl of Burlington, Viscount Downe and Viscount Halifax were in attendance. [396]

Burlington's part in all this was highly suspect. It is not clear how far he secretly agreed with Strafford's position or whether he was willing to go along with him in order to create a semblance of unity which would satisfy the King and at the same time gloss over the deeper divisions in the riding. He had claimed to be too lame to attend at Wakefield and had left the decision of whether to adjourn to Pontefract to Strafford and the other gentry. Strafford did not attend at Pontefract but sent his address, "altered (though not amended)" with his signature. Although both Burlington and the gentry at Pontefract would have preferred a more "home" or loyal address, he argued that since Strafford had sent this one then they may as well sign it. Burlington avoided confrontation with Strafford. His non-attendance at Wakefield was no doubt deliberate since he would not have wished to argue the point with Strafford face to face. Some gentry were ready for Burlington to give a lead in producing a more loyal address. Reresby later commented that the West Riding gentry were dissatisfied that "their address was so poor both as to matter and subscription (which was only the effect of ill management)". Burlington was the person who should have managed the affair to the satisfaction of the loyalist gentry. In the end they had to be satisfied with an address which thanked the King only for ruling by law, having frequent parliaments and preserving the church and as by law established. No mention was made of either the succession or the wisdom of dissolving the last parliament. [397]

Up to this point Strafford had not been particularly important in the politics of either the county or the centre. Shaftesbury thought him "worthy" and Reresby noted his violence against Danby in the Lords. He was heavily in debt throughout the Restoration period, a problem which neither the King nor Danby did anything to help. The impression of him is of a peer struggling to maintain the dignity of his rank, both socially and financially, in increasingly difficult circumstances. He does not appear to have been either well liked or well respected in the county. Even as early as the 1660s the gentry had opposed him as a potential president of a re-instated Council of the North. [398] By the early 1680s it was Strafford's opinion that the Duke of York's catholicism threatened the very foundation of government and religion. On 18 March 1681 he wrote to Halifax that the gentry should endeavour

not only for the King and country, but as the case now is, to preserve them from a reign which, to my thinking and I believe many others, they are very much threatened with. [399]

After the dissolution of the Oxford parliament he pinned his hopes on the Duke of York being persuaded back into the Church of England. To this end he exhorted Halifax and Church of England clergy to promote such a scheme. [400] Holding such opinions Strafford could never have agreed to an address which thanked the King for adhering to a catholic succession.

Events in the West Riding raises the question of why, when a supposed majority wanted a more loyal address, was Strafford's version accepted? It might be suggested that although Sir Thomas Yarburgh and Christopher Tancred and others were dissatisfied a number of Yorkshire gentlemen could see Strafford's point and were happy to subscribe an address which attested their loyalty but gave no ground on the contentious issues of the dissolution and the catholic succession. The intensive electioneering which went on in the following winter suggests that many Yorkshire gentry were hoping for another parliament in order to settle the nation.

Addresses from Yorkshire towns and boroughs reflected further the division which existed in the county. Ripon corporation was spurred on by the Dean of Ripon, Doctor Cartwright, and no doubt the loyalist Jennings brothers to present probably the earliest address from the county on 21 May 1681. It thanked the King for maintaining the royal prerogative, the subjects' just rights and liberties, the protestant religion and the succession. In addition Ripon thought that the King deserved thanks for "delivering us from the unwarrantable proceedings of the House of Commons". Charles II's propagandist derogation of the Commons in his Declaration was certainly having its effect here. Interestingly though there was also an Anglican touch since the corporation asked for the statutes against popish recusants and seditious sectaries to be put into execution. The Ripon addressers were keen to protect the monarchy from the dual threat of popish plotters and republican sectaries. [401] By contrast Hull corporation's address came relatively late presumably because of divisions on the bench over the issue. On 18 October 1681 it was voted 10:3 that an address should be sent which was signed by most, though apparently not all, the aldermen who then took the address into their wards for subscription. The address itself apologised for its

cardiness which was "not occasioned by any backwardness in the present subscribers". Rather, it implies, it was due to those who had failed to subscribe. Hull thanked the King for securing the established religion and the known laws and promised to assist against "all disturbers of the peace and opposers of the legal succession". Possibly it was this last paragraph which was so irksome to those who had failed to support the address.[402]

The extent to which the addresses reflected true loyalty to the King and consensus in the county was demonstrated by that presented by the Corporation of Cutlers from Sheffield. Sir John Reresby was thought to have pulled off a remarkable coup in persuading the company, known for its factiousness, to make a loyal address. However, there was some scepticism about Reresby's success. Jasper Blythman, a local gentleman, believed that

an address from them will not change their opinion but that they will be as ready to rebel if an opportunity would offer itself as they will now be ready and willing to address. This they will in hopes to keep trade in their town, the other they would do to establish schism. [403]

Reresby was evidently improving his own standing in the county and in the court's eyes by promoting and presenting this address. He did not lose the opportunity to tell the King that a local justice, probably Francis Jessop, had failed to subscribe and had tried to persuade others to do likewise. Reresby however backed away from the King's suggestion that this disloyal justice be put out of commission. [404] It is possible that Reresby wanted to keep this trump card for use against his neighbour should he continue to prove factious. However, it is equally likely that Reresby had no wish to cause further dissension in his neighbourhood. After all, part of the purpose of these loyalist addresses was to paper over the cracks of division which existed in the county rather than to expose them.

Any appearance of unity was soon to be shattered by the loyalists' moves to present abhorrences of Shaftesbury's Association in the spring of 1682. The Earl's acquittal in November 1681 had produced differing reactions in the county but even some loyalists were satisfied that justice had been done. Sir Henry Marwood said that Reresby's account of the trial

was not unagreeable, it being supposed the innocent had escaped, which in all well constituted governments ought to happen, though I cannot but say the transactions of this



business is received under as many several sentiments here in the country as with you above. [405]

Sir Thomas Yarburgh confirmed the diversity of views about Shaftesbury's acquittal :

This news of Lord Shaftesbury etc. is no less pleasing to many in the country than town, and no doubt causeth many to change the measures they had once taken for the peace of the Kingdom. [406]

However when loyalists mobilised their supporters to express their abhorrence of the Association itself a few weeks later, tempers began to flare. The initiative came from a large gentry meeting at Ripon in February 1682 which agreed to frame an address at the coming assizes in March. There, two very loyal grand juries were returned, foremanned by Sir Jonathan Jennings and Sir William Hustler, which unanimously presented an address to the judge "ingrossed as a record for future ages" of their abhorrence of the Association. They promised "to preserve his sacred Majesty, his heirs and lawful successors against all such rebellions, conspiracies and associations" and would refuse to elect any gentleman to parliament "who shall not beforehand give them assurance of his perfect abhorrence of the same". The abhorrence was signed by the Grand Juries, the gentry, the Archbishop of York and clergy and taken to New Market by Sir Thomas Slingsby to be presented to the King. [407]

The loyalists had pulled off a remarkable coup. Twenty or thirty "Whiggish" gentlemen were in town who were furious that the address was sent from the Assizes in the name of the county. Yet it was not only they who were dissatisfied with the loyalists' actions. Henry Lord Fairfax, Sir Ralph Warton and Sir Robert Hildyard refused to sign the abhorrence as did Mr Conyers, a minister, "its supposed because they were not consulted in the drawing of it". Warton at least was known both in the county and at the centre to be a loyal gentleman and Hildyard no doubt shared the same reputation. Although Fairfax had voted for the division on the Exclusion Bill he was by no means associated with the "Whiggish" party in Yorkshire at this time. It is to be suspected that these gentlemen would have wished to temper the blind loyalty which was expressed in this address. Even Sir John Reresby, who had at first prompted the Middlesex justices to produce an abhorrence, objected to the first draft. He complained that it was "too severe" and reflected upon the jury which had acquitted Shaftesbury and the Earl himself. It was not the justices' place "to

arraign persons over again, or to censure men" but simply to abhor the Association. The Yorkshire loyalists had been led by Sir Jonathan Jennings of Ripon who "engrossed the whole credit of the business to himself". [408] It appears that ardent supporters of the loyalist movement such as Jennings and Sir Thomas Slingsby, swept all before them in their determination to prove their loyalty to the crown. But the earliest signs of division amongst the loyalist ranks was in evidence.

By the time of the Rye House Plot the loyalist mechanism for reiterating the county's supposed loyalty had been perfected. The gentry presented a county address, the grand juries another, the three ridings one each from the deputy lieutenants, militia officers and justices of the peace. [409] Far more addresses came in from the boroughs than previously. Hull corporation, which had failed to produce an address against the Association, evidently came under pressure from their new governor, the Earl of Plymouth, to attest their loyalty to the crown. It was carried to court by Alderman Mason whom Plymouth believed to be loyal to the King. [410] Beverley Corporation presented their first address since the movement had begun, a sign of the weakening influence of their exclusionist M.P.s on the borough. [411] Pontefract also was shaking free of its association with the exclusionist Sir Patience Ward. Doctor Nathaniel Johnston, who presented the address, assured the Duke of York that although Ward had considerable family interest in the borough he was sure that the corporation would henceforward choose only "truly loyal" M.P.s. [412] Scarborough's address was rather later than the rest. The town was suspect since two of the conspirators had escaped via the port. Charles magnanimously attributed this fault to some factious individuals, no doubt the Thompson family, and graciously accepted the town's address. [413] Such expressions of loyalty from hitherto factious corporations testified to the extent to which the government had rooted out the opposition in the county.

For some gentlemen though the addressing movement was losing its appeal. Francis Neville was heartily sick of signing addresses. He told Sir Michael Wentworth of Woolley, who evidently wrote asking for his subscription,

I have once addressed his Majesty upon this occasion and as I am resolved to stand firm to what I have formerly set my hand to, so I think it not only unnecessary but troublesome to the King to receive repetitions for the same thing. [414]

Once again not everyone was in agreement with the loyalist gentrys' intentions. Sir John Reresby drafted a county address which he evidently intended to have subscribed by the grand juries at York assizes. The address assured Charles II that his was "the best of governments under the best of Kings". The "hellish machinations and practices of fanatic, seditious and athiestical people" made the gentry "conceive it high time to own our separation from such persons and our abhorrence of such principles". However, the summer assize grand juries were not co-operative. Reresby informed Jenkins that by some "accident" the two grand juries were "not composed of the best men of the Country" and that they intended to send a separate address from that of the gentry which Reresby feared "will scarce be so well approved". [415]

Thomas Viscount Fauconberg had no doubt but that his deputies would address the King. He advised them to look in the latest press for examples of addresses and advised them that the most succinct were the best. Fauconberg assured Jenkins that their address would come as "unanimous and hearty" and truly loyal as from anywhere else. Indeed it would have been if not for the seemingly independent action of the clerk to the lieutenancy, Mr Grimston. The deputies promised to sacrifice their lives and fortunes in defence of the King, his heirs and successors and his "established government". Grimston made a subtle change to the last part so that the fair copy of the address read "your government, both in church and state as it is now established". He then posted the address on the sessions house door for public subscription. This slight change in wording was very significant. In the first place it made mention of established religion, implicitly defending the protestant church against popish intrusions. Secondly in specifying the present establishment of church and state, Grimston was attaching a layer of principles and beliefs underneath the phrase - settlement of government by the King in parliament and government by law within the establishment. The amended version did not extend the promise of support beyond the present establishment, thus denying the King a free hand to alter his "established" government at will. Grimston thought that the deputies would have thanked him for his show of initiative as one gentleman, probably Sir William Wyvell, had at Richmond. Certainly Grimston was only using the same phraseology as the North Riding gentry had used in their address following the dissolution of the Oxford parliament.

[416] It was a rare example of the subtle changes which had developed amongst the loyalist gentry in their attitude towards the crown and the definition of loyalty.

In November 1683 there were renewed expectations of a parliament in Yorkshire. By the terms of the Triennial Act, the next parliament was due to meet in April 1684. Halifax was in favour of calling another parliament. He believed that Charles had missed an ideal opportunity to secure a loyal parliament following the Rye House Plot and in about December 1683 was arguing that it was better to call a parliament now than later since the earlier one was summoned the more loyal its members would be. He reminded the King of the Triennial Act and also of his own promise in the 1681 Declaration in which he said he would rule by law and have frequent parliaments. The "anti-monarchical" party was at a low ebb but if Charles failed to call a parliament according to his word he ran the risk of offending that party which "were for the service of the Crown, but for his Majesty observing the laws at the same time, especially when they had his royal word for it". In reality though there appears to have been no intention of calling a parliament. Reresby heard from several people that there would be no parliament in the near future. [417]

In Yorkshire both loyalists and oppositionists began making their interests again. The loyalists approached Sir John Kaye once again for the county. Whigs were said to have pricked up their ears and Sir Gilbert Gerard started treating at Northallerton. In December Sir John Hewley was also treating in York. [418] But the electioneering was not simply a re-run of events two years before. By the time of the renewed election campaign in the winter of 1683/4 there had been some subtle changes in Yorkshire politics. These are best illustrated by the experience of Sir John Reresby at Aldborough. In mid-December 1683 he learned from several quarters that the neighbouring gentlemen of Aldborough had recommended that Sir Roger Strickland be elected should there be a new parliament. Strickland was a relative newcomer to the neighbourhood. He had purchased his Thornton Bridge estate from his catholic cousin, Sir Thomas Strickland of Sizergh in 1682, and in 1681 had inherited an estate in Catterick. His career so far had been with the navy and he was a great favourite with the Duke of York. Although there is no real evidence that Strickland was a catholic before his declaration of such in 1687, he had been accused of being so in the Commons in April 1679 and certainly had close links with his catholic

kinsmen. [419] In July 1681 he had been amongst the Yorkshire gentlemen who had attended the Duke of York in Scotland. Significantly, Christopher Tancred, who now had considerable interest in Aldborough, was also with the Duke at this time. In August 1683 Strafford described Tancred as a "coddleheaded young fellow" for putting Strafford's conduct at the Wakefield meeting in a bad light. Further he noted that Tancred had

the good fortune to be the Duke's servant and whether flattering himself with hopes to curry favour he may not have told some ill favoured tales of me I know not. [420]

Tancred was amongst Strickland's most zealous supporters in his bid for a seat at Aldborough. There is some suggestion that Strickland initially was reluctant to stand but that he was pressed to it by neighbouring gentlemen. [421] Adding their voices for Strickland were Sir Thomas Slingsby and Sir Thomas Mauleverer both of whom Reresby identified as enemies with regard to his position in York. Reresby believed that these two gentlemen were behind the threat to his interest in Aldborough,

being privately angry that I still continued governor of York and had an interest in York, where they were hated and reputed papists. [422]

The gentlemen who supported Strickland were members of a "running-club" which met at different places on different occasions. During the third week of December the meeting was arranged at Aldborough. Slingsby, Mauleverer, Tancred and Strickland were there together with Richard Hutton. Sir Jonathan Jennings sent his excuse that he could not attend. The high sheriff, Sir Bryan Stapleton arrived late but claimed that he had no notion that the meeting intended to offer support to Strickland at Aldborough. He felt compromised, particularly since as sheriff he should not appear partial towards any candidate. These loyalist gentry were going to considerable lengths to keep Reresby from being elected at Aldborough. [423]

Tancred excused his transfer of support from Reresby to Strickland on the grounds that there were uncontradicted reports that Reresby was making an interest at York. [424] It was also said that the gentlemen of the Aldborough area were displeased with Reresby's attack on Duke Butler, the man that they favoured for the gaolership of York Castle. [425] However, there appears to have been much more to it than purely local rivalries and concerns. Feeling against Reresby was very strong. Edward Morris believed that they would leave no stone unturned to

destory Reresby's interest and Thomas Sutton, a boroughman who had hitherto supported Reresby, excused his defection to the Strickland camp on the grounds that none of the neighbouring gentry now thought Reresby worthy to be a parliamentman. [426] Although there was no overt reference to wider political allegiances, all the gentlemen who supported Strickland were more openly supportive of the Duke of York than Reresby who stuck by his old patron, Halifax. Reresby believed Slingsby to be a particular favourite of the Duke. The Aldborough case does suggest that the ranks of the loyalists themselves were splintering by the end of 1683. Significantly two of the members of the York corporation bench and the former opposition M.P. for Knaresborough, William Stockdale, all of whom Reresby had described as factious, warned him to protect his interests at Aldborough against Strickland and Tancred. [427]

Although the opposition that Reresby faced had a local dimension there are signs that it also had a deeper root. Reresby remained under Halifax's patronage and it might be suggested that he did so because he was ideologically closer to the Marquis than to the Duke of York. The same could be said for certain other Yorkshire gentry such as Viscount Downe and Sir John Kaye. These gentlemen shared the moderate, middle ground with gentlemen who had been persuaded or frightened out of their former opposition to the government. It was said of Sir John Brookes for instance in December 1683 that he "sets up altogether as a Tory and has quite forsaken the other party". Strafford was shocked by the revelation of the Rye House plot, and abhorred those involved in it. [428] By this time Reresby was having more success in bringing factious York aldermen to a more moderate position. On either side of these moderates were extremists. The gentlemen who opposed Reresby were an emergent group of ultra-loyalists with close associations with the Duke of York. Sir Thomas Slingsby, Sir Thomas Mauleverer, Christopher Tancred and Sir Roger Strickland all opposed Reresby's governorship and his election at Aldborough. All were identified as supporters of the Duke of York. On the other side of the moderates was a dwindling band of extreme oppositionists. Several left England during the last two years of Charles II's reign. Sir John Hotham was implicated in Monmouth's confession after the Rye House plot and went into exile in Holland in 1687. Sir Henry Calverley had left for Italy in 1683 and died in Paris in June 1684. William Gee also went into exile abroad. Others are remarkable only for their silence after the

Rye House plot. [429] So far as Yorkshire is concerned, by 1685 Charles II's policy of divide and rule had certainly quashed the vigorous opposition. But it had also created division amongst his loyalist supporters.

CHAPTER FIVE

JAMES II AND BREAKDOWN: 1685 - 1688



## Introduction

In early February 1685 news of Charles II's fatal illness filtered through to Yorkshire in official and unofficial reports. Measures were taken to ensure the security of the county but when confirmation of the old King's death eventually came there were no signs of insurrection. In York there had been rumours that papists had murdered the King but the deputy lieutenants were not unduly alarmed that there would be any disturbances. [1] James II was proclaimed in the county and major towns with the solemnity which the occasion deserved and in some places with a certain amount of celebration. [2] Sir John Reresby commented on the calm which attended James II's accession. Those who not long before had attempted to exclude James from the succession now accepted the King with "great deference and submission". [3] The Earl of Strafford, for instance, an outspoken critic of James's catholicism, asked Halifax to present to the new King

my prayers for his long life and prosperity of his reign which begins so auspiciously and so much to the comfort of his best subjects and the body of his Kingdom. [4]

He also told Reresby that he would be willing to subscribe an address should the gentry decide to present one to James. [5]

Strafford's definition of "best subjects" was no doubt loyal protestants. He was not alone in being relieved at James's promises at the outset of his reign. Sir Thomas Yarburch wrote to both Sir John Reresby and William Lowther that

our sorrows are much allayed by the great assurances King James hath given in Council to govern by the laws, to maintain the Protestant religion and to follow the steps of his worthy brother as the best pattern. [6]

When James was proclaimed in York the Archbishop enlarged upon the King's declaration which

made no small impression upon the people of all sorts for it was presently in every man's mouth and that seconded with such universal and loud acclamation

as was ever heard in the city. [7] Next came the proclamations continuing all office holders thus relieving another possible source of tension. [8]

Soon the business of addressing the new King was underway. The Yorkshire gentry organised a meeting at York on 23 February at which most of the gentlemen of the county signed an address. Reresby appears

to have taken a leading role. There is a draft copy of the address amongst his papers and some gentlemen unable to attend in person asked him to subscribe for them. [9] The lords lieutenant of the three ridings also promoted addresses from their deputies and officers. The Duke of Somerset took the lead, prompting the East Riding lieutenancy to send a separate address. Fauconberg soon followed suit in the North Riding. Burlington, not wishing to be outdone and fearing that it would be taken ill if the West Riding did not address separately, sent an address signed by himself and deputies then in London for subscription in the riding. The county address had been subscribed already by the time Burlington's arrived. Reresby however understood that it was not without precedent for the lieutenancies to address jointly and separately in the rest of the kingdom and happily took the subscriptions of the deputies and the militia and garrison officers. [10]

Both York and Hull corporations added their condolences on Charles II's death and congratulations on his brother's succession. However they appear to have been very different in kind. Hull's was heavily influenced by the Earl of Plymouth, their governor and lord lieutenant. It expressed their thankfulness at the "lineal, rightful and peaceable succession" and thanked James for his declaration. They promised to elect M.P.s who were not only loyal but also abhorers of the votes in favour of exclusion. Even this did not meet Plymouth's exacting standards and he added a sentence saying that the address was subscribed by the greater part of the electorate. [11] Amongst Reresby's papers there is a document which appears to be a copy of York's address. However the content presents some problems. The first part specifies that it is an address from the Mayor and commonalty of the city. It expresses the usual condolences at Charles II's death and thankfulness of James's peaceable succession. Beyond that it gives only specific thanks for the King's declaration to preserve the Church of England. Testifying to their sincerity they affix the common seal of the city and date the address 17 February 1685. However, immediately below this copy another section gives more fulsome thanks for the King's declaration and promises to preserve and defend the rightful succession and the crown's prerogatives against all opposition both home and abroad. It is unclear whether this second part is an addition to York's address or a copy of some other address noted down by Reresby. If the former, then it is possible that Reresby

persuaded the corporation to add more loyal expressions to their original, somewhat sparse address. If the latter, then York corporation was doing no more than was absolutely necessary in welcoming James II to his throne. [12]

"Lords, Deputy Lieutenants, Justices of the Peace and other gentlemen" of Yorkshire believed that James had demonstrated his "goodness and clemency" in declaring that he would preserve the government in both church and state as established. His declaration proved that they were "truly justified in adhering" to James during the Exclusion crisis and they promised to defend him again if anyone threatened the rights and prerogatives of the Crown. [13] The peaceful succession and James's promises had provided loyalists with an opportunity to remind the county, and particularly oppositionists, that they had been right during the Exclusion crisis. James II, the new catholic King, could be trusted.

Yet beneath this veneer of official, collective loyalty there were already signs of unease. Division remained a feature of county politics. James Dolben, the Archbishop of York, was unsure whether the clergy should join the gentry in their address on James's accession. He was willing that they should but only on condition that the gentry's address was suitable for the clergy to subscribe. He was sceptical that the gentry would be able to agree on the form of the address.

Upon former occasions they could hardly agree in anything. Now that sort of men affect to join who will hardly give thanks for that which we must not omit, and they are numerous here, though many of them be gone already to London. [14]

The gentry did manage to come to an accomodation with each other but it appears that Dolben was dissatisfied with the form of the address and the clergy must have subscribed their own since they are not mentioned in the county address. It is not clear why Dolben may have objected to the county address since it did thank the King for promising to preserve the Church of England.

News of events at the centre also caused concern in the locality. Reresby noted that Halifax's 'promotion' to the Lord Presidency was perhaps not as good as it seemed since his former position as Privy Seal had given him greater power and profit. [15] John Peables wrote to Reresby from London on 19 February 1685 that the King's attendance at high mass in his private catholic chapel had given "great

dissatisfaction to all". In London coffeehouses the "great Tories as well as the Whigs ... speak high things that one could almost believe they are united". [16]

As the reign progressed the Yorkshire gentry became increasingly troubled. By the end of 1685 members of parliament had found themselves seriously at odds with the King. The long series of prorogations thwarted any chance of coming to an accommodation with him through parliament. [17] So the gentry watched at a distance as loyal protestant ministers, judges and army officers lost their places because they would not comply with the King's plans. They noted that their replacements were catholics. [18] The gentry monitored the progress of James's catholicising policy in Scotland. As Reresby commented,

the business of religion in England much depending upon it, it was some satisfaction to protestants to find the news that came from time to time did not answer the expectations of papists. [19]

Looking back on early 1686 Reresby encapsulated the feelings of foreboding that many must have felt:

Though it could not be said that there was as yet any remarkable invasion upon the rights of the Church of England, yet the King gave all the encouragement he could to the increase of his own... [20]

Licenses were granted for the printing, advertising and sale of popish books. Charles II was now declared to have been a secret catholic, having declared his faith upon his death bed. England had an ambassador to the Pope. Protestant clergy were instructed not to meddle in religious controversy. All of which "made all men expect more would follow of a greater concern". [21]

Gradually the uneasiness metamorphosed into real fears that the retention of all political power would rest upon whether a gentleman was prepared to go along with the King. It could not be long before the same process of sifting out all but the most committed supporters of the catholicising policy was applied in the localities. James II came to challenge the gentry's most heartfelt political beliefs and forced them to think very closely about the nature of their loyalty to the crown and church, of parliamentary freedom and the basis of their power in the localities. Since constructive criticism of the King and government was no longer an alternative, the gentry had to take a

stand, indicating to James the limitations of their support for the monarchy.

### Local Office Holding

On his accession to the throne James II declared that all office holders would be continued in their places, a statement gladly reported by Yorkshire gentlemen then in London to their friends in the county. [22] For the first two years of the reign the Yorkshire gentry had little cause to doubt the King's word since there were no major upheavals in the personnel of local government. However, by February 1687 it was clear that James II was intent on bringing catholics into office not only at the centre but also in the localities. From this point well founded fears of purges in local government were expressed in the county and the traditional ruling elite became less certain of their positions. By the beginning of February 1688 major changes had taken place in local office holding from the lord lieutenancy right through to the commissions of the peace.

During James's reign only three gentlemen were appointed as sheriff. Christopher Tancred had been appointed in November 1684 with James's backing and in the following year was continued for a further year, this time with the support of Judge Jeffreys. [23] Tancred was one of a group of Yorkshire gentlemen who had close associations with James at the end of Charles II's reign. This group had sought to undermine the position of Sir John Reresby as governor of York, on the basis of both local and central concerns. As sheriff, Tancred furthered these attacks on Reresby's authority and under James received the court's backing. There can be little doubt that Tancred's appointment and continuation in office was partisan. During the 1685 elections he proved to be a good choice promising "to send the King a greater number of loyal men to the next parliament than ever was known from this country". It had been decided to direct Northallerton's precept to the Bishop of Durham's bailiff rather than the sheriff of Yorkshire. Although Tancred had some reason to doubt the legality of this decision he did not challenge it any further, compliantly telling Sunderland that it was not "a fit time to start disputes". [24]

In November 1686 Tancred was succeeded by Thomas Rokeby who also served for two terms. He was the lawyer who advised York corporation in about 1682 when the city was noted for its factiousness and the defence lawyer of conventiclers in the city. As sheriff he attempted to promote an address thanking the King for the 1687 Declaration of Indulgence. His appointment in 1686 therefore might be seen as a reflection of James's policy of seeking the support of dissenters. [25] On 8 November 1688 Rokeby was replaced by Sir Richard Grahme of Norton Conyers who had served also in 1680-1. Grahme had given a truly loyal answer to the 'Three Questions', stating that he had no qualms about repeal since he did not doubt James's promise to preserve and protect the Church of England. [54] All three Yorkshire sheriffs under James II were politically sound at the time of their appointment, a reflection of the government's concern to ensure partisanship in local office holding.

For the first two years of James II's reign no major changes occurred in the Yorkshire commissions of the peace. [27] Only nine gentlemen are recorded in the Crown Office Docquet Book as being added throughout the whole county, and there appear to have been no removals. By the beginning of 1687 however James's catholicising policy began to be felt in the county when alterations were made to all three commissions. In the East Riding at least six gentlemen were added in February 1687 all of whom gave positive answers to the 'Three Questions' at the end of that year. Three gentlemen were removed. [28] In the North Riding nine gentlemen were added at this time and again all were to give positive answers to the 'Three Questions'. [29] Nineteen gentlemen were removed from the West Riding bench and were replaced by ten new justices. Sir Henry Goodricke believed that the remodelling had

fallen severely on us, I think, for want of a Privy Councillor of our Riding in that assembly who was well acquainted with the excluded gentlemen. [30]

This was an indication that the links between centre and locality, by which the government kept abreast of local opinion, were breaking down. Although more were removed in the West Riding than were added it is possible that those put out were removed to make room on the bench for James's supporters. Most of the nineteen removed were minor

gentlemen and the purge in the West Riding does seem to have been somewhat arbitrary.

It is clear that in February 1687 James was attempting to create partisan commissions by the addition of supporters rather than the removal of opposition justices. This was a continuation of Charles II's policy during the first half of the 1680s. [31] Most of those added in February 1687 were of long standing catholic families. In the East Riding the Constable family was prominent. Sir Philip Constable of Everingham, John Constable and Henry Constable were all added in February 1687 as well as Robert Constable, Viscount Dunbar of Burton Constable. They were joined by Marmaduke Constable later in 1688. Also added to the East Riding bench in February 1687 were the catholics Robert Dolman, Philip Langdale and George Metham. [32] Amongst the new North Riding magistrates were Sir John Lawson of Burgh, Roger Meynell of Kilvington, George Meynell of Dalton, Edward Saltmarsh of Newby Wiske, Francis Tunstall of Wycliffe and William Peirson of Stokesley all of whom had been prosecuted at the North Riding sessions in 1679 for recusancy or refusing the oath of supremacy. John Crosland was the catholic son of Sir Jordan Crosland of Newby Hall. [33] Reresby was in no doubt that the ten commissioned in the West Riding were papists. [34]

A year later the commissions were altered again, this time according to the answers given to the 'Three Questions'. [35] All justices who gave negative replies in the East or North Ridings were purged. The East Riding lost sixteen magistrates and the North Riding eleven in one grand sweep. The case of Sir William Bowes of Streatlam Castle, County Durham, would suggest that the review of the commissions was purely county based in that he replied negatively in County Durham but was left in the North Riding commission. [36] It is possible to imagine the clerk of the Privy Council with the returns of a county on one side and the commission of the peace on the other, mechanically scoring out the names of those who gave the wrong reply.

The West Riding had not been subjected to the 'Three Questions' in February 1688 and fifty-six of the 1685 commission survived into early 1688. Viscount Downe noted in May 1688 that the North and East Ridings had been "catechised" and that gentlemen were turned out of office for "their obstinancy", but as yet the West Riding had escaped that fate. This would suggest that the West Riding commission did not undergo a serious review in February 1688. [37] Reresby thought that

by this time James had lost faith in the questions as a means of purging local government but they were put to the West Riding gentry in August 1688 and the replies taken down to London in September. Still no purge took place and many of those who had given negative answers sat at the October quarter sessions. [38]

The blow came on 13 November when a number of gentlemen having dinner together were informed by the clerk of the peace that thirty principal gentlemen, including Sir Henry Goodricke, Christopher Tancred, Sir John Kaye, Sir Michael Wentworth and Sir Thomas Yarburgh had been left out of the new commission. Amongst those put in these gentlemen's places were Mr Ratcliffe, a bailiff, and John Eyre of Sheffield Park who could "neither write nor read". Neither of them were freeholders. Reresby believed that there must have been some mistake since the commission was dated 22 September and was presumably "the result of former measures", meaning the 'Three Questions'. Twenty-four gentlemen in the West Riding are known to have given negative replies to the 'Three Questions' therefore it appears that James, even at this late stage, was still pursuing his policy of February 1688. Reresby advised both the Duke of Newcastle and the Secretary of State, Viscount Preston, that the mistake should be rectified as soon as possible. Gentlemen of the county had that very day at York resolved to call a meeting on 22 November to draw up an address of loyalty to James II. Some of the promoters of the address were amongst those left out. Reresby, uninformedly believing in the loyal intentions of these gentlemen, was concerned that James II might forfeit their support by this untimely action. Whether or not the issue of the commission was a mistake on the government's part is unknown. Preston claimed that indeed the purge had been "according to the late scheme, which hath had the effects of which you have heard through the whole nation" and informed Reresby that order for rectifying it was given immediately. James's back pedalling appears to have been in vain. In the Memoirs Reresby recalled that Sir Henry Goodricke was put into "a passion" at the news of his removal but in the letters to Newcastle and Preston he indicates that the gentlemen concerned appeared in fact unperturbed. The altered commission came much too late, after Goodricke, Tancred and others had taken York for the Prince of Orange. This time Reresby and two others were omitted. Whether this was another mistake on the part of a panic stricken government or as Danby suggested, showed a



"resentment" against Reresby is unclear. The reasons were immaterial. James II had purged his last Yorkshire commission of the peace. [39] By February 1688 the East Riding commission had altered beyond recognition from that of 1685. Of the original 1685 commission only three working justices survived into 1688 - Tobias Jenkins gave no answer in the East Riding but was assigned a positive sign in the North Riding returns; Lionel Copley gave a firm positive answer and Francis Collingwood had not been in the country when the 'Three Questions' had been put. It had increased in size considerably and thirty gentlemen were named in the 1688 commission who had neither been in the 1685 commission nor had given answers to the 'Three Questions'. The alteration in the North Riding was not quite so severe. Here there were eleven survivors. Only seven of these justices gave answers and again all were positive or loyal. The size of the commission remained stable, but in February 1688 there appear to have been at least seventeen new justices. [40]

There is little evidence of the reaction of existing magistrates to these alterations though it seems likely that catholic justices were not welcome on the hitherto solidly protestant benches. At the general sessions at Pontefract in April 1687 several of the new justices attended hoping to be sworn. There being no dedimus they were unable to act. Shortly afterwards the dedimus to swear five of them arrived. As he related this state of affairs to Halifax, Sir John Reresby gave the distinct impression that he was relieved that the dedimus had failed to arrive and in this he was no doubt seconded by many other existing justices. In October however two of the catholic justices, Ralph Hansby and Michael Anne, appeared at Rotherham. Reresby disdainfully noted that they were "altogether unversed in business, now in years, and educated another way". Later, in July 1688, Reresby refused to mix socially with the catholic and dissenting magistrates at the Middlesex sessions. It is likely that such division existed on other benches including Yorkshire's. [41]

The result of James's policy during the last two years of his reign was to lose a body of potentially loyal, albeit protestant, justices and their magisterial experience, in some cases exercised since the Restoration. [42] Reresby commented that those put in the places of the purged justices in the North and East Ridings were "ordinary persons both as to quality and estates (most of them dissenters)". [43] This was no mere snobbery on Reresby's part. Secure government in

both the locality and at the centre depended on the employment by the crown of the 'natural' governors in the counties. In the North Riding most of the leading catholic gentry had been appointed to the bench by 1688. [44] Many fears must have been aroused in the East Riding when four gentlemen who had been imprisoned in June 1685 for disaffection at the time of Monmouth's rebellion were again put onto the bench in 1688. [45] Secure government also depended on a certain degree of consensus and continuity on the benches. In April 1688 six catholic West Riding justices together with Sir John Boynton and Charles Bull joined together in an address to the King giving thanks for the Declaration of Indulgence. They had neither the concurrence of the other magistrates nor of the two grand juries. Nevertheless the address was presented as "the act of the whole sessions" by which Reresby believed the King was deceived as to the extent of his support in the county. [46] James's policy succeeded only in creating division and confusion, particularly during the second half of 1688.

In October the King had realised his folly and started to restore purged justices, though Reresby felt that his action came too late. Then only a month later he swept the most highly regarded magistrates off the West Riding bench. [47] It is difficult to say exactly who was in commission during the last six months of his reign. Given the confusion at both the centre and in the locality no doubt contemporaries were equally unsure. In the East Riding "local government was almost at a standstill". [48] In the West Riding the numbers attending sessions appears to have remained constant throughout the changes, presumably because the bench was not purged until a very late stage by which time the last sessions before the Revolution had ended. [49] By the end of December 1688 there were hardly any sworn justices in the West Riding except papists who had all left the county during the course of the Revolution. Whilst law and order do not appear to have broken down many fears must have been aroused by the fact that there was no-one in control in the localities. [50] Charles II had been content to weed out only the most determined opposition from the benches. James II went the step further by purging anyone who refused to comply absolutely with his wishes. With the 'Three Questions' he found that the gentry of Yorkshire were loyal not only to the crown but also to the Church of England, parliamentary freedom and stability in their county, even if the price

of these latter loyalties was loss of local office. The policy of 'divide and rule' was found to have its limitations.

At the outset of his reign James II confirmed Richard Earl of Burlington, Thomas Viscount Fauconberg and Charles Duke of Somerset in the lord lieutenancies of the West, North and East Ridings respectively. [51] As with the commissions of the peace no alterations were made for the first two years of the reign. Then, as James searched for support for his religious programme, the lords lieutenant were reviewed along with other office holders. A new lord lieutenant was appointed to each of the three ridings, creating an atmosphere of instability and insecurity at the very time that James needed order and discipline in the localities.

In January 1687 Burlington instructed his deputies to comply with an order from Sunderland to search for arms in the possession of unqualified persons. [52] Sir John Reresby found "a mistake in law in the order as to the method of making this search, it not being proper to do it as deputy lieutenants, except the persons to be disarmed had been looked upon as dangerous to the government, as by justices of the peace." Reresby informed Burlington of the error who replied curtly that Sunderland's orders were "very clear and may therefore be proceeded upon as the letter does appoint". Deputy lieutenants in other divisions had acted upon the orders already and for him to make any further explanation was "unnecessary". Reresby was clearly unhappy with this reply and proceeded with the search with Sir Ralph Knight but in their capacity as justices not deputy lieutenants. This incident had important implications. Reresby was simply exercising the traditional deputy's practice of representing the county's concerns to his lord lieutenant. He believed that Burlington had overrode his objections because he dared not question the court's instructions. The county's security depended very much on a close working relationship between the lord lieutenant and his deputies. By the beginning of 1687 this essential foundation of county security appeared to be crumbling in the West Riding. It was another indication of the breakdown of those important centre-locality bridges. [53]

Towards the end of 1687 the King himself broke down this relationship further by appointing lords lieutenant wholesale without consideration of their suitability to the county. The first change came in the East Riding when, in August 1687, the Duke of Somerset was replaced by John

Sheffield, third Earl of Mulgrave, a reversal of the position five years before. Somerset had made a symbolic show of his opposition to James's catholicising policy by refusing to attend the ceremonial entry of the Pope's nuncio into Windsor in July 1687. Naturally he lost all his places. Mulgrave on the other hand was riding high in James's favour, being appointed chamberlain of the household on the Earl of Aillesbury's death and being added to the commission for ecclesiastical causes towards the end of 1686. In the following year he was considered to be a supporter of the King's religious policy. [54]

In November 1687 the continuity which had been enjoyed by the North Riding lieutenancy since 1660 under Fauconberg was brought to an end when he was replaced by Charles Viscount Fairfax of Gilling Castle, the recognised leader of the "popish party" in Yorkshire. [55] Fauconberg had not always seen eye to eye with Charles II but had held onto the leadership of his county because ultimately he was a loyal, if somewhat critical, servant of the crown. At the outset of James's reign he had ensured that loyal addresses were forthcoming from the North Riding and Thirsk, a borough in which he had a good deal of interest. His motivation seems to have been a wish to protect his friends and neighbours from the consequences of the King's displeasure as well as a giving a token of his own loyalty. [56] It is possible that Fauconberg was uncomfortable with James from the outset of the reign. Early in 1685 he claimed that as soon as building at his country house was finished he would retire to his garden there. In November 1685 it was reported in a seditious newspaper that he, along with the Duke of Ormonde, Lord Bridgewater and the Bishop of London, had been dismissed from the Council. By the spring of 1687 Fauconberg had moved more clearly into opposition. On 30 May 1687 he sent his good wishes to the Prince of Orange by Dykvelt then returning to Holland. At this time he was listed amongst those who definitely opposed James's religious policy. [57] His loss of the lieutenancy could well have been a relief for both James and Fauconberg himself. A rumour suggested that he had sought his own dismissal and at some point after his retirement Fauconberg wrote to Lord Belasyse

It is a happiness not to be witness to the mischief of the times nor liable to the allurements of common evils which of necessity must either vex or infect us.

No longer able to serve his King with a good conscience, Fauconberg was no doubt glad to retire to his garden at Newbrough. [58]

Burlington was in London when Charles II died but kept in constant contact with his deputies, urging them to ensure security in the county and being forward in promoting congratulatory addresses to the new King. [59] His diligence continued throughout the summer. [60] Initially he appears to have admired James II, writing to Sir John Reresby on 24 March 1685 that the King was the most "indefatigable" he had ever known and was ordering his affairs for ease of management in the future. [61] How long this admiration lasted is unclear. In the affair concerning Reresby's objections to Sunderland's orders it is clear that Burlington was displaying a certain wariness in his dealings with the court by early 1687. His attitude towards the King's religious policy in 1687 was unclear. [62] It is possible that the Court was attempting to win his support as late as December 1687 since Nathaniel Johnston wrote to Reresby on 31 December 1687

I heard but this day a fresh report as if some fresh overtures were made to my Lord Lieutenant but having no opportunity since to speak with his Lordship I can give you no assurance but I can only tell you that the gaining that truly wise and valuable nobleman would greatly contribute to the King's service in the opinion of most. [63]

However by this time it was being rumoured that there would be a new lord lieutenant for the West Riding, probably the catholic Thomas Lord Howard. By the beginning of March 1688 the West Riding gentry were still in the dark as to whether there would be a change in the lieutenancy. Sir Henry Goodricke told Reresby that Lord Howard was coming with "the King's commands to us" (probably meaning the 'Three Questions') and that he would probably be the lord lieutenant. By the end of that month the West Riding gentry's fears were realised. Burlington resigned and Howard took over

which method of placing successors of that persuasion the King had followed in most lieutenancies in England as they became vacant. [64]

The replacement of three protestant lords lieutenant with catholics inevitably caused dissension and instability in the county. Fairfax's promotion in the North Riding surprised the catholic Sir Thomas Strickland of Sizergh, Westmorland. Nathaniel Johnston interpreted this reaction as Strickland either having "some particular affection for my Lord Fauconberg" or believing that the alteration would not advantage the King's affairs. [65] It is to be suspected that many

North Riding deputies were also disquieted by the change. Fauconberg had ensured the stability of the North Riding through many crises since the Restoration. The continuity enjoyed by his deputies had created a particularly close working relationship during his twenty-seven years in office. The introduction of a catholic lord lieutenant into a solidly protestant lieutenancy was bound to create division and tension.

In February 1688 Lord Fairfax received the government's approbation for ten North Riding deputy lieutenants. Only four of them were survivors from amongst sixteen deputies who had been approved in 1685. Three of these four - namely Sir Metcalfe Robinson, Sir Richard Grahme and Sir Roger Beckwith - had given positive answers to the 'Three Questions' and the fourth, Sir Roger Strickland, had declared his catholicism in 1687. Of the other six new deputies at least three - Sir John Lawson, Francis Tunstall and Roger Meynell - were catholics. Although it seems clear that loss of commission came as a result of giving the wrong answer to the questions, the government does not appear to have followed the commissioners' recommendations in appointing new deputies. Of seven suggested to be added only John Gibson was approved in February 1688. The addition of so many catholics would suggest that Fairfax himself made recommendations for commissions which were accepted. [66]

The East Riding lieutenancy suffered an even greater shake up. Seventeen deputies were listed by the commissioners for the 'Three Questions' at about the end of 1687. Only Tobias Jenkins was amongst the twelve deputies who received the government's approbation on 24 March 1688. Seven catholics were commissioned at this time, as well as Sir James Bradshaw and Sir Watkinson Payler, nonconformist sympathisers. [67] In the West Riding, twenty deputies were approved in September 1688 many of whom were catholic. Protestants, some of whom had held deputyships since the Restoration, were swept aside. [68]

Reresby's assertion that "the prime of the gentry" of the North and East Ridings had lost their commissions for answering negatively to the 'Three Questions' appears to have been well founded. In all three ridings many of the traditional ruling elite had been replaced in positions of the utmost power and prestige in the county. Reresby claimed that they were replaced by "ordinary persons both as to quality and estate (most of them dissenters)". [69] This seeds some

qualification. Although a number of the new deputies were of comparatively low social status when ranked against the former protestant deputies, some came from high ranking gentry families. However, most of these were catholic rather than protestant - the Constables and Langdales of the East Riding, Sir John Lawson in the North Riding, Sir Miles Stapleton and Sir William Tancred in the West Riding. The actual number of protestant dissenters who were added to the deputy lieutenancies was quite small. James II's remodelling of the Yorkshire lieutenancies benefitted catholics above any other group. [70]

The catholic honeymoon was brief. At the beginning of October news of the Prince of Orange's intentions to invade reached Yorkshire. Lord Howard, the lord lieutenant of the West Riding was in Rome, treating with the pope. According to Reresby he had left behind him only three deputy lieutenants, two of whom were catholics and only two of whom were in the county. As the gentry gathered in York in expectation of the parliamentary writs, Reresby organised a meeting to discuss the security problem on 3 October. Sir Henry Goodricke set the ball rolling, seconded by Reresby, by

setting forth reasons of our incapacity to serve the King with the militia without another lord lieutenant and under whom we might lawfully serve, meaning as being a protestant, and at the same time subscribed a representation of our condition to the same effect to his Majesty.

Reresby tried to soften the blow for James by giving him prior warning of the address. He apologised for his part in it but assured the King that it was for his service. [71]

Protestant prayers, and the gentry's petition, were answered by the appointment of Henry Duke of Newcastle as lord lieutenant of the whole county on 4 October 1688. He received his commission on the 9th and arrived in York a few days later to appoint his deputies and militia officers, telling Sunderland

I give no deputations but to such I speak with and are willing to serve his Majesty. [72]

Newcastle had to rely on the advice of others in his choices since he was unfamiliar with many of the Yorkshire gentry. The Earl of Danby arrived on the scene in York to make "merry" with the Duke as he tried to put order into the chaos which he had inherited. It has been argued that Danby hoped for the lord lieutenancy himself, but being disappointed he instead took the opportunity to infiltrate the

lieutenancy and militia with those gentlemen who were engaged with him in the conspiracy to secure the north for the Prince of Orange. However, it is questionable how much sway Danby had with Newcastle. Newcastle was irritated by Danby's presence, believing that "he came to govern him and to have the reputation of being his adviser and counsellor". [73] Rather, Newcastle relied on the advice of gentlemen in whom he placed more trust. Reresby, who knew Newcastle well, claimed that the new lord lieutenant did not appoint anyone without his advice and that his friends took all the places of profit within the lieutenancy. Although Reresby was being characteristically immodest about his influence, Newcastle did commend him to Sunderland for his kindness and prudence and gave him effective command of the city militia. James Moyser, Newcastle's "old acquaintance and good friend", assisted in the settlement of the East Riding and Charles Lord Fairfax, the former lord lieutenant of the North Riding gave valuable help there. [74]

Newcastle's settlement of the lieutenancy, however, was restricted by the numbers of gentlemen who were willing to serve. On 14 October he sent Sunderland lists of the deputations that he had issued - eight for the West Riding, six for the North and six for the East. On 20 October Sir Michael Wentworth's commission for a deputyship of the West Riding was signed. Of the twenty-one deputies probably five were conspiring with Danby at the time. Newcastle admitted that more deputies were needed but thought that these would be sufficient to put the militia in order and to have it ready at an hour's warning. But there were some notable absences from the lists. Five prominent North Riding gentlemen - Sir Hugh Cholmley, Sir Henry Marwood, Sir William Hustler, Sir Bryan Stapleton and Sir Barrington Bouchier - who had not served under Lord Fairfax were also missing from the list of Newcastle's deputies. Sir John Kaye, Sir Thomas Yarburgh and Viscount Downe were notable for their absence from the West Riding list. If Newcastle was relying on individual vetting of gentlemen in order to assess their suitability then it is possible that some missed out simply because they were not in York at the time. However, since the catholic Lord Fairfax was advising Newcastle it seems likely that these gentlemen were simply thought not loyal enough on the basis of their answers to the 'Three Questions'. [75]

The catholics who had acted as deputies during the previous months were ready to "serve his Majesty with great affection and loyalty" and



Newcastle was inclined to recommission them. He sought the King's order in the matter since the protestant gentry who had petitioned for a new lord lieutenant were "most violent against them". James evidently thought it politic not to allow catholic commissions but the practical effect was that another body of potential supporters was prevented from serving in a time of crisis. During October and November, when confusion and dissatisfaction reigned in the county, there were only ten deputies in York. As it was to appear later, some of these could not be trusted. Newcastle was persuaded to regiment the county's militia in order to make it more efficient but without the wholehearted support of the protestant gentry its loyalty could not be guaranteed. [76]

In the three or so years of James II's reign the Yorkshire lieutenantcies were subject to more fundamental change than during the twenty-five years of Charles II's rule. The problems which this created were not simply with personnel. The efficient management of the lieutenantcies relied upon good relationships between the lord and his deputies, between the deputies themselves and between deputies and militia officers. James imposed gentlemen upon the county who were considered unsuitable in terms of their religion, experience and social status. At the same time he swept aside the traditional governors of county society who hitherto had been trusted by both the centre and in the locality as loyal protestants. The result was the alienation of a majority of the gentry from the King and his government in the county. Trust, understanding and good will had broken down. It was a disastrous recipe for the management of county security.

The old problems which Sir John Reresby had faced during his first three turbulent years as governor of York continued under James II. He was constantly fearful that York would be disgarrisoned and at the beginning of April 1685 sought confirmation of his position from James. Although the King promised that Reresby would be continued, he intimated that many gentlemen pressed him to disgarrison York and that he would not come to a final decision until parliament met. Rumours abounded in the spring and summer that Reresby had lost the governorship, one report claiming that Sir Thomas Slingsby, his arch-rival, was to be the new governor. However, finally, on 23 June 1685, Reresby's commission was signed. [77]

Substance was given to the early rumours that York was about to be disgarrisoned on 23 March 1685 when the company garrisoning York were ordered to transfer to Scarborough where Sir Thomas Slingsby was governor. Slingsby himself had persuaded the King that it was necessary. To Reresby it was "an ill presage to what was then discoursed, that the King intended to disgarrison the City of York". [78] He was advised that although there was no mention of his own company being removed or of the garrison being dissolved, if he suspected that any intended him ill he should come down to London

for they will have too great an opportunity of doing you disservice upon the renewing of the establishment [of the army]

in a few weeks time. Reresby set off for London on 13 April ready to defend his position. [79]

Reresby had good reason to be nervous. Not only were his command and the issue of his commission causing difficulties but also his political interest in the city was being undermined. Opposition to his candidature for a parliamentary seat had Slingsby's support and it was reported that Burlington showed "disgust" when Reresby was successful at the election. Shortly afterwards aldermen who had supported Reresby were turned out of office, again at the instigation of Slingsby, Tancred and Reresby's other enemies. [80] When Reresby's commission came up for renewal Burlington raised his former objection that it encroached upon his own power as lord lieutenant. It was believed that "Mr Moyser and the rest of that cabal" who had opposed Reresby's election at York, had persuaded Burlington to contest the commission "hoping by that means, knowing your temper, you would so boggle at it as to lay it quite aside". [81]

In the end Reresby asked Rochester to intercede which appears to have brought about a settlement. Reresby found that his commission was altered but little in the wording and not at all in his powers. Burlington took offence at Reresby's by-passing him in presenting a petition from the young men of York who wished to revive an old tradition of being in arms for a few days every year. Reresby requested Halifax to present the petition to the King. Burlington took umbrage at this because as lord lieutenant he felt that it was his place to represent the city's concerns to the crown. Although Reresby believed that the quarrel was soon patched up, Burlington's entering a

caveat against his commission shortly afterwards may not have been pure coincidence. [82]

At the end of 1685 Reresby became involved in a fresh dispute with the sheriff of Yorkshire, Christopher Tancred, concerning jurisdiction over a garden in the Castle Yard. Reresby had evidently taken the garden to his own use and the sheriff objected that he had done so illegally since the garden belonged to the county. Tancred warned Reresby that if he did not give up the possession of the garden freely then he would occupy it on behalf of the county. Reresby refused to give up possession without the King's order and so the high sheriff marched in with the bailiffs whilst Reresby's lieutenant attempted to defend his governor's right: "thus they stood at bay, one against the other". Like the row over the keys during Charles II's reign this was presented as an argument between the county and the King. Reresby insisted that he was merely upholding the King's right. Christopher Tancred, re-appointed sheriff in November 1685, argued that he "conceived himself under an obligation to maintain the right of the county". [83]

The matter was referred first to Lord Chancellor Jeffreys and then to Lord Dartmouth for settlement. Dartmouth advised Reresby "not to make too much bustle". Should the whole question of Reresby's governorship come before the Council because of so trivial a matter, Reresby might find the King persuaded of the arguments that York garrison was of no use to him. Reresby was not willing to step down completely but came up with a compromise whereby the garden's enclosure fences be pulled down. On 16 January the King ordered Lord Sunderland to put an end to the dispute who ordered both Reresby and Tancred to remove their officers from the garden. Reresby thought that he had achieved something of a victory. By these orders he had

prevented the sheriff from getting the possession of the garden and got a great part of my point by laying it open to the Castle, of which I had the command.

The matter however did not rest here. In April 1686 Reresby learned that Tancred, still dissatisfied with the settlement, had asked the Assize Judges and grand jury to review the situation who reported to the King that the garden belonged to the county. Without consulting Reresby, the King ordered that the sheriff should possess and enclose the garden. Lord Chancellor Jeffreys and the King both told Reresby that the matter was not worth arguing about. The King added that he

had wanted to gratify the gentlemen of the county in case they became dissatisfied. Tancred held more sway at court than Reresby having been a notable supporter of James since about 1681 and having Judge Jeffrey's backing as sheriff. Reresby was understandably furious. Although he admitted that the garden was of no intrinsic value to him, James had failed to uphold his authority as the King's governor against the county gentry. James was not only undermining Reresby's authority but also his own "for the county might as well dispute the soil of the Castle with him as the garden". [84]

On the day that Reresby's commission was signed Halifax told him that he expected York garrison to be strengthened, as indeed it was throughout James's reign. Reresby was keen to have army regiments stationed at York thinking that it would strengthen his own position as governor. [85] However the extra companies brought into the garrison presented fresh difficulties for Reresby. Not only was there the question of discipline within the ranks but also the relationship between the city and garrison broke down into violent hostility. The soldiery was arrogant and not a little associated with the increasing visibility of catholicism in the city. [86] The transfer of Reresby's York residence, the Manor House, to Father Lawson's use as a catholic seminary further undermined his prestige and authority. He became even more unsure of his continuance as governor: "After this I did not expect that the rest would continue long after". [87]

Added to these problems were the persistent rumours that Reresby was to be replaced as governor. In September 1685 a groundless report circulated that Christopher Tancred would be appointed in Reresby's stead. [88] Gradually however the old opposition posed by Slingsby and Burlington gave way to new fears that Reresby would have a catholic successor. In 1686 it was widely believed both in the city and at court that Lord Fairfax of Gilling or perhaps Marmaduke Lord Langdale would replace Reresby at York. [89] Although these rumours appear to have died down by the end of July, Reresby's position again became insecure early in 1687 when James II began testing the loyalty of his servants by their willingness to repeal the Tests and Penal Laws. In March Reresby received a report from London that his continuance was in question and that Lord Dover had spoken "a little dubiously" of him. The following month he was warned that he might be sent for to give his opinion on the Tests and that some at court were suggesting that his company was not full. [90] Reresby knew the fate of those

who would not comply with the King's wishes and therefore avoided putting himself into the position where he would be forced to give an answer. Whilst he managed this successfully he continued to be nervous of his position and increasingly insecure in his command.

For much of James II's reign Reresby found himself in an overcrowded garrison with unruly soldiers and a hostile citizenry, dealing with a bench with whom he found it difficult to work and being attacked at every juncture by his enemies both within and outside the county. His own position as a loyal protestant became increasingly untenable as catholics took on high offices and privileges. Throughout the last two years of James's reign Reresby gave the distinct impression that he expected to be the next to be sacked in favour of a catholic. He was absent for long periods from York in spite of the constant entreaties of the mayor and aldermen to come to assert his authority. When he did visit the garrison he stayed just long enough to organise the guard and quarters and then retreated to Thrybergh, leaving the management of the forces in the hands of their own officers. [91] Reresby's problem was that although he held onto his command it was gradually becoming an empty shell. In June 1687 all governors' companies were regimented. Reresby's independent company, in which he had taken considerable pride and which was recognised as a good force, was joined to the Duke of Berwick's regiment and Reresby had even less say in where it was to be stationed. In February 1688 he received orders that it should march to camp and it never returned to the York garrison. [92] James reminded him on more than one occasion that the garrison at York was kept up only for his benefit. Though Reresby received this as a compliment to his loyalty he was aware that "things seldom continue that consist for one man's sake". [93] Indeed he found that this was the case with the Manor House. After suffering the excesses of companies of the standing army in York for two years Reresby was left with an ineffectual single company when the crisis came in November 1688. It was only by his pleading that he had been left with this miserable force since the King had originally intended the whole of the forces in York garrison to be sent to Hull. The King had joked with Reresby on this occasion that he "had like to have made you no governor". "Or, Sir," quipped Reresby, "a governor without a garrison". Reresby may have thought that his witticism was the better, but James's was nearer to the truth. [94]

Sir Thomas Slingsby remained in command at Scarborough until his death in February 1688 when he was replaced by Captain John Tirwhite. [95] Although Slingsby's relations with Reresby were less than cordial, infact the two gentlemen had much in common during James's reign. At the beginning of the reign Slingsby was shown a mark of favour with the transfer of the company from York to Scarborough at his request. However, as James's religious policy began to make itself felt in the localities, Slingsby, like Reresby, was put in the sticky position of balancing his loyalty to the crown against defence of the Church of England. His protestantism was something of a personal hallmark. In mid-1687 Reresby told Halifax that Slingsby and Sir Thomas Mauleverer had gone up to London "with intentions not to be shaken" in the matter of their religion. Slingsby's answer to the 'Three Questions' made no mention of the Declaration of Indulgence but he did remind the King of his own and his family's loyalty to the monarchy. Even on his death he was remembered for his faithfulness to the church. Sir Henry Goodricke wrote to Reresby on 2 March 1688

Sir Thomas died a true Protestant and is now much lamented.  
'Tis certain he was a firm and good man. [96]

It seems likely that in his last years Slingsby was uneasy about the apparent contradiction between his life-long loyalty to the monarchy and his strict adherence to protestantism. He was luckier than Reresby in that he died before he was forced into making the choice between the two.

Thomas Earl of Plymouth, governor of Hull, died on 3 November 1687. He was undoubtedly loyal to the Stuarts yet even his position had not been immune from the threat of a take over by a catholic. In June 1686 it was rumoured that Lord Dunbar would be governor of Hull. [97] However, it was only on Plymouth's death that James II took the opportunity to promote a local catholic - Marmaduke Lord Langdale, who had been dispensed from the oaths in March 1686. [98] Thus in one of the three important garrisons in Yorkshire the fear of a catholic commander became a reality. Like the lieutenancies and the militia the garrisons would be important for security in a time of crisis such as occurred at the end of 1688. With a catholic governor in Hull, an army captain in Scarborough and a troubled protestant in York, James could expect little in the way of leadership from his Yorkshire governors.

During the first two years of James II's reign there was uneasiness in Yorkshire about the character of local office holding but there were no real grounds for loyal protestants to fear for their own places. At York, Reresby's discomfort was caused mainly by old rivalries and political allegiances which had begun in Charles II's reign. In 1687 however, James began a policy of intruding catholics and dissenters into the protestants' preserve of local government and sacking those who refused to comply with his religious designs. In the final lists of local office holders of 1688 catholic justices and deputy lieutenants constituted thirty-eight per cent of the East Riding, forty-four per cent of the North Riding and eighteen per cent of the West Riding totals. [99] By the same time Yorkshire had lost experienced and respected gentlemen from the commissions of the peace and lieutenancies. There was a feeling of alienation amongst those who no longer held office and those protestants such as Reresby who clung tenaciously to their positions. This alienation led to despondency in some cases. Reresby for instance spent an increasing amount of time at his country seat rather than face the multitudinous problems in York. Few appeared in the city when the Duke of Newcastle came to re-organise the lieutenancy in October 1688. The catholics and protestants who briefly dominated local office holding had neither the prestige nor the numerical strength to give effective leadership in the county. James II either misunderstood, or chose to ignore, that a mutually supportive relationship between local and central government was essential for the preservation of order and stability in the counties. It was to prove to be a tragic mistake.

#### The Yorkshire Gentry and the Municipal Corporations

By the end of Charles II's reign the loyalist gentry in Yorkshire had tightened their grip on the municipal corporations. The borough campaign of 1680-1685 was pursued by a partnership of the crown and the gentry. Its intention was to bring the corporations into loyalty to the crown and under the influence of local loyalist gentry. [100] The success of the policy was revealed on James II's accession when Yorkshire corporations loyally addressed their new catholic king.

Several, including Hull, Aldborough, Malton and Scarborough, promised not to elect former exclusionists should there be a parliament.[101]

Some of the charters which had been surrendered during Charles II's reign were still not renewed by the time of his death. In most cases the renewal went ahead under James II according to the strictures laid down previously. A list of the proposed alterations in Beverley corporation was drawn up on 21 January 1685 which replaced seven aldermen. Those to be removed were no doubt supporters of Sir John Hotham since they included Edward Grey who had been his right hand man in Beverley during the last years of Charles II's reign. The new charter issued on 11 March 1685 confirmed these changes. [102] Pontefract's charter was renewed in March. Only two aldermen were removed and nominated men put in their places. [103]

The continuation of the policy of removing municipal officers who had been in opposition during the early 1680s did not necessarily lead to automatic rubber-stamping of changes which had been suggested before Charles II's death. Hull corporation members were well aware that the composition of the bench under the new charter would depend on recommendations by their governor, the Earl of Plymouth. Before Charles II's death, Plymouth was keen to remove Alderman Johnson, a nonconformist sympathiser. He was left out of a list of proposed aldermen of January 1685. The King's death led to a temporary halt in the proceedings with the charter. Renewal was delayed further by Lord Dartmouth's persistent wrangling over where responsibility for repair of Hull's fortifications lay. It was clear that these postponements suited Plymouth who was keen to see the general election finished before he made his final recommendations. On 7 April, after the election, Edward Haslam, the weary town clerk who was soliciting for the charter in London, informed the corporation that Plymouth now wanted Johnson to be continued in office. However, Alderman Robert Carlile should be removed being "a person altogether unfit to bear office in any corporation". Carlile was accused by Plymouth of failing to support the two approved parliamentary candidates, John Ramsden and Sir Willoughby Hickman. His brethren on the bench were troubled that he should be so censured, and informed Plymouth that Carlile was in London when the election took place but that he had given his interest for Ramsden and Willoughby before he left. Plymouth remained unconvinced, saying that even if this was true, Carlile's wife had supported the rival candidate, William Gee. The corporation bench



countered this claim by saying that she was in childbed at the time of the election. Plymouth insisted that if Carlile wanted to retain his place then he must obtain confirmation of his loyal intentions from both of Hull's M.P.s, the deputy governor, the garrison major and one Mr Grosvenor. Ramsden spoke on Carlile's behalf but Plymouth would not be satisfied until Hickman also had given his approbation. Carlile eventually got the required testimonies and was included in the list of officers in the new charter of June 1685. By the new charter three aldermen were removed and Plymouth was named as recorder. [104]

At the end of Charles II's reign Sir John Reresby and the aldermen whom he had been coaching into loyalty to the crown successfully delayed action against York's charter. As well as preserving the city's liberties for some time longer, they had thwarted the ambitions of Reresby's enemy, Sir Thomas Slingsby. [105] York's reprieve was short lived. The charter was surrendered but not renewed by the time of Charles II's death. A list of proposed municipal officers of 16 February 1685 shows that Reresby's supporters were still likely to be included on the new bench. However, when the charter was issued on 8 August five leading aldermen, all Reresby's supporters, had been removed. [106]

In York, personal animosities and rivalries combined with both local and central politics to produce a particularly acrimonious dispute about the composition of the corporation bench. Chief of the factors involved was Sir Thomas Slingsby's opposition to Reresby as governor. In the 1685 parliamentary election Slingsby supported James Moyser and Tobias Jenkins as rivals to Reresby's candidature at York. It was common parlance in the city that the five aldermen were removed because of their support for Reresby in the election. Tobias Jenkins told his wife that she need make no secret of the fact "for he had the word of a K[ing] for it". [107] The aldermen also claimed that the Earl of Burlington had played a part in their removal since he too objected to Reresby's success. Certainly Burlington had refused to give wholehearted support to Reresby. Later the Archbishop of York claimed that Burlington was less than active in preventing the five aldermen from being removed. [108] Although Reresby continued to be cordial towards Burlington it does seem that their relationship was strained throughout Reresby's governorship.

Reresby was virtually isolated in his support of the aldermen. As such he was not at all confident in making much noise on their behalf. The

Archbishop of York informed the King in May 1685 that resentment against the five stemmed from the personal rivalry of Slingsby and Reresby and that it might be best to make as little change as possible in the composition of York corporation. However, by the end of the month the Archbishop's attitude had cooled. At this time Slingsby, with the help of the high sheriff, Christopher Tancred, presented a petition subscribed by eighteen Yorkshire gentlemen giving reasons why the five aldermen should be removed. Halifax, realising that this would undermine Reresby's position, argued that since neither the archbishop, the lord lieutenant nor the governor had signed the petition then their opinions should be sought before any final decision was made. As he pointed out to Reresby, the action of these petitioners in going over Reresby's head "was to make a cypher of the governor". [109] This was exactly what Slingsby hoped for.

Halifax was particularly vexed with Sir Henry Goodricke, Reresby's life-long friend, who had signed the petition. Goodricke protested that he had meant Reresby no prejudice; but the fact that Slingsby persuaded a gentleman so close to Reresby indicates that some of the claims made against the aldermen would appeal to loyal gentry. Robert Waller, one of those eventually removed, told Reresby in April that their fault was said to be promoting petitions during Charles II's reign. He played this down, arguing that "we only petitioned for the sitting of parliament, and once non-addressing". Waller did not believe that this was the true motive behind their removal "for before that all was quiet and the petitioning and non-addressing blown over". [110] However, part of the motivation behind the borough campaign between 1681 and 1685 was for the removal of opposition to the crown and loyalist gentry. No doubt some of those who signed the gentry petition viewed the five aldermen in these terms, despite Reresby's valiant efforts to make York into a loyal city. Moreover, James himself was more than ready to believe Slingsby's case having witnessed York's opposition to him at first hand when the city, and these aldermen in particular, had snubbed him in 1679. John Thompson, who was to be named mayor in the new charter, wrote to Reresby on 1 June 1685 that there was great speculation about the fate of the five aldermen

who I am confident are as just and honest men as any can be brought in place of them. [111]

But by this time the cards were stacked against the famous five. They had supported Reresby and thus brought Slingsby's wrath upon their heads. Burlington was willing to see Reresby's authority diminished for his own ends and James was happy to sack men who had slighted him in the past. As William Ramsden commented on 18 June 1685 the strength of their enemies was not to be withstood. [112]

Although the changes in the corporation benches made in the first months of James II's reign may have differed slightly from proposals made at the end of Charles II's reign, they were still influenced and promoted by local gentry and government officers. In Hull, Plymouth used his personal knowledge of the character of individual aldermen to construct an acceptable bench in 1685. In York, five aldermen suffered mainly because of their support of Reresby who was embroiled in personal and political rivalry with other Yorkshire gentry. At this stage, the government was continuing to use local gentry as partners in restructuring local government in a loyalist direction. [113] Moreover, the corporations themselves relied on local gentry to give help and advice on matters which concerned them. For instance, Reresby's advice and solicitations were sought by members of Doncaster corporation because of an internal row over the appointment of the deputy recorder. [114]

Already, though, there were signs that gentry interference in corporate affairs was not necessarily welcomed by the government. Traditionally, a town's M.P.s were expected to solicit for its interest at the centre. Hull had a tradition of this with Andrew Marvell's care of the town's concerns between 1660 and 1678. Likewise in 1685, M.P. John Ramsden, a native of the town, involved himself in trying to hurry along the protracted renewal of the town charter. However, he found that his good intentions gave "offence" to some at the centre. It was suggested to him that since he was merely an M.P. then he should stick to parliamentary matters. Ramsden told the corporation bench,

Gentlemen, I find both you and I have a hard game to play if all we do must be thus discanted upon and canvassed.

Undeterred by government ministers' disapproval, Ramsden attended every meeting which concerned negotiations with Lord Dartmouth about responsibility for maintenance of Hull's fortifications. [115]

As governor and high steward, the Earl of Plymouth might also have been expected to solicit Hull's concerns at the centre. However, his

attitude accorded much more with the government's aim of subjugating corporations to its will. He was extremely vigorous in promoting the crown's cause in the parliamentary elections and in the composition of the bench. However, he was unwilling to engage in the other side of the traditional role of a governor and high steward in defending Hull's interests. He refused to negotiate with Dartmouth on the grounds that the King's interest was involved in the matter. As Hull received its new charter in July 1685, with no pomp or ceremony since the corporation could not afford a celebratory reception, the bench was left in no doubt of where their governor's loyalties lay. [116]

In direct contrast to Hull, the reception of York's charter in August 1685 was a wildly extravagant affair, attended by bells and bonfires, at least 3000 men on horseback, claret in the streets and "a fine collation" in the Guildhall. When Burlington came into York as the new recorder he was entertained by the city authorities "with a great deal of splendour". Much of the celebration was because Reresby and his supporters had been defeated. Reresby gloomily commented that his enemies rejoiced at the five being turned out but that there was little he could do about it then. [117] Slingsby, Tancred and the new aldermen rammed home the point that they had been victorious. At the time of Monmouth's rebellion four of the five ex-aldermen were sent prisoners to Hull on Christopher Tancred's orders. [118] The new aldermen were said to be ruled by Thomas Raines, an attorney who had been one of Reresby's greatest opponents in the election. Lieutenant Butler believed that the new aldermen would do himself and Reresby all the harm they could. [119]

In January 1686 an opportunity arose to damage Reresby's reputation when an extremely violent riot occurred at the funeral of Lady Strafford. The exact causes of the disturbance, and whether or not it was premeditated, are unclear. However, the main focus of the crowd's anger was the garrison soldiery. Lieutenant Butler complained to Reresby of the unhelpful attitude of the mayor, John Thompson, and other aldermen in seeking out and prosecuting the ringleaders. He rightly believed that the new bench hoped to get him sacked because of the incident. Two aldermen actually went to London to make their complaint about him. At the same time the corporation was attempting to damage Reresby's interest in York as far as they could. A rumour was spread that Reresby had represented the incident to the King in an ill light for the city. Edward Thompson, Sir John Brookes and John

Bellby sprang to Reresby's defence in a coffeehouse, publicly reading Reresby's letter to the mayor which explained his dealings with James II about the incident. Thompson was particularly active in explaining Reresby's conduct, which had attracted general condemnation following the spread of the rumour, to gentlemen and citizens. When the two aldermen went to London about the matter, they snubbed Reresby by failing to wait on him until after they had seen the King. Reresby heard later that they intended to persuade James that Reresby had put the matter in a bad light for the city as revenge for his supporters being turned out of office in 1685. When it was suggested that Reresby should be given thanks for his dealings with James, some aldermen said that they would rather burn their gowns than sign any such letter. Relations between the governor and corporation of York were at an all time low. [120]

Sir Thomas Slingsby, Christopher Tancred and Reresby's other enemies had succeeded in undermining his position in York by influencing the remodelling of the corporation in 1685. The riot in York in January 1686 illustrates the complexities of political division and allegiance which had developed by this time. Reresby, the King's governor and a gentleman who tried hard to do his duty to crown and country, was being vigorously defended by gentlemen who had been at the forefront of the opposition to the crown in the last years of Charles II's reign. Slingsby's supporters on the present bench were at pains to discredit Reresby and to erode the authority of the King's garrison in York. So far in James II's reign factional politics in York had been conducted in the framework of gentry rivalries. As James II's catholicising policy began to be felt in the county, the rules governing the politics in this and other corporations began to change.

In October 1687 the King removed several London aldermen whom Reresby described as "faithful and loyal men to the crown" and "Church of England men". They were replaced with nonconformists. [121] Soon it became clear that provincial corporations would be purged also. On 18 December Nathaniel Johnston informed Reresby that

The commissioners sit daily about regulating corporations and pitching upon fit men for members of parliament to be offered to electors, and by all that I can hear there will be a parliament convened in spring ... I hear of no particulars yet of any alterations in any Yorkshire corporations. [122]

Yorkshire corporation members were fully aware that purges were imminent and that survival or removal depended on the individual's attitude towards the King's present religious policy, regardless of former loyalty. [123]

During 1688 most Yorkshire corporations were subjected to several remodellings as James sought support for his religious policy. Many of those brought into the corporations were nonconformists. At Pontefract in April 1688 Francis Whyte, the recorder and five aldermen were removed. Three of the five replacement aldermen had been cited several times in ecclesiastical visitations for absence from church. This first purge was not thorough enough. When giving their replies to the 'Three Questions' the new recorder, town clerk, mayor and seven aldermen (including one of those put onto the bench in April) gave the stock protestant answer and promised only to elect loyal Church of England men to parliament. The three nonconformist aldermen intruded into the corporation in April replied that they were in favour of repeal provided protestantism was preserved. Robert Stanfield, who had replaced one of the new aldermen in May, gave his free consent to the King's demands. The royal agents recommended fifteen potential new aldermen, of whom at least ten were substantial nonconformists. However since the 'Three Questions' were put to the West Riding gentry and corporation officers quite late in 1688 it is probable that there was not time to take action on these recommendations before James reversed his borough policy in October. [124]

Leeds had received its new charter in December 1684 with no changes in the composition of the bench. It has been argued that there was no purge in Leeds during 1688. However, of the corporation members listed in December 1684 only eight, plus the recorder, gave answers to the 'Three Questions'. In addition, "lavishness of speech was lamented and resolved against" in the spring upon news of alterations in the corporation. It seems likely then that Leeds was subjected to a remodelling in the spring along with other Yorkshire corporations. However, the corporation's collective reply to the 'Three Questions' echoed Pontefract's. The King's agents suggested putting in 'the most rigid Dissenters' but no purge actually took place. [125] In Beverley, the recorder, five aldermen and four capital burgesses were displaced in June 1688. All but one of their successors were nonconformists. [126]

Plymouth's remodelled corporation bench in Hull proved loyal during the first two years of James II's reign. They thanked the King for the first Declaration of Indulgence and on Plymouth's death in November 1687 offered the vacant high stewardship to Sunderland. He refused the position but suggested that it be offered to the new catholic governor, Lord Langdale. In the end, Lord Dover was appointed, thus bringing two leading catholic noblemen into Hull's affairs. [127] However, by the spring of 1688 resistance to James's policies had emerged. The corporation refused to send an address following the second Declaration of Indulgence and would not accept Langdale's nominee for parliament. It has been suggested that the 1200 strong garrison billeted on the town at this time was punishment for the corporation's obstinacy. Certainly this seems possible since a similar situation arose in Winchester, Hampshire. [128] Quo warranto proceedings were taken against Hull and the new charter issued in September 1688 replaced all but two aldermen. At least eight of the eleven new appointees were nonconformists themselves or sympathetic towards dissent. Daniel Hoare, who had been discharged from the bench in 1680 for his nonconformity, was put in as the new mayor. [129]

In Yorkshire it was mainly nonconformists who were put into municipal office in 1688. It has been suggested that this pattern elsewhere reflected James II's desire to secure dissenting support for his religious policy. [130] However, in Yorkshire at least, it seems to have been the result of necessity. In towns such as Hull, York, Beverley and Leeds there were few resident catholics who could have been given positions in the corporations. Where suitable catholics were available the royal agents did recommended them for inclusion in the corporations. For instance they suggested that Ripon corporation be replaced in its entirety with catholics. However, only the mayor and two others were removed. Scarborough already had a catholic mayor in 1688 who is said to have caned a local minister for refusing to read the Declaration. [131]

York corporation remained intact until September 1688 when James II insisted that Reresby try to get himself elected as member for the city in the forthcoming elections. Unfortunately for Reresby, Thomas Raines, his old adversary, was mayor at this time and their relationship was as unamicable as it ever had been. Reresby informed the corporation that he intended to stand but Raines replied that the day before they received Reresby's letter, the corporation had pitched

on their deputy-recorder, George Prickett and an alderman, Sir Stephen Thompson, as parliamentary candidates. Since James was keen to have Reresby in the parliament he agreed to order the commissioners for purging corporations to make what alterations Reresby wanted. Reresby was against a wide sweeping purge since "it might exasperate, and make the city jealous that I was too deep in the Court interest, which might prevent my success". However, he did want to show his political muscle by having some key opponents removed. Therefore he decided to kill two birds with one stone by asking that Raines be displaced as mayor and Thompson be put in his place, thus preventing the latter from standing in the parliamentary election. At the same time he requested that his old supporters, Edward Thompson and William Ramsden, be reinstated. [132]

Things did not turn out quite as Reresby had planned. The corporation's replies to the 'Three Questions' were "so faulty" that they would be turned out anyway. The mayor, deputy-recorder and nine aldermen returned a stock protestant answer. Alderman John Constable replied that he was inclined to repeal if the King's promises concerning the Church of England were made good by statute. Thomas Mosely was inclined to repeal but wanted to hear the debate in the house before making a final decision. Sir Henry Thompson was absent. As a result of the replies the corporation received orders on 4 October 1688 to displace Raines, five aldermen, eight of the 'twenty-four' and ten common councilmen. However, their replacements were "virtually all papists" and did not include Reresby's own recommendations. [133]

Two days after the corporation received the mandamus four aldermen who remained in office and the two sheriffs wrote to Sunderland to inform him, in the politest of terms, that the King had badly bungled the purge of York corporation. Charles Fairfax, the nominated mayor, and the other nominees were not free of the city. Now that Raines had been removed, the nominees could not be made free since "no man was ever made free of this city but by the mayor in the presence of one of the Chamberlains". Even if this difficulty could be overcome the nominees could not be elected onto the bench. The only way to elect mayors, aldermen and common councilmen was by the charter. The relevant clauses could not be put into operation because the mayor and several aldermen had been removed. The common councilmen resolved that they



could not present Fairfax and the other nominees for elections without violating their oaths:

This is the difficulty we now labour under, how to elect those gentlemen nominated in his Majesty's mandate and yet keep our oaths, which two things we cannot reconcile and therefore we do humbly beg your Honour to represent the state of our case unto his Gracious Majesty... [134]

Sunderland asked the Duke of Newcastle, recently made lord lieutenant of the county, to sort out the mess. The corporation asked for the restoration of their old charter but without the clause for displacing municipal officers. Newcastle saw this as an attempt to make bargains with the King. However, he did confess to Sunderland that he dare not give an opinion as to what was best to be done. [135] Reresby, on the other hand, was quick to make the best of this rare opportunity for re-establishing his interest. He wrote to Sunderland on 8 October that since the present corporation refused to obey the King's mandamus it would be better to restore both the old charter and the five aldermen who had been turned out in 1685

who are thought better disposed men to his Majesty's service, and men beloved in that town (being men of greater substance and parts) than those that succeeded them ...

A few days later the old charter and the aldermen displaced since 1685 were restored. All those elected since 1685 were displaced. To add to the confusion, two of the latter were re-elected to fill vacancies on the bench. [136]

The York case shows the utter incompetence of James II's policy towards the boroughs. York was not the only corporation to refuse to implement the King's mandamus on technical legalities. Beverley corporation refused to accept the four new capital burgesses on the grounds that they had not been presented by the commonalty. [137] The 1688 purges led to confusion, alienation and fear. On 5 October 1688 Walter Partridge, the town clerk of Scarborough, informed Sunderland that the town was panicking about the imminent Dutch invasion. The present corporation had won only the odium of the townspeople by being willing to go along with James's policies. Partridge himself had lost clients and friends by continuing to act for the corporation "and doing what in conscience I ought, as I am of the Church of England". Many of the corporation bench had sent their belongings out of town already. They were preparing to follow themselves as soon as they could. There was not one soldier in the garrison to whom they could

run if the Dutch landed. Neighbouring gentlemen who had served on the corporation previously were firm to the King, but none were in commission. [138] Reresby, commenting on the state of York, remembered three remarkable features about the city in mid-October 1688:

it was an archbishopric without a bishop, a city without a lord mayor, and a garrison without a soldier. [139]

As the crisis loomed, James II's Yorkshire boroughs were in complete disarray.

But it was not simply the confusion, the clumsy administration and the lack of security which made James's policy a failure. More important was the way in which he had alienated the gentry yet again. Some loyal gentlemen suffered personally as a result of the purges. Sir Edmund Jennings, one of the most loyal gentlemen which Yorkshire had to offer, was left out of Ripon's new charter of 2 January 1687. [140] In November 1687 Scarborough corporation was regulated. The mayor, recorder, six aldermen and two common councilmen were removed by Order in Council. Again it was at the expense of loyal gentry, many of whom had been brought into the corporation under the new charter of 1684. [141] Francis Whyte lost the recordership of Pontefract and probably of Leeds too. [142]

James II effectively destroyed, in one grand sweep, the interest and control which Yorkshire gentry had been building up in the corporations since the Restoration, and especially from about 1681. The catholics and dissenters who were briefly intruded into the corporations in 1688 were men with whom the Yorkshire gentry had little in common and over whom they had little control. By using agents to assess the suitability of municipal office holders, James abrogated to the crown and outsiders, a power which the county gentry had wielded since the Restoration. In York, Reresby's recommendations for the remodelling of the corporation in 1688 were overridden following the agents recommendations on the basis of replies to the 'Three Questions'. During the period 1681-5 the restructuring of the corporations had undermined a handful of opposition gentry for politics reasons. Between 1687 and 1688 James II undermined all the gentry by placing catholics and dissenters with whom they had no natural interest into positions of power in the towns. It was yet another area in which James II attacked the traditional ruling elite at a source of their power and thus added to the growing list of the Yorkshire gentry's grievances against the crown.

Parliamentary Elections

From the beginning of James's reign the Yorkshire gentry anticipated the announcement of a parliament and were soon relieved to hear that the King had summoned one for May. [143] Many gentlemen were in London when the announcement was made and began making interests both at the centre and in the county. Viscount Downe and Sir Thomas Yarburgh for instance immediately decided to join their interests together at Pontefract. [144] Gentlemen in the county started treating and soliciting for support. The priority at the centre and in the county was to secure the return of loyal gentlemen without contests. Thomas, son of Henry Lord Fairfax, thought of standing for the county and had offers of support from Thomas Rossen and the Archbishop of York. However he was persuaded to desist by gentlemen who had formerly supported his father in order to leave the field clear for Charles Lord Clifford and Sir John Kaye. Burlington informed Reresby on 17 February that Fairfax had

very handsomely, to prevent any heats and animosities which might arise at the election, consented to desist.

To make doubly sure that there would be no contest, Clifford promised before Halifax not to engage any interest against Kaye and not to join with any other candidate. [145] At Hull the election was brought forward by five days in order to thwart the ambitions of two opposition candidates who intended to stand against those approved by the court. Burlington and William Bridgeman both advised the four candidates who came forward at York to agree amongst themselves who should stand. [146]

However, at York a contest could not be avoided. Sir John Reresby, the governor, and Sir Metcalfe Robinson, who had represented the city in the Cavalier parliament, received the support of the Mayor, Aldermen and two sheriffs early on. Reresby was encouraged in his pretences by Halifax and Burlington and initially it appeared that there would be no problem in his election. However, a group within the Common Council encouraged two other candidates - Colonel Tobias Jenkins, the Dean's brother-in-law and James Moyser, Reresby's own step-father. The challenge was many faceted. The group within the Common Council was intent on disrupting any decisions made by the present mayor and aldermen and therefore the encouragement of alternative candidates might be seen as an internal quarrel. However, the group was

encouraged by Sir Thomas Slingsby and his friends who wished to undermine Reresby's authority in York. Their animosity stemmed from 1682 when Reresby was made governor and was partly inspired by the rival patronage of Halifax and Rochester. The Earl of Burlington's attitude added another complicating factor. Although he encouraged Reresby to stand at York, he refused to write to the corporation on his behalf. Reresby tried all means to get the court to persuade Jenkins and Moyser to desist. However, both William Bridgeman and Burlington claimed that since they were loyal and honest men they could not be discouraged. The King himself refused to allow Sunderland to write to the corporation about the election. Reresby's treating cost him £350 and he canvassed at every door, flanked by the aldermen who supported him, asking for votes. His efforts paid off. At the election he polled 937, Sir Metcalfe Robinson 781, Moyser 770 and Jenkins 502. He and his friends were pleased with his success, especially since it had been suspected that his enemies had had the upper hand. However, the election was yet another indication that a loyalist such as Reresby could face opposition from those who were supposed to be on the same side. [147]

In their congratulatory addresses to James on his accession several boroughs promised not to elect gentlemen who had favoured exclusion. Sir Michael Wentworth procured such an address from Aldborough. He was elected for the borough on his own interest together with Sir Roger Strickland, a zealous court supporter and favourite of the King. [148] The Aldborough address and another from neighbouring Boroughbridge were presented by Sir Henry Goodricke and Sir Roger Strickland. Goodricke had been rejected by Boroughbridge at the second 1679 election because of his support of James. In 1685 he was returned unopposed with Sir Thomas Mauleverer, another local loyalist. [149] Ripon also produced a loyal address on James's accession. Shortly before the election eighty-four burgage holders formally agreed to elect the Archbishop's son, Gilbert Dolben and another "who may justify our prudence and good affections to the crown". The second seat therefore went to Sir Edmund Jennings, a longstanding supporter of the government and one who had voted against exclusion. [150] Candidates who had been in opposition during Charles II's reign stood little chance of success in these elections. At Scarborough one of the factious Thompson family, probably Francis, challenged the newly narrowed franchise by polling the freemen. The mayor had his

supporters arrested for riot and the corporation chose their governor, Sir Thomas Slingsby and one of the new loyalist aldermen William Osbaldeston. [151] At Beverley Sir John Hotham was rejected in favour of Sir Ralph Warton, a local loyalist. [152]

Never since the Restoration had the county witnessed such determined central interference in their elections. Central government officers ordered their men in the county to make sure loyal members were returned, but not to engage themselves until further order from the centre. [153] Clifford was said to have "demurred till he had approbation, as several others have done" which suggests court vetting of suspect candidates. [154] Lord Chief Justice Jeffreys wrote to both Beverley and Hull corporations urging them to elect loyal members. He recommended that Hull return gentlemen "of unspotted loyalty [and] unquestioned zeal and affection for the Church of England who passed through the late times of disorders untainted". [155] The mayor and aldermen promised to comply. With the Earl of Plymouth's prompting, the corporation had already subscribed an address promising not to elect any gentleman that had favoured exclusion. They informed Plymouth that they wished to elect John Ramsden, the son of an alderman and the son-in-law of Viscount Downe, to one seat and left the other for his nominee. Plymouth suggested either Lord Eland, Halifax's son, or his own cousin Sir Willoughby Hickman. The latter was eventually pitched upon and once the King had given his approval the corporation was informed that it might start to improve their candidates' interests. The election date was set for 23 March but in the meantime Sir Michael Warton of Beverley and William Gee of Bishop Burton put themselves forward as candidates. Both had represented Hull in the second 1679 and 1681 parliaments and had been in opposition to the government. Edward Haslam warned the Mayor and Aldermen that

I doubt it will prove of ill consequence if that Sir Willoughby Hickman and Mr Ramsden should be disappointed so that it truly concerns all such as subscribed the address to give them their votes knowing how well they are accepted of.

No doubt to thwart the opposition's ambitions the election was brought forward to 18 March. Ramsden was top of the poll with 460 votes followed by Hickman with 422. William Gee came a poor third with only 127 and Warton scraped a mere 32 votes. Plymouth informed the corporation that the King was pleased with the election. [156]

It was made clear during the election campaigns that support of the wrong candidates could have political and personal repercussions. Plymouth would go no further with the renewal of Hull's charter until the election was over. On 24 March he wrote to the Mayor that

I understand that some of your bench was absent at the election and hope they will not think much if they are left out of the list, for it is their own faults.

Despite the fact that the corporation informed their governor that only two aldermen were absent, one through ill health and the other being away on urgent business in London, Plymouth still had one of them removed from the bench. [157] When Reresby was eventually successful at York some of his supporters claimed that "the disgust given my Lord Burlington by your election" had occasioned their being struck off the corporation bench. [158]

At Thirsk the veteran oppositionist Sir William Frankland was dissuaded from standing by reports from London that his candidature would not be acceptable to the King and heavy implications that he would suffer if he stood without James's approbation. James was willing to countenance Frankland's son Thomas as a candidate at Thirsk. Fauconberg suggested that Sir William comply, it being "less prejudicial that the son be disappointed than the father ruined". Sir William eventually gave way, but he delayed for almost a fortnight before penning a submissive letter as Fauconberg had advised. On 24 March Frankland wrote a letter to Fauconberg which was obviously intended for the King's eyes:

I acknowledge that I had intended to stand for this borough myself, hoping by this opportunity to have repaired in some measure past errors and mistakes, which were rather of a passive than an active nature. I do not however wish to defend them being much more inclined to give proofs of submission than to offer arguments for my justification. Therefore when your lordship intimated that his Majesty did not approve my standing I disputed the thing no longer, thinking it better to serve his Majesty in his way rather than my own and hoping it will be accepted as an earnest of that duty and loyalty of which my heart is full.

James, a man who preferred total submission to justifications, was pleased with Frankland's letter. [159]

The Yorkshire members to James II's first parliament bore little resemblance to those that his brother had faced between 1679 and 1681. There were sixteen new members with no parliamentary experience whatsoever. Only seven gentlemen who had sat in all three Exclusion

parliaments were re-elected. Four of them had voted in favour of the exclusion bill division - Charles Lord Clifford, Michael Warton, William Stockdale and Viscount Downe - but presumably all had satisfied the court of their loyalty. The results of the election were hardly surprising. The government had gone to great lengths to ensure that suitable candidates were returned. James's personal oversight of the acceptability of members made some gentlemen nervous. Thomas Frankland, recently elected at Thirsk, fell under suspicion of supporting Sir Gilbert Gerard at London and Fauconberg had to protest his nephew's innocency of the charge. Frankland though was worried that he would find it difficult to please the King and discharge his trust as a parliamentman at the same time. [160] It was a problem which many gentlemen found they had to face as James's reign progressed.

#### The Yorkshire Gentry in Parliament

James II's first parliament is usually described as being loyal. Of 525 M.P.s only 57 have been identified as 'Whigs' and the nonconforming element was much lower than in the parliaments of Charles II's reign. [161] Viscount Fauconberg, writing in June 1685, confirms this view:

This House of Commons so much exceeds the former in loyalty and prudence that I hope his Majesty will never be in danger of wanting supplies in our days. [162]

Indeed, James did not want for supply. Although it has been noted that the 1685 parliament was not quite so generous in their intentions as the figures suggest, nevertheless members believed that they were attesting their loyalty by granting the King sufficient supply for all his needs. [163] Yet only six months later, during the second session of the 1685 parliament, many of the same members whom James had flattered as "monarchical and Church of England men" went into opposition against the King and his government. This rapid breakdown of the relationship between James II and his parliament requires explanation. [164]

Part of the problem lies in the definition of 'loyal'. Sir John Reresby thought that the parliament was composed of "a great many loyal gentlemen, and the generality, however, good patriots and

Protestants". [165] The wording here is very revealing. His definition is in the tradition of country party rhetoric which had pervaded all political developments since the Restoration. Reresby's phraseology suggests that although members were loyal, they also had a concern for the country. Thus a loyal gentleman might be defined as one who had not supported exclusion and who accepted James as the rightful successor but one who was not willing to acquiesce in all the King's demands if these were contrary to 'country' concerns, particularly with regard to religion. Reresby for instance was "resolved to do my duty to the Crown, but yet with a good conscience to my religion and country". [166]

Professor Speck has pointed out the particular difficulty of categorising members in the 1685 parliament because of their general lack of experience. [167] Just over half of the Yorkshire representative had no previous parliamentary experience and thus entered the house without ever having been on a party list. However, over two-thirds of the Yorkshire members were aged over forty. As mature leaders of county society and local office holders they were not politically naive.

'Country' concerns of these members were revealed even before the parliament met. It was suspected that the King would request some ease for catholics and the settlement of a constant revenue. In conversation Reresby found that some members were willing to grant liberty of conscience but determined not to allow catholics into offices. Thus they might be prepared to repeal the penal laws but not the Tests. However, Reresby was told by some catholics that the King would expect not only liberty of conscience and freedom of worship but also that catholic-royalists would be allowed into office. The King would be willing to preserve protestantism but if he did not gain his ends through parliament "he knew what he had to do". Reresby thought that "Such arguments were not wisely urged at this time", presumably because they raised the fears of the good protestants about to meet at Westminster. On the question of the revenue, most gentlemen were ready to supply the King's needs but there was debate on whether the revenue should be granted for life, which would demonstrate the Commons' trust of James, or yearly in order to ensure frequent parliaments. [168]

Many apprehensions would have been eased by the King's opening speech in which he promised to support and defend the state and church and to rule within his just right and prerogatives. Certainly the King's



speeches in this first session satisfied observers in the country. Frances Resesby wrote to her father on 3 June that

here all are extreme glad to hear that the King and P[arliament] agrees so well and his two speeches, in my judgement, is extremely fine and great that you could do no less than comply with them. [169]

The Commons happily granted the King revenue for life in addition to extraordinary supplies for paying off Charles's debts, suppressing the Scottish rebellion, supplying the navy and suppressing Monmouth's rebellion. [170] Throughout these debates Sir John Resesby carried out his resolve. He spoke in favour of supply but had an eye on the well-being of his country, arguing against a land tax on one occasion and for reducing the time for which new buildings in London should be subject to a tax on another. [171] Yet the background to the grants made by the Commons was James's warning in his opening speech not to vote revenue for only one year. The best way to ensure frequent parliaments was to use him well, he told them, in what was perhaps an ominous warning to those who had heard, like Resesby, that if the King could not have his way through parliament, he would use other means. [172]

The religious question clearly made members nervous. Only a week after parliament met the committee of religion unanimously voted that James should be addressed to order the laws against all dissenters to be put into execution. When the motion was debated in the house some members were against agreeing with the committee on the grounds that the address would dissatisfy James and raise alarm in the nation. Others felt that the Commons should be seen as taking positive measures towards protecting protestantism. Once again the question was one of trust. Those against the address were willing to believe that James would stand by all his declarations regarding the Church of England made since his accession. Those in favour of the address were not so trusting and wanted concrete proof of the King's commitment. The outcome of the debate was a compromise. The Commons voted to address the King that they were satisfied with and relied upon his declaration to defend the church but added the reminder that the Church of England was dearer to them than their lives. [173] A scarcity of evidence makes it impossible to ascertain how Yorkshire members leaned in this debate. Only Resesby has left evidence of his attitude towards the religious question in the first session of the 1685 parliament. During the debate on the naturalization of French protestants he argued in

support of the bill on condition that they accepted the liturgy of the Church of England. Even in this debate then Reresby had a care for the Church of England. The committee was chaired by Sir Henry Goodricke and attended by Sir Thomas Yarburgh who presumably shared the views of their friend Reresby. [174] The lack of evidence however makes it impossible to say just how fearful protestants were of their religion at this point. Reresby thought that during the first week of the session

All things seemed now to look very auspicious, the King not giving the least token to change the religion, but much the contrary. [175]

By the end of the session James had not given any further cause for fearing for the security of protestantism. The most that can be said is that whilst members had no specific cause for concern there was an underlying uneasiness with the position of the Church of England vis a vis the King's hopes for the ease of his co-religionists.

By the time the second session started on 9 November 1685 the atmosphere in the Commons was much more hostile towards the King. Events during the recess had made members even more wary of James's expectations of them. Halifax's dismissal from the Lord Presidency startled his Yorkshire supporters. Reresby noted that

This lord was so generally looked upon as a wise man and a good subject that the remove of him (especially at the beginning of a Parliament) astonished a great many, and made them fear that there was a change of counsels as well as counsellors. [176]

No doubt there was concern too about the retention of the army which had successfully quashed Monmouth's rebellion and the increasing numbers of catholic officers. [177] There were expectations also that James would pursue his religious policy more vigourously in the coming session. Sir Henry Goodricke and the Archbishop of York "were very jealous that the King might offer something in Parliament this session in favour of popery". [178] The King's opening speech intensified members' suspicions. Gone was the flattery of the previous session. James bluntly informed the houses that the militia was useless and that therefore he had increased the size of the army which he expected this parliament to pay for. He admitted that he had illegally commissioned catholic officers but since they had proved their loyalty he expected parliament to make no objections. [179] If James expected

compliance with his wishes, he had seriously misread the mood of the members.

An anonymous correspondent (possibly Sir Henry Goodricke) described the opening scene of the second session to Sir John Reresby who was late arriving in London. The Earl of Middleton proposed that the King's speech be given immediate consideration

but Sir Edmund Jennings, with all duty to the King and faithfulness to the House, put us in mind of the importance of the affair and that we might perhaps do that hastily [which] we might repent at leisure etc. and moved to consider till Thursday and was seconded by Sir Thomas Clarges.

Although the chancellor suggested Wednesday instead the house unanimously agreed with Jennings's motion. Moreover, "and which is strange, no motion was made for thanks". James's opening speech had raised the Commons' hackles, but this member felt that the house was ready to defend itself against the King's policies:

I find a wonderful firmness in the members for our religion and property suitable to his Majesty's declaration. [180]

The issues which James had raised in his opening speech - the uselessness of the militia, the increase of the standing army, the employment of catholics and the need for supply - were all interrelated and the contributions to debates by Yorkshire members reflects their general uneasiness with James's government as well as their opposition to specific issues. Of the recorded speeches from Yorkshire gentlemen not one was supportive of any part of the King's wishes. At least twelve Yorkshire members were considered to be in opposition to James II in this parliament. [181] The first blow to the King's aims was the decision of the House on 12 November to consider the question of catholic officers before supply which was carried by a single vote. The King was angry with Reresby for not being in the House at the time saying that if he had been there

he had not lost the vote the day before for one vote, which he said was hard, and the more so because he lost it by his own officers

which Reresby believed was intended as a particular admonishment of himself. No doubt James was especially annoyed with Reresby because he had specifically requested his presence in the Commons as soon as possible. [182] Perhaps Reresby deliberately absented himself from the House because he would have been in a predicament about which way to vote. When the question was put whether to seek the Lords' concurrence

in the Commons address against catholic officers Reresby recorded in the Memoirs that he voted with the "Country gentlemen" against the Court. He believed that the Court party were against concurrence on the grounds that the King could then reject the address as the work of only one of the Houses. Country gentlemen preferred the Lords' concurrence in order to add weight to their case. However, this is possibly not an adequate explanation of the division in the House. Other evidence suggests that infact two separate groups favoured concurrence, the "country gentlemen" whom Reresby described but also those who were against the address itself. Likewise those against concurrence might have had different motives. Some no doubt fit Reresby's assessment. However, Sir Henry Goodricke, who was listed amongst the opposition, acted as teller against seeking the Lords' concurrence and thus according to Reresby's assessment would have been voting with the Court. There was an argument though that the Lords had already accepted the King's policy by voting thanks for his speech. Possibly then the opposition did not care to seek the Lords' concurrence in case they lost the address altogether. Moreover, it is possible that the opposition were hoping that James would indeed reject the address in order to fire further condemnation of his policy in the Commons. Such possibilities reflect the fluidity of the situation in the Commons. In the end the address was presented from the Commons alone. [183]

James "spoke with great warmth" when he replied to the address, saying that he had hoped for a better understanding with the Commons and that they had trusted him and his word. For many members this was an unsatisfactory response. John Coke, the member for Derby, hoped that all members were "Englishmen, and are not to be frightened out of our duty by a few high words". Exception was taken to this "so undecent an expression to the King (though the House generally liked the motion)" of considering the King's reply further. Sir Hugh Cholmley, described as "a gentlemen of great loyalty", hoped that Coke would be shown as much favour as possible, though he was eventually imprisoned in the Tower. [184] Feeling was running high. In the Lords the King was alarmed at the heated debate and plainness of speech about catholic officers. [185] With both houses so obviously hostile to the employment of catholic officers in the army, James had little chance of retaining the "good understanding" which he had hoped from this parliament.

The standing army was also at the centre of debates on supply and the militia. In his opening speech James had asked for supply to pay for the forces which were still on foot following Monmouth's rebellion and which had doubled the size of the standing army to about 19,000. [186] Whilst the Commons were prepared to vote an extraordinary supply, initially they refused to name the amount or to specify that it could be used to support the army. [187] On 16 November, after the Commons had expressed its grievances about catholic officers, the question of how much should be given was considered. Lord Campden suggested £200,000 which, together with the same amount remaining from what was granted towards suppressing Monmouth's rebellion, made £400,000. This motion found support from Sir Edmund Jennings who argued that such a sum would maintain the army for at least a year. He warned the house that "giving all at once is doubting the affection of the people". [188] There was concern that granting too much would cause problems in the localities and the house felt that it had been generous already in the last session. Sir Hugh Cholmely pointed out that indeed they had been so ready to give money that ministers themselves had to put a stop to it. [189] Some members favoured giving more money, perhaps to prevent the King's further dissatisfaction. Reresby claims that the "country gentlemen" moved for £400,000. None of this would satisfy the court which was requesting £1,200,000 over five years. Thus two points were at issue. First, the actual amount which would be given but more importantly, for how long. Sir Willoughby Hickman, M.P. for Hull and the Earl of Plymouth's cousin, favoured £400,000 for only one year. The army was thick with officers already, he said. Granting more money would allow the troops to be filled and thus increase the size of the army by another third. [190] At the same time there was an awareness that Monmouth's rebellion had highlighted the nation's security problems. Thus there was some support for retaining the standing army for a while longer. Eventually therefore it was agreed that a sum not exceeding £700,000 would be granted but this was "compromised in the declared intention of the House to make the militia more useful". [191]

The question of the militia was the third bone of contention between James II and his parliament. He was adamant that the militia was a useless force and that resources would be better spent in retaining an efficient standing army. Opinion in the house was divided. Courtiers pushed the King's line but country gentlemen were keen to defend the

militia's performance and utility. Sir Hugh Cholmely for instance spoke out in the militia's defence saying that it was as good as any army that could be raised in England to deal with internal security problems. [192] Others were prepared to consider maintaining both a standing army and the militia. Reresby, who contributed three unrecorded speeches to the debate, acknowledge the difficulties raised by these questions. There can be little doubt that he would have favoured improving the existing militia. As a deputy lieutenant and militia officer in the West Riding he had been forthright in making the militia as efficient as possible during Charles II's reign. However, as governor of York he also had an interest in an increased standing army since garrisoning such forces in the city added weight to his own position. [193] Self interest no doubt motivated other members but a crucial issue was where control of security forces lay. Country gentry had absolutely no say in the officering, quartering or discipline of a standing army. The result of this was already being seen in the King's issue of commissions to catholics. The militia on the other hand was under the day to day control of the gentry. It gave them power and prestige in their localities. It ensured that security was maintained by loyal protestants who shared the beliefs of the gentry. Moreover, it was unlikely that the local militia could be used against the gentry themselves, which was not the case with standing armies.

There was little time for these issues to be discussed. Since the debate on the militia was fraught with difficulties, it was adjourned to 21 November, by which time James had prorogued parliament until 20 February. [194] Reactions to the prorogation varied. Some thought that James II had done with parliaments since he was able to live of his own and maintain his army and navy without parliamentary supplies. Others were more hopeful, thinking that the King would try to solve the dilemma of the catholic officers before meeting parliament at the appointed time which was "the only point of difference between them". [195] At this point no-one knew that James II would never meet parliament again, but over the next two and a half years of prorogations, members were given abundant proof that James was trying to alter the relationship between the crown and parliament.

The first sign of this came shortly after the prorogation. Charles Fox and John Darcy, M.P. for Richmond, first were barred from the King's presence and then removed from office "having not pleased the King in

their votes as members of the Lower House". Many were "startled" by the decision in council that any other members so offending should also be suspended. Other removals followed, including the Bishop of London from the Privy Council. This was surely a serious infringement of members' freedom of debate and expression in parliament. [196]

Distrust of the King grew with every prorogation. On 10 May 1686 a few members gathered to hear the formal announcement of the prorogation to 22 November. Although the Commons was thin, there had been rumours that many country members would come down "for fear of being surprised by their sitting to do business". James thought that such members were the "politicians", or active opposition, and was offended at such a show of gross mistrust. [197] Lord Dover told Reresby at this time that parliament would certainly meet in November, but "if they did not comply with the King they might expect the issue", yet another ominous warning. [198] By the autumn there was little expectation that parliament would meet as planned. The Earl of Strafford wrote to Halifax that he did not expect parliament to last long if it met and did not intend to go up himself: "I imagine they will show no great satisfaction at first, considering some things that have passed since the last meeting, and I am of so little use as not to be wanted". [199] Sir Henry Goodricke intended to go to London after Michaelmas but wanted to "hear the issue of the Great Commission and some assurances of parliament's meeting before I shall fix a day, but for this I must have patience". [200]

By this time the issues dividing the King and parliament had altered. Initially it was thought that the catholic officer question was the sticking point. James made matters worse by continuing to employ catholics and the test case involving Sir Edward Hales strengthened the King's case. [201] However, by the end of 1686 it was attitudes towards the repeal of the Test Act and penal laws which James was using as a basis to decide when to recall parliament. In October 1686 Reresby learned that there was little likelihood of a meeting until February or March. Nathaniel Johnston told him that protestants' unreasonable fears were to blame for the King's use of the prerogative. To prevent its further use members should take off the penal laws for the King's life. [202] Two further prorogations followed. [203] By March 1687 Reresby was being informed that members who refused to comply with James's wishes concerning the Test and penal laws were sure to lose their places. At the same time assize

Judges going on the circuits were ordered to sound out members' views. [204] Getting nowhere with his "threats and persuasions" James finally decided to dissolve parliament on 2 July 1687. [205]

Clearly though James II had not given up on the plan to obtain statutory repeal of the Penal Laws and Test Act. If the members of his first parliament would not comply, then carefully selected new members might. Thus the electorally inspired borough campaign was initiated and the gentry were subjected to the 'Three Questions'. During the winter of 1687/8 contradictory reports filtered through as to when the new parliament would be summoned. Some thought it would be as early as May 1688. Others believed it would not meet until the following winter. All agreed that James would scrutinise the replies to the 'Three Questions', and purge parliamentary boroughs accordingly, before taking a final decision. [206]

James's 'Three Questions' asked the gentry directly whether they would be in favour of repeal of the Tests and Penal Laws, whether they would vote for candidates committed to repeal, and sought commitment to the support of the Declaration of Indulgence and to living peaceably with persons of other persuasions. The gentry were aware that the wrong answer would result in loss of office. [207] For many months before the justices and deputy lieutenants were called upon to give their answers to the 'Three Questions' there had been rumours that James II was judging the gentry's loyalty on their willingness to repeal the Test Acts and Penal Laws. [208] At the Lent assizes 1687 Judge Powell had instructions to question parliamentary representatives whom he met whilst on the northern circuit. Sir John Reresby, one of those whose opinion Powell sought, avoided giving an answer thinking that it was not safe to give an affirmative to a third person at this time. Neither was it wise to disoblige the King with a negative answer when the issue might never actually come to the question. Powell did not press Reresby for compliant answers but appeared "modest and defensive", perhaps having his own doubts about the propriety of his task. [209]

Such evasiveness was not to be allowed for very long. In April 1687 came the Declaration of Indulgence followed soon afterwards by the dissolution of James's first parliament and the issue of the 'Three Questions'. In Yorkshire the East Riding was first to be subjected to the questions, at Beverley on Wednesday 14 December 1687. [210] The



North Riding gentry were summoned to Thirsk by the lord lieutenant Charles Viscount Fairfax on 4 January 1688 who took the answers up to London by the third week in January. [211] Reresby believed that by this time the King's zeal for the questions had abated although lords lieutenant continued to pose them. The West Riding gentry were not to escape. On 17 July 1688 York corporation was questioned followed by Ripon on 9 August. Five days later some West Riding justices gave their answers at Skipton and on the 20th others met at Pontefract to do likewise. [212]

Reactions to the questions varied. Some groups of gentry took the opportunity to give a collective opinion and there is evidence of collusion in some of the replies. [213] In the East Riding a classic split of protestant and catholic occurred in the grand jury house where the gentry met to consider their answers. In the room were two tables. The protestant gentry gathered around one and requested the four Catholic deputies - Sir Philip Constable, John Constable, George Metham and Philip Langdale - to use the other. The protestants then drew up an answer which they all copied out individually, signed and handed to Lord Langdale. [214] The protestant deputy lieutenants' consultation resulted in the return of twelve virtually identical answers. Six East Riding justices also made similar replies which would suggest that there had been consultation between these two groups. At Pontefract fourteen West Riding gentlemen signed one paper and submitted it as a collective answer whilst Jasper Blythman, who had answered at Leeds a few days earlier, returned an individual reply identical to it. Five others, of different sentiments, likewise subscribed a collective paper. [215] There is evidence also that the East Riding gentry's replies were copied and sent to West Riding gentry for their information. [216]

However, some replies were clearly expressions of the individual's own opinion and across the county as a whole answers to the 'Three Questions' showed great diversity. When asked by Judge Powell for his judgement of other Yorkshire parliamentary representatives, Reresby replied that he thought that not more than two "would do what was desired". [217] He was in fact quite mistaken, perhaps basing his comment on his knowledge of the views of the Yorkshire gentry before James adulterated local office holding. Almost as many Yorkshire gentry declared themselves fully in favour of James's proposals as expressed outright opposition or reservations. Seven East Riding, at

least ten North Riding and eight West Riding gentry made simple statements in support of the King. The majority of those giving compliant answers were the catholics brought into local government by James during 1687 and generally constituted a straight statement of support. Some however embellished such a reply with their reasons. Henry Constable of Ganton stated his unswerving loyalty to the crown since the civil wars and claimed that he now supported James II out of duty, inclination and gratitude for his Declaration. Lionel Copley, in an extremely wordy reply, said that he was duty bound to favour repeal since the King, "the head and spring from whence all our laws do flow", found the Test Act and Penal Laws "affrontive to himself and injurious to his subjects". [218]

About a third of the Yorkshire gentry returned what might be described as a stock protestant reply to the 'Three Questions'. Some historians have regarded this type of reply to be evasive. [219] However, it is more useful to regard it as a true statement of dearly held political beliefs which some gentry believed James was violating. James's scheme raised many more questions than three. On the surface the King was simply asking for statements of support in favour of his religious policy. However, for the gentry this raised problems also of electoral and parliamentary freedom, the crown's prerogative, the defence of the Church of England and their positions as local office holders. It was on these grounds, as well as the religious question itself, that most gentry decided to formulate their reply.

The right of freedom to debate issues in parliament was fundamental to most gentry's political beliefs. Throughout the Restoration period the Commons had challenged the use of bribes for members' votes and corruption in parliamentary elections. [220] James's questions attempted to undermine this freedom. The stock reply to the first two questions was therefore that it was impossible for a gentleman to answer until he had heard the debates in the House of Commons. Furthermore it was impossible to know the mind of another gentleman, or parliamentary candidate, until he came into the House. Fundamental to this attitude was a firm belief in the nature of parliament. It was Resesby's opinion that James was striking at the "very foundation" of the institution where gentlemen could have freedom of both speech and judgement. [221] Far from being evasive, the gentlemen who returned such answers were indicating to James that he was attempting to subvert their right to debate issues of national importance which

affected their religion and estates and clearly stating that in conscience they could not comply with his demands.

The prevalence of this attitude was reflected also in the fact that so few Yorkshire gentlemen stated their absolute rejection of the King's proposals. Only Charles Tancred of the North Riding said that he could not "condescend to take away all the Penal Laws" and that he would endeavour to elect men of a like mind. James Darcy, also of the North Riding, gave the typical 'protestant' answer of being committed to voting according to the debate in the House but added that his present opinion was against repeal. [222] The general reluctance to state firm opposition to the proposals was not surprising. A fundamental objection to James's 'Three Questions' was that they inhibited an M.P.'s freedom to be influenced by the debate. Just as it was impossible for the gentry to commit themselves to repeal, so it would be prejudicial to the freedom of parliament to commit themselves on the other side.

Some gentlemen, whilst declining to commit themselves in favour of repeal, did give some indication of their inclination towards reform. Yet even those who had a more relaxed attitude towards the penal laws emphasised the need for a full and free debate in the Commons before any decision could be taken. Sir William Dawson and John Hill of the North Riding and, in a collective reply, Thomas Fairfax, Thomas Fawkes & Henry Hitch of the West Riding all promised to support the King's declaration but at the same time gave the typical protestant answer with regard to the debate in parliament. Others gave more specific indications of their favourable attitude. Charles Bull for instance declared that he would be in favour of repeal "if upon a full, free, and unprejudiced debate, the reasons of the House shall be for it". Sir David Foulis indicated that he believed that the Penal Laws were too severe and would be inclined towards a review of both these laws and the Test Acts "and when the debate should be argued in the House for or against, then I should most faithfully declare my judgement according to my conscience and reason". [223] For all these gentlemen the suitable arena for discussion of the question remained parliament. By far the greatest demonstration of opposition to both the questions themselves and to James's proposals came from a group of fourteen West Riding gentry who were questioned at Pontefract on 20 August 1688. They subscribed one paper which began with the statement that

Seeing there is no commission produced from the King, neither any authority appears to us by the Statutes of the Militia whereby answers to the Questions may be required, we take leave to make this Declaration, that we think ourselves under no obligation to reply to them, otherwise than to show our willingness to express our obedience wherever, and by whomsoever the King's name is made use of. [224]

The challenge to the legality of even posing the questions was new, nothing of the kind being found either in the East or North Ridings. Sir Edmund and Sir Jonathan Jennings, questioned at Ripon, went even further by flatly refusing to answer the questions since they did not recognise the commission by which they were asked. [225] It is possible that the forcefulness of the West Riding gentry was fuelled by the acquittal of the seven bishops and the general display of opposition to James's policy nationwide. [226] They had had plenty of time to consider their answers.

Since these gentlemen did not recognise the commission by which the questions were asked, it is clear that they were taking the opportunity to make a collective statement of their opposition to James II's recent policies. They gave a positively Anglican answer which stressed their absolute commitment to the Church of England. The issue raised by James deeply concerned their Church's security which they were "bound to support by all lawful means" and until the Penal Laws and Tests were shown to be "repugnant to the Protestant interest" they could not contribute to the election of M.P.s committed to repeal. They would live peaceably, with due regard to the laws and the discharge of good consciences. For the majority of those zealously loyal to the Church of England there could be no repeal of the Test Act and Penal Laws. [227]

It is interesting though that these gentry did not specifically challenge the King's prerogative of the suspending power. Out of all the Yorkshire replies only Thomas Waite pointed out that as a justice he was duty bound to enforce parliamentary statutes

therefore I cannot with safety publicly declare to support any Declaration out of parliament that is contrary to these laws, yet I shall carefully keep the peace, though I may dislike some men's persuasions for themselves, as well as for their prohibition. [228]

As loyal supporters of the monarchy the fourteen West Riding gentry possibly had no wish to challenge the King's use of these powers. Many loyalists merely hoped that the monarch would use the powers judiciously, if at all. Some of those who gave typical protestant

answers, such as Sir Jonathan Atkins of Grimthorpe Park, Robert Buck and Sir Thomas Slingsby, were at pains to declare also their loyalty to James. [229] Moreover the fourteen West Riding gentry probably had no desire to enter into the sticky question of the prerogative. They may have been aware for instance that the seven bishops had been acquitted only of seditious libel. Technically the judgement had not been against the use of the suspending power. [230] The West Riding were not challenging whether or not James was acting legally. They were challenging whether he was acting like a wise king.

A number of gentlemen gave no answer to the 'Three Questions', some being absent from the county, others refusing to do so and yet others for reasons known only to themselves. Sir John Reresby was one of eleven West Riding gentlemen noted as absent at Pontefract in August 1688. He did all in his power to avoid having to give a formal answer. In May 1688 Ralph Hansby, a catholic justice, pressed Reresby for his opinion and heard what was probably Reresby's settled decision on the matter. He believed that no-one could give an honest answer since parliamentmen could not say how they would vote until they were in the House. However, he thought that it would be possible to secure liberty of conscience in parliament provided that suitable security was given to the Church of England. Reresby therefore could have countenanced the repeal of the Penal Laws. In this he differed from his friends and neighbours who subscribed the collective answer in Pontefract. He believed that the Penal Laws as well as the Test provided essential security for the Church of England. Reresby certainly does not appear to have countenanced the repeal of the Tests, which would have allowed for the free employment of catholics and dissenters in local and national offices. In this he had more in common with his fellow justices and was close to the opinion of his patron, Halifax. [231] Reresby however was unprepared to commit himself any further, and certainly not formally. He avoided Hansby as much as possible after their first conversation. He suffered various illnesses in 1688 which aroused suspicions at court in February. Nathaniel Johnston told him that "some wish you would come up soon for there are some that lye at advantage and would represent your absence rather as unwillingness to be closseted than infirmity of body". At the beginning of April Reresby was cheered by a report that the King had said complimentary things about him but he fell ill again with his gouty knee at the very same time. It was not until the end of May that he arrived in London,

attending to his business until the end of August. As he took his leave Reresby was nervous that James would put the 'Three Questions' to him but he escaped unscathed, only with instructions to try to get himself elected at York. [232] Reresby was at a loss of how to satisfy both his loyalty to the crown and to his religion. James II had put him in an almost impossible situation, the only escape from which was to avoid giving any answer at all. Indeed it is to be suspected that his reluctance to stand for York in the forthcoming election was inspired by his desire not to have to choose where to invest his loyalties. As he told Halifax he would continue to serve the King whilst ever he could "without prejudicing my religion". [233] In the last analysis this would have left Reresby with the option of voting for liberty of conscience but not repeal of the Tests. However, whilst he was able to balance the King on one side with his religion on the other he intended to do so.

The Yorkshire gentry's replies to the 'Three Questions' show a broad spectrum of opinion. The range of attitudes towards the religious question will be discussed in greater detail below. But James's questions had a wider significance than religious sympathy. The King had brought the issue of the balance between the liberties of the subject and the crown's prerogative into the open. It was a question which most loyalists had hoped would never be raised in this way. The majority, whatever sympathy they had with James's intentions, insisted upon the sanctity of the freedom of debate in parliament. James did find support in Yorkshire, but mainly from those whom he had recently promoted into local office. Such gentlemen lacked the kind of influence necessary if James was to find broader based support. It was unlikely that the catholics and dissenters now in power could win over their protestant neighbours. Simply putting the questions had produced considerable acrimony in some areas. After the meeting at which the East Riding gentry gave their replies, Michael Warton of Beverley (marked as giving no answer in the return) invited all the protestant gentlemen and Lord Langdale to dinner, leaving the catholic gentry to seek their dinner elsewhere. [234] Far from living peaceably with those of contrary persuasions these gentry even refused to eat together.

It has been argued that James's campaign to pack a parliament involved the appropriation of electoral methods used by Shaftesbury's 'Whigs' between 1679 and 1681. However, in Yorkshire these earlier elections

had been conducted in the framework of county gentry politics in an atmosphere of heightened awareness of the importance of national issues. There was no evidence of any outside, nationally co-ordinated party campaign. James II's methods, on the other hand, were completely novel and alien to the gentry's beliefs and expectations of both elections and the nature of parliament. One of the fundamental objections to the 'Three Questions' was that they subverted a member's freedom to go to Westminster with an open mind and to be influenced by the debate. The elections addresses to some Yorkshire members in 1681 had commended their conduct in previous parliaments and requested that they conduct themselves similarly in the forthcoming parliament. James II demanded a positive commitment to a certain set of actions. Thus, even if James had achieved his end of packing a parliament with members favourable to repeal of the Test Act and Penal Laws, he might still have expected opposition in regard to the methods he had employed. Those gentry who had signified their inclination for reform of the penal legislation and Test had still emphasised the need for a free debate of the issue in parliament. [235]

Moreover, the agents' assessment of the political stance of those likely to be elected in Yorkshire was misguided in many cases. Sir Henry Goodricke, who would be elected for Boroughbridge, was described as "right". Yet he had signed the positively Anglican answer to the 'Three Questions' at Pontefract only a month before. Likewise Viscount Downe and Sir Thomas Yarburgh had signed this answer. The agents believed that they would be returned for Pontefract and that they would comply with the King's demands, although they had been wary of expressing their opinions to strangers. John Darcy was also considered to be "right" even though in his reply to the 'Three Questions' he had said that his present opinion was against repeal. [236] Some of those gentry who were perhaps worried about being able to balance their loyalty to both the church and King were reluctant to stand. As early as May 1688 Viscount Downe informed Halifax that he was willing to step down at Pontefract, where he had been M.P. since 1661, in favour of Halifax's son Lord Eland. [237] Sir John Reresby was thought by the agents to be "undoubtedly right". However, he was not keen to stand at York even though James pressed him to do so. He

believed the King would expect that from me there which my conscience would not permit, and as I was resolved not to violate the one, so I was unwilling to offend so good a master on the other side. [238]

There was also suspicion about court backed candidates. Reresby was aware of this in York and he was warned already by Halifax not to take too much court assistance in his election. [239] Hull corporation refused to accept Lord Langdale's nomination of Sir John Bradshaw of Risby and instead unanimously decided to re-elect John Ramsden and Sir Willoughby Hickman who were opposed to James's religious policy. Quo warranto proceedings were taken against the town and all but two of the old bench were sacked. The new bench, under more pressure from Langdale who had been named recorder in the new charter, accepted Bradshaw's nomination but raised objections about William Popple, a local man. It is possible that this was on the grounds that Popple had turned catholic for convenience in Bordeaux in 1685 to avoid the persecuting authorities. The agents believed that if Popple were rejected then Hull would choose "some other moderate, fit man".[240] In the end the agents' predictions were never put to the test since the writs were withdrawn in September 1688. The county election went ahead. On 30 September Sir John Kaye, a signatory of the West Riding gentry's Anglican answer to the 'Three Questions', and Lord Clifford were returned for the county. 6000 freeholders went to York to re-elect their former knights of the shire, both of whom had been included amongst the opposition in the 1685 parliament. [241]

James II had challenged the fundamentals of the relationship between the crown and parliament which most gentry held dear. Relentlessly he pursued a government line, having a vision of the acceptance of catholicism on equal terms with protestantism. Whether or not there was the potential for success is open to question. [242] Certainly James could not have obtained compliance from the Yorkshire gentry by the means which he employed. Quite apart from the religious issue James II exhumed questions which had dogged the relationship between crown and parliament throughout the seventeenth century. With his sacking of parliamentmen for their speeches in the house and with the 'Three Questions', James II threatened the freedom of speech and debate which was the essence of a seventeenth century parliament. Moreover, he introduced a new challenge - the blatant attempt to pack a parliament which would comply with his wishes. Gone were the hitherto accepted notions of parliament as 'a point of contact', a place for the redress of grievances and for the giving of advice on commonwealth matters. Instead the King was prepared to use any means



available to select a parliament which would do his bidding. Associations of popery with arbitrary power certainly found their justification under James II. [242]

#### Religion and Politics, 1685-1688

As early as May 1685 uneasiness about the fate of the Church of England under a catholic King had been expressed by the Commons. This uneasiness was gradually transformed into real fears that the Church of England had lost the support of the monarchy upon which it relied for its survival. [243] Having seen a copy of the order for the release of Quakers in March 1686 the Anglican vicar of Mexborough, Thomas Belton, commented that it

puts me in good hope that since his Majesty is so merciful to notorious rebels he will also be no less indulgent to the poor Church of England which hath been always loyal and faithful to his predecessors and monarchy. [244]

The court showed no inclination for the implementation of the statutes which protected the Anglican establishment from the dual threat of catholic and protestant nonconformists. Both became increasingly visible in central and local office and in public worship. There were six catholic chapels in York by 1688 serving only sixty fully resident catholic citizens. [245] By 1687 it was clear that James was courting their support at the expense of the Church of England. [246] Anglican gentry and clergy alike in Yorkshire watched with horror as their security vanished, first by the government's default and later, after the first Declaration of Indulgence, by its intention. In their fears for the church many Anglicans were pushed into a position of opposition to James II. In June 1686 Reresby heard from Nathaniel Johnston, a convert to the Church of Rome, that it was said in a London coffeehouse that "the Church of England were now the greatest Whigs". [247]

With the accession of James II prosecution of protestant dissent in Yorkshire's secular courts dwindled to a mere shadow of what it had been during the final years of Charles II's reign. In the West Riding, where dissenters had been "trounced" previously, only a handful were presented for conventicling. At the Wakefield sessions in October 1685 ten persons were fined £10 apiece for being at a conventicle. [248] In

October 1686 Thomas Fairfax and Walter Calverley took the recognizances of several people who had been involved with riot and assault connected with a conventicle at the house of Richard Thompson at Bingley. It appears that the justices' action was inspired more by concern with public order than with the conventicle itself. The speaker, William Mitchell of Heptonstall was eventually brought before the Wakefield sessions in January 1687 and fined £20 for the unlawful assembly and a further £20 for riot. Refusing to pay, he was sent to York Castle. [249] Individual justices also failed to persecute dissenters on the same scale as before. Walter Calverley took the recognizances of William Pearson and John Green for being at a conventicle in June 1685. Robert Craven was bound over by Justice Henry Hitch for advising two dissenters that they need not go to church but the recognizance was signed a few days before Charles II's death. Jasper Blythman bound a man to prefer an indictment against Tempest Illingworth of Tong for "speaking several malicious and approbrious words in contempt and derogation of the Book of Common Prayer" in early 1687 but the case does not appear to have come before the sessions. [250]

Thereafter the sessions files and order books were completely silent on the question of protestant dissent. No presentations were recorded for conventicles at the quarter sessions of the West or North Ridings, York or at the Assizes in 1687 or 1688. In Yorkshire the 1687 Declaration of Indulgence effectively stopped persecution of protestant dissent, but this was simply a regularisation of the position which had existed de facto since the beginning of James's reign. The ecclesiastical courts show a similar pattern. Archdeaconry presentations for non-attendance in the East Riding increased between 1685 and 1686 but declined rapidly in 1687. Conventicle presentations at the church courts followed the same general pattern although Quakers continued to be imprisoned by the church courts for non-payment of tithes. [251] It seems unlikely that the justices and clergy who had been so zealous in prosecuting dissenters between 1681 and 1684 had a sudden change of heart when James came to the throne. Rather it was a reluctant response to the government's policy on dissent which was known even before it was given concrete reality with the General Pardon of 1686 and the Declaration of Indulgence of 1687. The dissenters themselves were beneficiaries of the government's policy of toleration. Ralph Ward and Andrew Taylor had both been

excommunicated in 1675 and in April 1686 they successfully petitioned James for release from their imprisonment on the basis of the general pardon. The release of quakers from York gaol in January 1686 was a loss of £8 or £9 a week to the undersheriff. In December 1687 Leeds quakers benefitted from the Declaration of Indulgence when the corporation was ordered to return to them their unsold distrained goods. [252]

However, the dissenters were cautious about freely accepting James's Indulgence. Ralph Thoresby admitted that the declaration was "accepted with thankfulness" but "we see a snake in the grass". There is some evidence that Yorkshire Quakers were suspicious of Penn's role at court and of James's pro-dissenter stance. [253] Only four dissenting groups sent addresses of thanks. That from Sheffield appreciated their relief from persecution but deliberately made no mention of support for the prerogative from whence it came. [254] Reresby informed Halifax that

the only dissenters that seem pleased with their toleration are the Quakers and Independents, the number of either not very considerable. For notwithstanding they have their meeting houses, the churches are observed not to be less full in York, Leeds, Sheffield in all which places I have been very lately. [255]

Presbyterians and calvinists who had begun to conform to the Church of England therefore remained with the Anglican fold rather than deserting at the first chance of toleration. [256]

Catholics likewise went undisturbed by the secular authorities in Yorkshire during James II's reign. Since the restoration there had never been any bouts of locally inspired persecution, with the exception perhaps of the East Riding. [257] Hitherto, fear of catholicism amongst the Yorkshire gentry had had a national perspective. They had been concerned with the increasing association of the court with popery rather than any perception of a threat from their catholic neighbours. However, James II's policy focused anti-catholicism on local concerns. The gentry witnessed not only the replacement of good protestant ministers at the centre with catholics, but also their own positions of power and authority in county government were threatened by catholic neighbours. [258] Several catholics were sworn onto the grand juries at the 1687 Lent assizes and in the summer for the first time in Reresby's memory a catholic assize judge sat at York. [259] The examples are endless, but the

point is always the same. Protestant gentry were afraid for their church, their security and for their positions of authority. Sir Henry Goodricke told Reresby in August 1686 that

we are alarmed with popish sheriffs and I'm sure of frequent meetings of the chief of that party, to what end is unaccountable but hereof verbum. [260]

The experience of Sir John Reresby at York had almost symbolical significance. In spring 1687 he heard the earliest rumours that the Manor House was to be turned into a catholic chapel. By the summer rumours became a reality when he heard that the Manor House had been granted to Captain Henry Lawson, the second son of the catholic Sir John Lawson of Brough, for the use of their jesuit cousin Father Francis Lawson as a catholic chapel and boys' school. Reresby appealed for compensation or for use of part of the building which he had made into the governor's official residence. His pleas fell on deaf ears. In December 1687 Father Lawson came to claim possession of the Manor House, kindly giving Reresby time to move out his belongings. In February the priest began to alter the council chamber in order to make it into a chapel. One of the symbols of the authority of the King's governor in York was thus passed over to the use of a religion which was feared and hated by the majority of citizens. Alderman Raines, a man with a catholic wife and one of Reresby's greatest opponents in York, attended Lawson when he first came to claim possession. Again it was a token of the governor's weakened position in the city which he was supposed to defend in the King's name. [261] Church of England clergy were determined to protect their church in Yorkshire and took an increasingly militant stand against James's religious policy. In April 1685 Archbishop Dolben introduced the weekly celebration of Holy Communion in York minster. His earlier efforts to revitalise the church through visitations and confirmations had found the warm support of Anglican gentry. [262] His premature death from smallpox in April 1686 was therefore a considerable blow to the Anglican cause in the county. Reresby commented that he had been

a man of excellent parts and piety, and much to be lamented for the loss the Church had by him as well as his friends. [263]

To weaken the Church of England further in Yorkshire the diocese was kept vacant for two years after Dolben's death. [264] However, the fight was kept up by the Chancellor, Dr Henry Watkinson, and the

Precentor, Dr Thomas Comber and others. George Tully, the subdean of York and prebend of Ripon was suspended from preaching in June 1686 because in his sermons he

made unbecoming reflections and uttered expressions as were not fit or proper, endeavouring thereby to beget in the minds of the hearers an evil opinion of the King and government by insinuating fears and jealousies, to dispose them to discontent and lead them into disobedience, schism and rebellion.

He was not reinstated until November by which time he had apologised and promised to be more careful in his sermons in future. [265] By the following year resistance had hardened even further. In his reply to the 'Three Questions' Comber stated that he would vote for loyal gentlemen who were entirely faithful to the established church. In May 1687 he urged Yorkshire gentry meeting at their London Society at Bow Church not to subscribe their thanks for the Declaration of Indulgence. In York he successfully opposed the proposal that the Chapter should address the King even though the Bishop of Chester, Thomas Cartwright, had advised that they should do so. [266]

The first Declaration of Indulgence also gave the Anglican gentry an opportunity to take a public stand against James's religious policy, even if it was only in a negative way. The high sheriff, Thomas Rokeby, a nonconformist sympathiser, attempted to promote an address at the summer assizes thanking the King for his promise in the declaration to defend the Church of England. Rokeby tried to muster support by writing to gentry in each riding asking them to attend the assizes and bring along their friends who might also concur. Sir John Reresby noted that few Anglican gentry were likely to sign since they believed that the very declaration was a contradiction of the King's promises to defend the established church. Rokeby indeed found little support. Reresby replied evasively that he might not have time to attend the assizes but if he did then he would "concur with the rest of the gentlemen and him in it". At the assizes few gentlemen appeared and those there were not supportive of the proposed address. Rokeby therefore appealed to the grand juries but they were divided between protestants and papists and could not agree on the wording. The sheriff's own address mysteriously disappeared and was not seen again. Judge Allibone was angry that no address was made and that only one protestant justice had attended the sheriff when he came to meet the judges. He threatened to complain to the King but for many protestants

this would have been a favour. They were signalling their disapproval of James's policy by their absence. [267]

Yet the protestant gentry were not wholly united in their attitude towards James's religious policy as replies to the 'Three Questions' indicate. Although large numbers of those replying gave no indication of their attitude towards the religious issues raised in the Declaration of Indulgence, others took the opportunity to make a statement. James had wholehearted support from those whom he had recently packed into local government. All the catholics put into the peace commissions in the North and East Ridings answered that they would freely consent to the King's desires, with no strings attached. The West Riding gentry were not so acquiescent but this is partly because local office holding was not purged there until later. However, James also found some qualified support from other quarters. Several protestant gentry expressed general support for the Declaration but made no mention of repeal of the Penal Laws and Tests. Others went further. Sir Henry Marwood of Little Busby was in favour of easing the penal laws for all dissenters if there was a corresponding act for the protection of the liberty of conscience and the property of the Church of England. Three Pontefract aldermen and Alderman John Constable of York made similar statements. Sir Richard Grahme was more trusting of the King, saying that he did not doubt James's word that he would preserve the Church of England. Ambrose Pudsey and Thomas Parker, two West Riding justices, stated that they had always thought the penal laws to be too severe. Together with Charles Bull, Sir David Foulis and Alderman Thomas Mosely of York they expressed their inclination towards repeal but a final decision would have to await debate in the Commons. [268]

Sir Henry Thompson of York believed that liberty of conscience and penal laws were contradictory and therefore would favour repeal if parliament decided on it. However, the Test

was made for the preservation of the Protestant religion, and the Church of England, and I being born and bred in that Communion, I hope it will not be expected from me to do anything to its prejudice, when his Majesty has also been graciously pleased to pass his royal word that he would maintain it, which I look upon as sacred as any Act of Parliament. [269]

This also appears to have been Sir John Reresby's position. Although Reresby did not give a formal reply to the questions he told Ralph Hansby, a catholic justice, that he

believed most men were now convinced that liberty of conscience was a thing of advantage to the nation, as it might be settled with due regard to the rights and privileges of the Church of England. [270]

Nevertheless, Reresby was suspicious of the Declaration. He believed that its intention was to weaken the Church of England by dividing protestants and thus giving the popish party less opposition. Since repealing the Test Act would inevitably threaten the Anglicans' monopoly of political power and thus their strength, Reresby no doubt would not have countenanced such a move. In this he was proving to be a true disciple of his patron Halifax who favoured liberty of conscience and gradual easing of penal legislation but was against repeal of the Tests. [271]

It is impossible to know how far these varying degrees of support were shared by other gentry. It seems likely that if a gentleman was at all inclined towards the King's aims he would have suggested as much in his reply. Probably then such offers of qualified support were limited to those who penned them. That majority which made no mention of the Declaration or repeal at best can be supposed to have been undecided, which was not the reaction which James was looking for.

The most forthright expression of opposition to the King's religious policy came from a sizeable group of West Riding gentry in August 1688. Replying to the 'Three Questions' they said that they were

sensible that the protestant Church may be deeply concerned herein as to its security, which Church we are bound to support by all lawful means. Until such Penal Laws and Test may be made appear to be repugnant to the Protestant interest, we cannot contribute to any such election [ie. of members committed to repeal.][272]

This statement came after the second Declaration of Indulgence and the seven bishops' stand against it. In York celebratory bonfires on the occasion of the bishops' acquittal had been extinguished and the ringleaders' windows broken by the army stationed in the garrison. [273] The chancellor, Henry Watkinson, was amongst those who complained to Reresby about his treatment at the hands of the soldiery. He, with Thomas Comber, organised a clergy meeting at which it was decided not to read the Second Declaration of Indulgence but to distribute a pamphlet against it instead. It is possible that this was Halifax's Letter to a Dissenter. It appears that their stand found overwhelming support from the Yorkshire clergy. William Stamford, a York cleric and justice of the peace, followed Comber's reply to the

'Three Questions' exactly. [274] On 22 June 1688 Lord Langdale reported from Hull that Nicholas Anderson, the minister of the High Church and Nathaniel Lambe, the minister of the Low Church, both had refused to read the declaration on the appointed day. [275] Resistance in Yorkshire had hardened into determined and uncompromising opposition. By this time the worst fears of the gentry had been realised. James's promises to preserve the Church of England evidently did not signify a willingness to maintain Anglican hegemony which some protestant gentry were determined to defend at any price.

#### Security 1685-1688

James II's wish to run down the militia in favour of a larger standing army must have been widely known amongst the gentry. The King had made a clear statement to that effect at the opening of the second session of the 1685 parliament, following what the court saw as the militia's disastrous performance against Monmouth. [276] The government's request for an estimate of the cost of the militia in July 1685 was no doubt intended to produce information to support the King's case. The East Riding deputy lieutenants made a return of £816 17s 09d per annum, besides ammunition. The West Riding militia would have cost far more, being a much bigger force. There were four regiments of 560 foot each, plus three troops of horse commanded by Sir John Reresby, Sir Thomas Mauleverer and Sir Thomas Yarburgh. The troopers numbered 194 plus officers. Twelve horse were raised in the Aynsty which were charged to the foot. Hull had had no separate militia since Charles II's reign. [277]

Reactions to the King's wishes varied, but it is unlikely that many country gentry favoured the total abolition of the local militia. Possession of commands conferred prestige and authority in the county as well as a certain amount of patronage. In Yorkshire at least the militia was not seen as being useless. Indeed in the West Riding considerable efforts had been made to improve the trained bands as an efficient, smart and well mustered local force. [278]

Central disinterest in the militia, it has been argued, caused neglect of the forces in the localities. [279] This certainly seems to have been true in Yorkshire. The militia was raised on the death of Charles



II but all was quiet by 14 February and it was sent home again. In October 1685 Sir John Reresby mustered his militia troop at Wakefield. [280] Thereafter mustering activity appears to have ceased in Yorkshire, or at least it went unrecorded. Neither was the militia much used, which might also partly explain its weak condition. During Monmouth's rebellion the militia does not appear to have been raised in the county. Burlington wrote to Henry Lord Fairfax that the trained bands were in readiness in other areas and that he presumed Fairfax had done the same, but there were no orders to actually put the militia in action. There was some unease that if the rebels got further north then they might be assisted in Yorkshire since it was only defended by a country watch, but generally there were no real fears of a security risk in the county. Conventional security measures such as watching the coasts, interrogating suspicious travellers and preventing the transportation of horses sufficed. Certainly there was not as much activity as following the revelation of the Rye House plot. [281] In December 1686 deputy lieutenants were ordered to search the houses of those unqualified to have muskets and guns. Virtually nothing was found. Fourteen fowling pieces were siezed in the East Riding, three birding pieces and four muskets in the West Riding wapentake of Osgodcross and forty-four muskets and fowling pieces from Strafford and Tickhill and Staincross. The seizures hardly warranted the effort. [282]

There were no signs of rebellious activities in Yorkshire during James II's reign, even at the time of Monmouth's rebellion. Several gentlemen were sent prisoners to Hull but the arrests were made on the basis of old suspicions, or local political rivalries, rather than any real evidence of complicity in the rebellion. East Riding deputies received orders to apprehend and disarm disaffected and suspicious persons, particularly nonconformist ministers and ex-parliamentarians. The list of specific people who were to be arrested included several gentlemen who had been in opposition to the government at the time of the exclusion crisis, such as William Boynton, Sir Watkinson Fayler, William Thompson and his son Francis of Scarborough and William Gee of Bishop Burton. The Thompsons had been suspected of aiding the escape of some of the Rye House plotters in 1683 as had Sir William Strickland of Boynton who was also arrested at the time of Monmouth's rebellion. Several of those siezed in the East Riding had connections with dissent, including the nonconformist ex-alderman of Hull George

Acklam. Four former York aldermen and several citizens were arrested by the high sheriff, Christopher Tancred. They believed that their real crime was to have supported Reresby in the last general election and that the sheriff's action was based on revenge. [283] News of the defeat of the rebels was generally welcomed. In York city the bells were rung and bonfires lit in celebration. [284] There may have been some latent sympathy for the 'Protestant Duke' following his execution. Country people around both York and Hull refused to believe that he was dead and were "generally uneasy". [285]

During Monmouth's rebellion several Yorkshire gentlemen received commissions to raise independent troops of horse. [286] Raising such troops could be expensive. Reresby estimated the cost at £1000. There was considerable competition for the few available men. Both Sir John Reresby and Hon. Thomas Fairfax specified that they wanted only those recruits who had their own horses. Others however were prepared to advance £5 or £6 to enable men to furnish themselves with a horse. Reresby was told that it would be impossible to raise men unless he was willing to advance £10 or £15 apiece. His daughter answered on his behalf that it was a "greater advantage to ride in your [ie. Reresby's] troop than any other". [287] Despite the cost and trouble involved in raising a troop the gentry were keen to be commissioned, and furthermore, when James decided to disband some of the newly raised forces on 17 July, "everyone feared it would fall on their share". Reresby went to considerable lengths to keep his troop although it was one of those disbanded on 25 July, together with Sir Michael Wentworth's. Reresby was keen to have a commission in the first place so that he could be included if there was any considerable action against Monmouth. Also, though, these independent troops were seen as prestigious and again, allowed a certain amount of patronage. Reresby for instance persuaded the King to commission his fourteen year old son as cornet, thus neatly bringing him to the King's attention. [288]

Independent troops were not regarded in the same light as troops of the standing army. In the first place they were under gentry command and generally speaking they recruited their men from their own localities. In addition, they were usually quartered in local towns. Thomas Fairfax looked for recruits in the Leeds area whilst Reresby asked his gunner in York to seek out good men there. Sir Michael Wentworth's troop quartered at Wakefield and Pontefract. [289] In this

way then they might be seen in the same light as militia troops and regiments, the advantage being that independent troops could potentially be kept permanently on foot. There was something essentially different about independent troops under gentry command which had some roots in the local community to the increasing number of units of the standing army which were stationed in Yorkshire garrisons.

Under Charles II Yorkshire had not suffered a large military presence. With the increase in the size of the army under James the soldiers became much more visible in local towns. Scarborough for instance had not had a resident garrison since 1679. In March 1685 Sir Thomas Slingsby, the governor, successfully requested that a company be transferred from York. Thereafter Scarborough seems to have been kept up as a proper garrison with soldiers. In February 1687 Slingsby received orders to admit a company of the Holland regiment, then in York which was to replace Lieutenant-Colonel Hastings's company already stationed in Scarborough. [290] In the autumn of 1686 there was one regiment in Hull plus the Earl of Plymouth's independent company. From late September 1687 until January 1688 there were two full regiments in Hull which probably amounted to about 1300 soldiers. [291] Up to August 1686 York was usually garrisoned only by Reresby's independent company of grenadiers with the occasional addition of another company or troop. Between August 1686 and February 1687 there were ten companies in the garrison, between August and September 1687 and again from January to February 1688, a company plus a full regiment. Thereafter, until September 1688 similar numbers of soldiers were garrisoned in the city. [292]

Reresby constantly pressed the King to allow forces to quarter in York. He was motivated by a desire to protect his own place as governor, reasoning that if York was useful to quarter soldiers, then it was more likely to be kept up as a garrison. He was also concerned about security since if he did not have a guard to keep the keys to the city then they would have to be passed over to the magistrates who could not necessarily be trusted. [293] However, such an increase in the size of the garrison had intendant problems. Discipline in the ranks was difficult to maintain. A quarrel involving six soldiers in February 1687 led to two deaths and one wounded. In the following November three soldiers mutinied upon the guard, breaking Serjeant Baldock's leg and threatening other commissioned officers. A court

martial imposed a sentence so severe that it was "next door to hanging". Reresby appealed to the King for clemency on the grounds that "they are the choicest men in the company" and "almost dead before their punishment through the sense of their fault", but the sentence was upheld. [294]

Soldiers also caused strife with civilians. There were quarrels and brawls between civilians and soldiers. Robberies were committed by soldiers. [295] At the beginning of 1688 matters got worse. Some "now and then in their frolics are gallanting the glass windows". [296] Serjeant Baldock begged Reresby to come to the city to restore order:

the soldiers play very bad tricks, people being robbed in the streets at 9 of the clock at night or before ... and several women being ravished in the streets. Mr Edward Thompson's cooper run up the nostril with a sword is either dead or dying. [297]

On Shrove Tuesday matters came to a head. Apprentices and children playing in the Minster Yard disturbed a mass which was taking place at a nearby chapel and at which soldiers were present. One Mr Murphy came out to complain. He hit one child and the boys responded by throwing stones, accidentally breaking some windows. Two files of musketeers of Captain Cornwall's regiment then in the garrison, arrived on the scene to deal with the disturbance. Throughout the rest of the day the soldiers made arbitrary arrests, subjecting their prisoners to brutal military punishments. When eventually the prisoners were taken before the civil magistrates, Ensign Oard struck one man and, on leaving the Mayor's presence, said "God damn me, I care not a fart for you". Reresby received various reports of the incident. Lieutenant-colonel Purcell claimed that some priests had informed him the night before that the rabble intended to pull down the chapel which made him act more severely against the apprentices. However, Reresby believed that the whole affair had been accidental. [298]

Even after the so-called "riot" the soldiers continued to act insolently. In March two of them killed a citizen in the street for which they were sentenced to death at the assizes. [299] Some civilians preferred indictments against Captian Cornwall and Ensign Oard but neither of them appeared at the assizes. Oard, who had been confined and suspended by the King's order, took off his own suspension and went northwards with the regiment when it left York shortly afterwards. [300] Lord Montgomery's regiment was the next to arrive in the garrison and it too was unruly. [301]

York citizens were shocked at their treatment at the hands of the soldiery, particularly during the Shrove Tuesday incident:

All the citizens in general are disturbed in an extraordinary manner that townsmen should be punished by martial law. [302]

Many blamed the mayor for not insisting that those taken be delivered immediately to the civil authorities. No-one appeared to prosecute those accused of riot, a sure admission that it had been the army at fault in the incident. [303] Naturally the citizens were relieved to be rid of the forces. Not only were they insolent, violent and associated with catholicism in the city but also there had been numerous complaints about payment of their quarters. Reresby wrote to William Blaythwayt in April 1688 that few passed through York without leaving some debts behind them. The situation was exacerbated by the King's decision to dispense with the rule that officers ensured that soldiers' pay was used to settle their bills with their landlords. Reresby complained in letters to the government but seems to have found no support. [304]

The problem was not restricted to York. Hull also experienced difficulties with accomodating soldiers and had problems with payments for quarters. In October 1685 the government ordered that soldiers there were to have their lodging in public houses free and pay only for their meat and drink. By early 1688 there was a severe accomodation shortage for the forces stationed in the town. Seven companies of Lord Dumbarton's regiment amounted to over three hundred men and therefore exceeded the number of places available in public houses. The other four companies of this regiment plus Captain Cornwall's regiment arrived making the problem even worse. The King had ordered that those not finding accomodation in public houses must be placed in private accomodation, paying 8d per week each. However, Dumbarton was dissatisfied at the corporation's statement of how much free accomodation was available and wanted brewers, bakers, butchers and brandy shops to be regarded as public houses. It is not clear how the problem was resolved but James Kynvin, the town's solicitor, argued that the King had already declared that only houses which retailed drink were to be deemed public houses. In a sense the question of public and private was academic when bills were left unsettled. In June 1688 the corporation was trying to claim £127 13s 06d for arrears. Captain Cornwall said they amounted to only £83 04s

04d. Until the government received a detailed account from the corporation, nothing would be paid at all. [305]

During James II's reign the gentry lost control of the security forces which were available to them. The disregard of the militia by the King lessened its prestige and upkeep in the county. Even the gentry's command of independent troops and companies was insecure. Some of those who raised independent forces at the time of Monmouth's rebellion were deprived of their commands later for political reasons. Thomas Fairfax lost his command in March 1687 along with several others who failed to comply with the King's demands. [306] In the summer of 1687 James decided to incorporate governors' independent companies into other regiments. Reresby's grenadiers, much admired by James when he viewed them at camp, was joined to the Duke of Barwick's regiment. That winter the King allowed the company to quarter in York for the last time. The company in which Reresby had invested so much time, money and pride, was taken out of his control. [307] The garrison forces were almost completely out of governors' control. Although Reresby insisted on certain standards being maintained in York garrison, it was difficult for him to discipline forces which he did not command on a day to day basis. [308] The problems caused by too many soldiers in small garrison towns such as Hull and York created animosity between citizens and the army and imposed an extra burden on governors trying to mediate between the two. In his security policy, as in local office holding and his religious policy, James II was successful only in alienating the traditional governors of society.

### Conclusion

On 22 November 1688 Sir Henry Goodricke told a meeting of a hundred Yorkshire gentry in York

there having been a great endeavour by the government to bring popery into this Kingdom of late years, to invade the laws in many ways, that there was no way to redress grievances of this and other natures but by a free parliament. [309]

His hearers already knew how James II had introduced popery and arbitrary government into England. Catholics were visible in central and local office holding - in the commissions of the peace, the lieutenancies and in the corporations. The King's army, so obvious a symbol of arbitrary rule, subjected York's citizens to martial law, acted insolently in the streets, had free quarter in the garrisons and worshipped openly in the catholic chapels which were mushrooming in the city. There had been no opportunity for the redress of grievances in parliament. James II was trying to subvert parliament's freedom with the 'Three Questions'. He wanted to pack a parliament with committed supporters rather than listen to the true representatives of the nation. The ruling elite, upon whom security, liberty and stability relied, had been undermined in their county, deposed from power because they would not bend to the will of a catholic king. This was no mere popish plot. This was the popish reality.

On the same day as Goodricke made his impassioned speech, the Earl of Danby secured York for the Prince of Orange. Yorkshire's part in the 1688 Revolution has been described many times before and it is unnecessary to give more than the briefest outline here. Danby, deep in the design to invite William of Orange to England from the beginning, undertook to secure the northern counties for the Prince. He used the gentry meeting on 22 November as the opportunity to take York and, having secured the key city, went on to take Scarborough, Hull and other northern garrisons. By 19 December 1688 Sir Henry Goodricke could report to Danby that "nothing now remains out of the Prince's hands". [310]

Most accounts of the 1688 Revolution in Yorkshire concentrate on the activities of Danby and his fellow conspirators. Less attention has been paid to the gentry meeting itself. Yet as the Yorkshire gentry assembled in York, the vast majority had no knowledge of Danby's plans for an armed coup. Sir David Foulis, for instance, innocently wrote to the Duke of Newcastle on 24 November to apologise for his absence at the gentry meeting. His first concern, he said, had been to muster the militia for defence of the East coast against the Dutch which had prevented his attending. It is clear that Foulis never suspected that the county meeting had any other purpose than that declared in the circular letter which had summoned the gentry to York. [311] Too heavy a concentration on Danby and his coup can distract attention from other, and more widely held, concerns amongst the gentry as a whole.

The genesis of the gentry meeting was a circular letter from ten deputy lieutenants issued from York on 13 November. These deputies had met to make arrangements for securing the county against the Dutch threat. At the deputies' meeting Sir Henry Goodricke proposed that the gentry and freeholders be summoned to York on 22 November

to draw up some instrument or declaration of our loyalty to the King in this time of danger, and to consult of such things as might tend to the honour of God and our own safeties. [312]

The declared intention of the proposed meeting then was not simply to draw up an address of loyalty to James II. According to the catholic governor of Hull, Lord Langdale, the assembled gentry were also "to consult about their duty to God, to their sovereign and the good of the country". On this basis Reresby wholeheartedly concurred in it. He believed that an address which assured the King of their adherence to him and the obligation of their religion would be good for the government and discourage its enemies. [313] That other gentry believed likewise is illustrated by the fact that so many took the trouble to travel to York for the meeting.

It has been argued recently that Danby did not necessarily expect or urge William of Orange to make a northern landing. [314] However, the Yorkshire gentry widely suspected that the Dutch would invade via the east coast or the Humber estuary. It was said that some 2000 volunteers came forward to defend the county and whilst some may have known about Danby's conspiracy, it is unlikely that the majority were doing anything more than protecting themselves from foreign invasion. [315] Hull prepared for a siege. [316] Militia troops were drawn into Whitby. There were two full companies in Scarborough. [317] On 5 November Reresby heard from Bridlington that there were two Dutch men-of-war off the coast. Just before this a large Dutch frigate of seventy guns appeared off-shore between Whitby and Sandsend. The master of a Scarborough ketch was kidnapped by the Dutch and let off at Hartlepool. Sir David Foulis informed Viscount Preston that on the night of 8 November they believed the enemy was about to land since beacons along the east coast were fired, but it proved to be a false alarm. [318] Gentlemen living near the coast fell under suspicion. Orders were issued to search Sir Hugh Cholmley's property at Whitby since it was reported that he was keeping more horses than usual. [319] Even after William had landed at Torbay many Yorkshire gentry felt the need to secure the county from the threat of additional Dutch



troops being landed on the east coast as well as from internal risings in support of the Prince. The general feeling of insecurity was the factor which spurred most gentry to meet in York on 22 November.

The majority of the gentry who went to York then did not intend to make a simple statement of support of James II. Neither were they going to support an armed coup in William of Orange's favour. Their meeting was in the great tradition of consulting together how best to secure their county. They knew that this would involve an address to the King pointing out the county's vulnerability and perhaps expressing their fears for their religion, liberties and properties.

Before the meeting took place the Duke of Newcastle and Reresby became aware that Goodricke's intention went further than he had stated so far:

Some said a petition for a speedy and free Parliament &c.; others said more things would be represented and insisted upon. [320]

Goodricke eventually told Newcastle that indeed he intended to offer a petition for a free parliament and hoped that the gentry at the meeting would concur. Reresby and Newcastle decided that unless the address "were very loyal" they would not subscribe. Reresby however thought that there was room for debate and accomodation. He believed that it would be possible to frame an address which "might be so penned, and with that modesty, that it might satisfy here and not displease above". [321] No doubt Reresby envisaged an address advising James of the necessity of a parliament, explaining the dangers they faced in the county, but adding that they would defend him at all costs. Later, on 28 November, Reresby heard that the army had declared for a free parliament and defence of the King "which was the very thing I desired to be the subject of our Yorkshire petition or declaration, and the denial of which made me refuse to subscribe or agree to it". [322]

Reresby stayed away from the gentry meeting on 22 November. He had no suspicions about the coup. As he told Danby later, he believed that they would "go high" in their petition, but he never believed that gentlemen of such quality and estates would engage in such a dangerous design. Rather he did not attend the county gentry because he could not be party to an address which went so far in challenging his most deeply held political principles. [323] It is clear that in this Reresby was not alone. At the meeting Sir Thomas Yarburgh, Sir Lionel

Pilkington and William Stockdale objected to the petition, arguing that "it ought to be moderated in some expressions, and that at the same time ... we ought to assure the King to stand by him in these dangers which threatened both him and his kingdoms, with our lives and fortunes". Sir Richard Grahme, recently made high sheriff, also highly disapproved of the petition. Such moderation was opposed, but Reresby claims that many who disliked the petition left the meeting. Others however were convinced of Goodricke's account of the growth of popery and arbitrary power. They were prepared to sign an address calling for a free parliament. Before a third gentleman could subscribe, Christopher Tancred rushed in shouting that the papists had risen and had attacked the militia. Thus started the Revolution of 1688 in Yorkshire. [324]

Danby appears to have conspired with only a handful of lords and gentlemen in the north. Partly this was the consequence of his strategy. Since he was engaged in treasonable conspiracy, of necessity he had to maintain secrecy and thus keep the number of plotters small. It is clear that he waited on circumstances before deciding on the exact time when he would take York. He intercepted a letter from Reresby to Newcastle in which Reresby explained the plans for the gentry meeting on the 22nd. Danby later endorsed the letter "From the governor of York, 14 November 1688, by which I timed my going to surprise York". The original intention was to seize the city on 21 November. [325] However, Newcastle left York the day before "in the greatest pet" following his row with Goodricke about the content of the proposed address. Declaring that he would not be overruled by his deputies he went home to Welbeck. [326] Newcastle's failure to give a firm lead in Yorkshire greatly contributed to Danby's success. Danby told Reresby later that Newcastle's leaving York provided the opportunity to rise. Moreover, Newcastle played straight into the conspirators' hands. He refused to dismiss the militia horse before he went, in spite of Reresby's entreaties that he should do so. He commissioned Danby's son Lord Latimer as a deputy lieutenant of both the North and West Ridings and gave Sir Henry Goodricke command of a militia regiment just before he left. [327] Both Latimer and Goodricke were party to Danby's conspiracy. Newcastle, in the face of so much opposition, seems simply to have given up. He later requested that he be allowed to resign the lieutenantancy to Lord Howard, but the King would not hear of it. [328]

Danby probably also was forced to limit the number of conspirators since he had been unable to keep his finger on the political pulse of the county due to his five years imprisonment. Although some gentlemen, such as Reresby, visited him in the Tower, in a crucially formative period Danby had no say in the political development of the Yorkshire gentry. [329] In the summer of 1682 Lord Latimer was in the county, paying visits to a number of principle gentry. He reported to his father that on his arrival at Kiveton he had a kind reception from neighbouring gentry. Conyers Lord Conyers, his eldest son Lord Lexington and Mr Sanderson all wished Danby was in the county with them. At York Sir Thomas Slingsby, Sir Thomas Mauleverer, Sir Jonathan Jennings and Sir John Reresby drank Danby's health. Latimer dined with Sir Thomas Yarburgh and stayed with Tobias Jenkins and Sir Philip Constable, where he met the catholic Lord Fairfax of Gilling. [330] But the payment of such compliments did not signify that Danby held any political sway in the county. During his imprisonment the Yorkshire gentry managed their political development quite adequately without any reference to the old Lord Treasurer.

After his release from the Tower Danby paid a short visit to his estate at Kiveton. [331] He was pleased that "all the gentry to a very great distance" waited on him, Viscount Castleton excepted. It was probably about this time that Danby first made links with some of the gentry who were to conspire with him in 1688. Immediately after his release, Sir Henry Goodricke, who had supported Danby in the Commons in 1679, suggested a political partnership between Danby and Lord Dartmouth, Goodricke's brother-in-law. Although it came to nothing, it was clear from as early as 1684 that Goodricke was keen to resume his active support of Danby [332] Sidney Montagu-Wortley visited Danby at Kiveton in September 1684 and made an impression on him as "a very fine gentleman". Later he was to be active in Danby's coup. [333] Even before James II's reign had started then, Danby had forged links with some Yorkshire gentry as the basis of a party.

However, he does not appear to have made much more effort in the matter, spending most of his time in London and at Wimbledon. Danby re-emerged on the Yorkshire scene in 1688, after he had committed himself to securing the north for the Prince of Orange. There is little direct evidence as to who was brought into the conspiracy in Yorkshire. At about the end of September 1688 Danby, his son Lord Dumblane and Charles Bertie took up residence at Ribston Hall,

Goodricke's country seat, on the pretext of taking the waters at Knaresborough. Here, much of the planning for the rising took place and Goodricke was certainly party to the conspiracy from an early stage. [334] Circumstantial evidence suggests that John Darcy also conspired with Danby. He arranged a meeting between Danby and Devonshire, who had been one of the chief promoters of Danby's impeachment, at which the two lords came to a reconciliation. Later, orders were issued for the arrest of Lord Lumley who was known to be in the north. It fell to Darcy to search for him but he claimed that Lumley had already slipped over the border into county Durham before he could find him. Newcastle told Viscount Preston that Darcy had searched diligently for Lumley and recommended his "readiness to serve" the King. Reresby however claimed that Darcy deliberately missed Lumley. It was Darcy again who offered to deliver Reresby's letter to Newcastle about the gentry meeting on 22 November which Danby intercepted. It can be conjectured quite reasonably that Darcy made a short stop at Kiveton to show Danby the letter before going on to Welbeck. [335] Christopher Tancred gave the signal for the rising on the 22nd but there is no evidence of how or when he became involved with the conspiracy. His estate at Whixley was fairly close to Ribston Hall and it seems likely that he visited Danby during his stay there. Sidney Montagu-Wortley is also named in the extant sources as one who had prior knowledge of the coup but again there is no evidence of when he became involved. His early connection with Danby in James II's reign has already been noted. On 18 November 1688 he wrote to Godfrey Bosville of Gunthwaite urging him to attend the gentry meeting: "It is very necessary that all gentlemen should be there to consider what is best to be done at this juncture". [336] The success of the coup relied on a great deal of gentry being in York on the 22nd. Since the original intention was to secure the city on 21 November it seems likely that Danby intended to present the gentry with a fait accompli and a proposal to declare for the Prince of Orange when they arrived on the 22nd.

As it turned out the gentry themselves were used to take York, some by design, others by default. Reresby claimed that on the night before the meeting the four captains of the militia troops then in York - Thomas Lord Fairfax, Sir Thomas Gower, William Robinson and Charles Tancred - were told about Danby's plans. Being "men ready enough in their tempers for such an action" they complied. [337] It has been

argued that Danby deliberately infiltrated the militia and deputy lieutenancy well in advance of his rising in order to ensure success. However, it appears that of the nineteen deputies commissioned by Newcastle at the end of October, only five - Latimer, Goodricke, Wortley, Christopher Tancred and Darcy - were part of the conspiracy. Significantly, four of them (the exception being Darcy) were commissioned for the West Riding. Reresby commented later that few gentlemen of the East and North Ridings joined Danby, even after the coup. [338] Danby's rising therefore was narrowly based on a handful of West Riding deputies and four militia officers whom he brought in at the eleventh hour.

In his account of the seizure of York, Browning commented that none of the gentry in the meeting paused "to reflect on the complete absurdity of the statement" made by Tancred when he ran into the hall. This is hardly surprising. Packed together in a crowded room, the gentry listened as Goodricke unravelled the extent of the threat from popery and arbitrary power. Tancred rushed in shouting that the threat had become a reality. The papists were rising on the very doorstep. Naturally these gentlemen would rush out to secure the city. But the cry that went up was "for a free parliament, the protestant religion and no popery!", not for the Prince of Orange. [339]

Sir John Kaye was one of those who rushed out of the hall to secure York, completely unaware of Danby's design. Writing to Halifax on 9 December Reresby said that "Sir John Kaye, Sir Michael Wentworth, Sir Gervase Cutler and all that neighbourhood being gone home, return no more". Kaye and Wentworth commanded a huge force of about 7000 volunteers which were raised to defend Leeds from disbanded Irish and Scottish soldiers. But Kaye would not declare for William of Orange. Evidently he was deeply concerned about popery, arbitrary power, a free parliament and the county's security, but at this point would not commit himself to the Prince. [340]

The debate which was conducted amongst the Yorkshire gentry in November and December 1688 was on the same basis as all their deliberations on political and constitutional issues since the restoration. There was basic agreement about the nature of the problem. The gentry simply differed on the means to solve it. All agreed on the grave threat to protestantism which had been posed by James II. Danby wrote to Sir John Hanmer on 30 November that it was essential to declare for the Prince now because "the Protestants will

be destroyed if the Prince should now be beaten". He claimed that the rising was the last resort in preserving protestantism. Those who conspired with Danby and who wholeheartedly joined the rising once it was in motion also believed that the use of force was the only means of preserving their religion. [341] Reresby disagreed. Although he told Danby that he was as much for the protestant religion as any man, he argued that the armed coup was in direct conflict with the very religion which the revolutionaries claimed to be defending. At base, Reresby came down on the side of those who claimed that armed resistance was against the laws of God. [342]

Of the fourteen West Riding gentry who had subscribed the strongly protestant reply to the 'Three Questions' in August 1688, Sir Henry Goodricke went on to be a leader of the Yorkshire rebellion, Sir Thomas Yarburgh would have nothing to do with a petition which did not express loyalty to the King, whilst Sir Michael Wentworth and Sir John Kaye played some part in the coup but then retired to their estates. All had agreed that they "were bound by all lawful means" to defend the protestant church. By November 1688, they had developed different interpretations of those "lawful means". [343]

Reresby also believed that the use of force had been completely unnecessary to achieve the desired ends. As he explained to Lord Willoughby after the coup religion and property could have been protected and a free parliament obtained

by a thorough representation of the whole kingdom concerning them, and desire of a redress in Parliament, which his Majesty must have necessarily complied with in a short time, the want of money, the distraction and discontent of the nation, and a plain discovery that popery could never now be settled in England, obliging the King to it for his own safety and interest as well as theirs. [344]

Again the revolutionaries disagreed. Danby claimed in his letter to Hammer that only now, after the Prince's invasion and the desertion of the King's army, would James be forced to concede to the gentry's demands. The call to arms had been necessary in order to force the King's hand. [345] Reresby would have countered that it was not the gentry's place to force the King to do anything. He believed that they could express their desire for a free parliament but not demand one. This was perfectly consistent with Reresby's earlier political stance. In 1680 he had objected to the opposition's demands for the sitting of parliament on the grounds that it attacked the crown's prerogative. Goodricke's intended petition for a free parliament on 22 November had

the same fault and Reresby declined to be involved. Some gentry however had clearly changed their thinking on this matter. Kaye for instance had also objected to the 1680 petition on the same grounds as Reresby. However, it is fairly certain that he was amongst those prepared to sign Goodricke's petition in 1688. The threat of popery and arbitrary power had called for more far reaching methods. [346]

Reresby found himself in agreement with Danby when he claimed that he was for the King. Although Reresby told Halifax on 9 December that the conspirators took "no notice of the King in their actings and discourse", it is clear that Danby and the rest had no intention of installing William of Orange on the throne. The Prince had been invited to help the gentry restore the established church and government which James had almost destroyed. York corporation addressed William on 14 December, thanking him for risking his life to rescue England from those who had sacrificed the protestant religion, law and liberty. Leeds corporation made a voluntary contribution of about £300 for the preservation of the King, the protestant religion, their laws and liberties. After the coup on the 22nd, Jacob Rokesby wrote to his friend William Grimston, "We declare for the King and parliament" [347]

Yet the consensus which might have prevailed about the nature of the nation's grievances and the purposes of the rising did not produce harmony in Yorkshire. Danby did not bind the gentry together against the common enemy of popery and arbitrary power. Rather he deepened divisions by declaring that *only those fully supportive of the rising* were true defenders of protestantism. On 16 December he wrote to Pontefract corporation that he hoped they would distinguish those "who have only looked on whilst others have ventured their all to preserve you" when choosing parliamentary representatives. Although Danby did not recommend anyone specifically to Pontefract it is likely that he was hinting that the town's two usual members, Viscount Downe and Sir Thomas Yarburch, had not shown sufficient zeal for the rising to warrant re-election. If this was the case then Danby was to be disappointed. Both Downe and Yarburch were returned to the Convention in 1689. [348] Likewise, Danby, Goodricke, Fairfax and others fully supportive of the Prince pressurised Sir John Kaye into not standing for a knightship on James II's writ in December 1688. Kaye had been elected with Clifford at the abortive election in September 1688 when about 6000 freeholders had turned out. In December Danby's supporters

Fairfax and John Darcy took the two county seats. Darcy died just before the elections to the Convention and it was Kaye, rather than a more committed Danby supporter, who was elected alongside Fairfax. [349]

Danby's ~~coup~~ produced fear, insecurity and division in Yorkshire. A wave of violent anti-catholic panics gripped the county in December 1688. The people of Sheffield, Rotherham, Leeds, York, Pontefract, Hull, Ripon and Boroughbridge expected to be massacred by papists at any moment. They armed themselves with pitchforks and scythes ready for the attack. [350] Sir Miles Stapleton, a catholic gentleman, complained to Danby of his treatment at the hands of his neighbours. Sixty to eighty turned up at his house armed with guns and pitchforks saying that they had to search for arms. They proceeded to do so all night and then dragged him off as a prisoner to Pontefract. Luckily at Ferrybridge they met with Captain Tancred who sent Stapleton home since his neighbours had no authority to take him prisoner. As Stapleton told Danby, he and his family lived in daily fear. [351] Some in Leeds are said to have believed that the gentry who had risen for William of Orange created these anti-catholic panics deliberately either to draw ordinary people into arms or to emphasise the reality of the popish threat. [352] With the temperature of fear and insecurity already high, people did not need much encouragement to believe such stories.

For the second time in thirty years the Yorkshire gentry rose in arms in 1688 in order to exert their will over how the nation should be settled. As 1688 drew to an end, they found themselves debating once again the principles which would govern their next attempt at a settlement. They agreed that at the core should be monarchy, protestantism, a free parliament and their own pre-eminence in the government of centre and locality. All they had to do now was to thrash out the details.



CONCLUSION

During the period from 1660 to 1688 the Yorkshire gentry had two main political aims. The first was to re-establish and maintain their pre-eminence in the county. The second was to develop a mutually supportive political relationship with the restored monarchy.

Until James II's reign the achievement of the first aim was relatively unproblematic. The Yorkshire gentry entrenched themselves into all aspects of the political life of the county. During the interregnum the majority of gentry had been denied the exercise of their traditional role as governors of county society. In 1660 this produced a real determination to make a symbolic show that the gentry, as well as the monarchy, had been restored. From 1660 cavalier gentry monopolised local office holding in Yorkshire. Until the 1680s no purges of any significance took place and local government remained stable in the hands of those who had been swept back into power along with the King. At the same time the Yorkshire gentry extended the tentacles of their influence and authority into the municipal corporations. The 1662 Act provided the opportunity to purge local towns of the disaffected members who had dominated them during the interregnum. Some gentry established their interest in corporations by taking on municipal office. Sir Edmund Jennings's interest in Ripon was based on his appointment to the aldermanic bench in 1662. Others took on the traditional role of gentry patrons of local boroughs. In most cases a reciprocal relationship grew up between the gentry and the towns. Most towns benefited from the lines of communication which local gentry had with the centre which could be employed for representing the town's concerns.

Parliamentary representation of Yorkshire also was dominated by the county gentry throughout the period. Of the 105 gentlemen who sat for Yorkshire constituencies during the six parliaments between 1660 and 1685 only a dozen had no ties with the county. All of the others had some sort of connection with the county and most often this was based on personal interest in the borough being represented. Some gentlemen were able to dominate certain boroughs throughout the period. In Beverley for instance the interest of the Hotham and Warton families which had been established before the civil wars continued to dominate the parliamentary representation of the town. Knaresborough was represented by William Stockdale in all six parliaments between 1660 and 1685. His interest was based on the ownership of burgage property. The other seat at Knaresborough came to be dominated by the Slingsbys

of Scriven. Their interest was based on their status as a respected, leading local gentry family. In other boroughs there was less stability. Aldborough for instance had no less than nine different representatives during this period. This was the result of a disputed franchise. The lord of the manor, John Wentworth of Woolley, was determined to broaden the franchise in order to establish an electoral interest in Aldborough. He was opposed by Sir John Reresby who, in his pursuit of a parliamentary seat, championed the cause of the old electorate of nine burgage holders.

Gentry power in Yorkshire was reinforced further by the Restoration settlement of the militia. Control of the county's security forces was a symbol of the gentry's dominance, power and prestige. Throughout the period the Yorkshire gentry generally favoured well-organised, disciplined, efficient forces. West Riding deputy lieutenants were particularly diligent in maintaining high standards in their organisation of the militia. The Yorkshire gentry were motivated by similar concerns in their inclination for raising independent troops. There was constant competition for such commissions and for the best men and arms which the county had to offer. Such enthusiasm did not extend to support of a standing army. Partly this was because of associations between standing forces and arbitrary power. However, above all the Yorkshire gentry were motivated by the belief that their own pre-eminence and the nation's security were best maintained by keeping control of armed forces in their own hands in the county.

The separation of the three ridings into single lieutenancies and the failure to restore the Council of the North paradoxically had a cohesive effect on the county. In the absence of overbearing aristocratic influence the Yorkshire gentry developed a certain independence of political thought and action. This was reflected in elections for knights of the shire which were dominated by the gentry. By the exchange of correspondence, consultation between individuals and occasionally large county meetings such as those in 1661 and 1679, the Yorkshire gentry managed their own county elections. Local aristocrats offered interest to candidates on the same basis as their gentry neighbours. Even during the three general elections between 1679 and 1681 when Lords Clifford and Fairfax were returned, it was the gentry who organised the meetings and electoral strategy which ensured their success. In order to be successful at a shire election it was necessary for the candidate to have broad-based territorial

support from the leading gentry of all three ridings. In 1670 Sir Thomas Slingsby's success was based on his having gained county-wide gentry interests. Sir John Kaye's bid for a knightship in the three parliaments between 1679 and 1681 ultimately failed because his support rested on a small group of West Riding gentry.

On other occasions the Yorkshire gentry were able to act in concert on issues which affected the whole county. The city of York, as the county's social, administrative and judicial centre, provided the ideal rendezvous for large, consultative gentry meetings, particularly during assize week. The Yorkshire gentry's ability to act cohesively was clearly reflected in their meetings for a free parliament in both 1660 and 1688. Gentry of all three ridings came together to co-ordinate their opposition to the taxing of smiths' forges in the 1670s. It was not always possible to find such broad consensus as was shown in the failure to produce a county address following the dissolution of the Oxford parliament. However, by and large the Yorkshire gentry could present a formidable united front when they felt it to be necessary.

Whilst the Yorkshire gentry may have achieved the restoration of their authority and influence in their own county, they were less successful in their attempt to draw the restored monarchy into a mutually supportive alliance which would underpin their security and pre-eminence. It became increasingly clear as the period progressed that the crown did not share all of the loyalist gentry's aims and beliefs. Partly, this was the fault of the unconditional restoration. Since the nature of the political relationship between the gentry and the crown had not been decided in advance, the Restoration was not a settlement in itself but rather another step in the search for a settlement which had been on-going since the 1620s. By 1667 it was clear that the Yorkshire gentry were unhappy with the terms of the Restoration settlement. By the 1670s the murmurs of discontent had developed into the voicing of open opposition in parliament and more forthright opposition in the county as was reflected in the first 1679 general election when an overwhelming majority of gentlemen who were critical of the government were returned.

During the 1670s, and particularly after 1673, a basic consensus emerged amongst the Yorkshire gentry about the nature of the problems which the nation faced. Most notably, all agreed that the growing tide

of popery at the centre should be stemmed. Already deeply concerned about the French alliance and the Declaration of Indulgence, the Yorkshire gentry's fears of popery were given a concrete reality with the Duke of York's conversion and catholic marriage in 1673. Contemporaneously Danby's parliamentary management, with bribes and 'secret service' payments, aroused the Yorkshire gentry's fears for the freedom of parliament which had to be defended. There was consensus on the need to resist the build up of a standing army. Equally there was agreement that the nation should not be overburdened with heavy taxation.

However, whilst there was consensus on the identification of the problems which had to be tackled, the Yorkshire gentry profoundly disagreed on how to find solutions. It was this which provided the dynamics for the development of Yorkshire gentry politics. The gentry were divided on how best to handle the Stuart monarchy in order to bring it into the ideal of a mutually supportive relationship with themselves. The dilemma which the Yorkshire gentry faced was how to balance the liberty of the subject and the protection of the protestant religion with loyalty to the monarchy. The weight which individual gentry gave to each consideration resulted in a broad spectrum of political positions and also provided the fluidity of political division which characterised the whole period.

Much of the division centred on the question of how far the monarchy could be trusted, particularly in the use of prerogative powers. General consensus prevailed in the belief that the King should not use the prerogative to dispense with statutes which were the very foundation of the Restoration settlement. Hence the general outcry from Yorkshire members against the issue of the Declaration of Indulgence in 1672. However, in other areas the Yorkshire gentry were divided in their opinions as to how far the royal prerogative could be challenged. In 1677 Sir John Reresby argued that the opposition's demands for a Dutch alliance attacked the royal prerogative of deciding on foreign policy. In 1680 he, together with Sir John Kaye, Sir Bryan Stapleton, Sir Thomas Mauleverer and other loyalists, objected to the Yorkshire opposition's address for the sitting of parliament on the grounds that it attacked the royal prerogative of summoning and dismissing parliaments.

On the issue of the King's finances in the 1670s both Sir John Reresby and Sir Hugh Cholmley recognised that the question came down

ultimately to one of trust. Members associated with the Court party favoured supplying the King with sufficient revenue so that he could exercise strong monarchical government. Country members did not trust the King to rule in the nation's interest. To make him rich was to open the door to popery and arbitrary government without parliament. Much the same arguments were put forward on both sides before the 1685 parliament.

Two gentlemen whose careers spanned the period covered by this thesis and whose political positions widely diverged were Sir John Reresby of Thrybergh and Sir John Hotham of Scarborough. They were near contemporaries, having been born in the early 1630s and dying in 1689. Both held local office in their respective ridings and both served as members of parliament, Hotham for Beverley from 1660 and Reresby for Aldborough from 1673 (although his disputed election meant that he did not take his seat until 1675). However, their divergent careers can be seen as illustrating the impact of pressures and principles on individual political attitudes and actions.

Reresby's maxim throughout his political career was that there should be due balance between the liberties of the subject and the crown's prerogative. During the early part of the 1670s he identified himself with the Country party in the Commons, at that point seeing more reason in their arguments than those of the Court members. In the county Reresby was a leader of the Yorkshire opposition to the taxing of smiths' forges. In this he had two 'country' concerns. Firstly he was defending some of his poor countrymen from burdensome taxation. Secondly he was resisting the encroachment of outside agencies - in this case taxation officials and central government - into the justices' rightful jurisdiction. Up to about 1677 Reresby believed that the liberties of the subject were being outweighed by the crown's prerogative in both parliament and in the county. On this basis he identified himself and acted as a quintessential 'country' gentleman. However, Reresby was also motivated by a desire for self-advancement. In the 1660s he was appointed as deputy lieutenant of the West Riding, a position which he lost when he found Buckingham's disfavour in 1667. In 1670 he took up his place on the West Riding bench and in 1674 was reappointed as a deputy when Danby became lord lieutenant of the West Riding. Three years later Reresby was clearly seeking additional offices and eventually, in 1678, he was made governor of Bridlington through Danby's influence. In 1682 Reresby reached the pinnacle of his

political career when he was appointed to the governorship of York, this time through Halifax's patronage.

As Reresby sought and gained offices which relied on central patronage, he became less eager to identify himself as a 'country' gentleman. By 1682, although he still recognised the justice of the smiths' cause, he was unwilling to argue for them in case it was represented in an ill light to the King. As he took up his governorship of York in the same year he decided that he would defend 'country' business if it was brought to him, but he would not seek it out, preferring to keep the good opinion of the King and court.

However, it would be wrong to see Reresby's swing from moderate country opposition to the court purely in terms of his pursuit of offices. By 1677 the parliamentary opposition was becoming too extreme for Reresby to feel comfortable in his association with it. In attacking the prerogative, the opposition was upsetting the due balance between the crown and the subject. Although Reresby shared the gentry's common concern about the danger of popery, by 1681 he believed that the opposition to the Duke of York intended also to subvert Charles II's monarchy. From about 1677 then, Reresby increasingly inclined towards the court, partly from self-interest but also in an effort to redress the balance between crown and subject.

Reresby's political belief was reflected also in his political action, particularly after 1681. In his governorship of York, on the West Riding bench and in his general attitude towards other Yorkshire gentry, Reresby adopted the attitude of a conciliator and mediator. Recognising the fluidity of political opinion present in the county in the first half of the 1680s, Reresby was keen to find consensus amongst all gentlemen who were ultimately loyal to monarchy even if they remained critical of it.

Sir John Hotham was the head of a leading East Riding family which had a tradition of moderate country opposition to the crown, a fact readily pointed out by his opponents in Beverley in 1683. During the 1630s and 1640s the Hothams of Scarborough had been prominent in Yorkshire's opposition movement against Charles I's financial expedients and the military burden on the county. Sir John himself held county office during the interregnum but he was prominent in the call for a free parliament in 1660. Although he was appointed as custos rotulorum of the East Riding and as a deputy lieutenant, he appears to have been regarded with suspicion by the restored

government. In 1663 he suffered a brief imprisonment on suspicion of being involved with the Yorkshire plot of that year. In 1670 he lost his place on the North Riding bench. Ten years later, because of continued and determined opposition to the crown, he lost all his local offices. By 1687 he was in exile in Holland. Whereas Reresby blended political principle with self-interest in order to further his political career, Hotham's adherence to his principles resulted in political decline.

Hotham had a much keener perception of the growth of popery and arbitrary power than Reresby. He was one of a group of East Riding justices who persecuted catholic recusancy. His violent condemnation of catholics in his speeches in parliament revealed his genuine belief that protestantism was under threat. During the 1670s he recognised all the signs of the development of a popish plot. In 1673 he was outspoken in his condemnation of the Declaration of Indulgence. Frequently he expressed concern about the growth of the standing army. By 1677 he was worried by the French alliance and was amongst those who attacked the prerogative in demanding an alliance with the Dutch. In Hotham's view, no attack on the prerogative which resulted in securing the nation from popery and arbitrary power was to be criticised. Thoroughly distrusting Charles II and his catholic brother, Hotham believed that the popish plot had its roots in the court itself. Ultimately, such a belief led him naturally to support exclusion as the only means of protecting protestantism.

Gradually, during the 1670s, Hotham's fear of popery came to be shared by the majority of the Yorkshire gentry, although to differing degrees. For the Yorkshire gentry during Charles II's reign this fear was not at all associated with any perception of a threat from within the county. Apprehensions were aroused by the monarchy's catholic leanings. Therefore Danby's policy of persecuting catholics in the mid-1670s had little effect in allaying the Yorkshire gentry's fears of popery. Some saw the answer to the problem in uniting protestants against the common enemy. In 1671 Sir William Lowther gave an early indication of this when he argued against the Second Conventicles Act as too severe against those who differed from the Church of England in peripheral matters such as discipline and forms of worship. In the mid-1670s Sir Henry Goodricke appeared to hope that the offer of some form of comprehension would result from Danby's negotiations with the bishops. Sir John Hotham, an exclusionist and Sir Hugh Cholmley, a



loyalist, both suggested that a protestant association could defend protestantism from a catholic monarch who attempted to impose his religion on the nation. The 1681 election address to the Yorkshire knights of the shire called upon them to unite protestants against popery.

In searching for a solution to the problem of the growth of popery the Yorkshire gentry did not reduce the question to one of exclusion or no exclusion in the crisis period of 1679 to 1683. Indeed, in the three general elections between 1679 and 1681 exclusion was rarely mentioned as an issue. Electioneering continued to be conducted in the context of the court-country divide and general concern about popery and arbitrary power were expressed in the election addresses of 1681. For some, such as Hotham, exclusion was the only logical and acceptable solution. Yet other Yorkshire gentry supported alternative solutions during this period. Sir Edmund Jennings twice suggested forcing all catholics into exile on the grounds that without catholic subjects, a catholic king could be no threat. Sir Henry Goodricke, Sir John Reresby and Sir Hugh Cholmley all favoured considering the King's offer of limitations on a popish successor. Cholmley believed that a catholic king could be bound by legislation and that ultimately a statutory protestant association could protect the protestant religion. The Earl of Strafford urged Anglican clergy to woo the Duke of York back into the Church of England. Exclusion then was only one of several alternatives being considered by the Yorkshire gentry.

Moreover, it is clear that although there was consensus in Yorkshire on the need to stem the growth of popery, some gentry were equally concerned with the threat to the established church from protestant dissenters. Such fears were amply supported by evidence from within the county. Throughout the period there was no shortage of reports from Yorkshire that dissenters were factious, rebellious and anti-monarchical. In 1668 Sir John Goodricke argued in the Commons against comprehension on the grounds that since Anglicans and dissenters had never found agreement in the past, there was little likelihood that they could do so now. Sir Thomas Osborne preferred to fortify the Church of England from within against both protestant and catholic dissenters.

These differing perceptions of the relative threat from popery or protestant dissent were instrumental in creating the crisis and division of the period 1679-1683. Support of exclusion as a solution

to the catholic threat actually dwindled in Yorkshire. Partly this was because it became clear that exclusion was a dead-end pursuit. Charles II and James would never accept it therefore it was futile to push the issue when other alternatives might offer acceptable solutions. More important though, the popish plot was found to have a rival in the shape of a radical plot to subvert the monarchy. Reresby commented that in the 1681 parliament the question was no longer simply whether or not the Duke of York should be excluded but rather whether England would have a monarchy or a commonwealth. In this way, pursuit of exclusion was seen to be disloyal. This was clearly expressed in Yorkshire after 1681. The Yorkshire 'Whigs' were not simply those who had favoured exclusion. Rather, gentlemen who were thus stigmatised were those who expressed disloyalty to monarchy by refusing to subscribe loyalist addresses and who were thought to be engaging in treasonable designs. Charles II therefore found support when he purged local office holding and the corporations of these most disaffected gentlemen. Just as popery was associated in the Yorkshire gentry's minds with arbitrary power, so dissent was linked with radicalism and republicanism. Gentlemen who had recognised the threat from popery in 1678 now turned their attention to stamping out protestant nonconformity. West Riding justices "trounced" dissenters. When some magistrates commented that dissenters were now more severely persecuted than catholics, the West Riding justices' answer was to trounce both.

By this point the Yorkshire gentry had been sifted out into a broad spectrum of political positions based on the relative balance of loyalty to protestantism, loyalty to monarchy and perceptions of the extent of the threat from papists and dissenters. At one extreme the 'Whigs' such as Sir John Hotham, Sir Henry Calverley, Humphrey and Robert Wharton, Sir William Frankland and others, put all their weight on the side of protestantism in the face of the popish menace. At the other end of the spectrum, loyalists such as Sir Thomas Slingsby and Christopher Tancred distinguished themselves by their overriding loyalty to monarchy. Fearing the subversion of the monarchy more than the catholicism of the future king, they were able to reconcile their protestantism with loyalty to the crown. In between were gentry who still sought a more even balance. Sir John Reresby wished above all to heal the county gentry's divisions by finding renewed consensus. Sir John Kaye found his expression of loyalty in trying to protect the

monarchy from the popish and fanatical menaces alike. The Presbyterian Henry Lord Fairfax, who had supported exclusion in 1679, now softened his attitude towards the crown but refused to be drawn into expressions of blind loyalty or wholehearted persecution of dissent. James II completely upset the gentry's balancing acts. By subverting parliamentary freedom, undermining the gentry's status, prestige and authority in the county and above all by destroying the security of the established church, he challenged every fundamental principle of the Yorkshire gentry's political beliefs. James II offered the gentry a choice. Either they could be loyal to their own concept of how the nation should be settled, or they could be loyal to the crown. The Yorkshire Whigs had made this choice by 1683. They had decided that defence of protestantism, liberty and property could not be allied with loyalty to a monarch who did not share their belief in the importance of these fundamentals. For the majority of the Yorkshire gentry however, the day of reckoning was delayed. Those loyalists who had rallied to the crown's defence during the crisis had placed the utmost trust in Charles II and James. Initially it appeared that this trust had been well placed. Charles II, for the first time in his reign, threw his weight behind the loyal, Anglican establishment after 1681. The disaffected were removed from office and loyal Anglicans put in their places. Loyalists were listened to when they recommended municipal officers and justices of the peace. James II, however, broke the loyalists' trust as well as his own promises. Ultimately it was protestantism, and the Church of England particularly, which was a statement and guarantee of the Yorkshire gentry's political and social hegemony. In such circumstances, it was hardly surprising that most Yorkshire gentry chose protestantism over the crown in 1688.