

John Godwin, 'The Restoration and its impact on Bristol' (University of Bristol, draft PhD chapter, 2017)¹

Bristol suffered considerably during the Civil War, enduring two sieges followed by two occupations, first by the crown forces, then the parliamentary army, which in September 1645 marched into a city suffering from a lack of food and with the plague raging. During the 1650s Bristol was a city under military occupation. Although most of the citizens were Anglican, there was a large dissenting population, including Presbyterians, Baptists, Anabaptists, Fifth Monarchists and Quakers. By the 1650s some of these had been absorbed into the leadership of the city, particularly the Presbyterians and Anabaptists who became influential members of the city council. The council itself was run by a small group of oligarchs, mostly merchants, who were self-appointing and, once appointed, normally served for life. Change was therefore slow except when particular groups came to dominate. As will be seen, that did not happen often. Indeed, major changes only occurred when two circumstances coincided; pressure from the king or parliament was needed and this had to occur at a point when a dominant local figure was willing to provide a lead. That happened less often than might be expected. Despite their wealth, civic leaders still largely lived cheek by jowl with the ordinary citizens. They plied their politics alongside the guilds and parishes and the numerous citizens involved with them. There was considerable pressure to move forwards by consensus.

Oliver Cromwell died on 3 September 1658. The following day the President of the Council of State sent messages to the major cities announcing the succession of his highness Richard Cromwell, son of the late Lord Protector. Although most royalists had been purged from Bristol council over the previous two decades, the council's celebration of Richard's accession was muted. Ronald Hutton has squarely blamed Oliver Cromwell for the destruction of the Protectorate by 'pushing it into near-bankruptcy, dividing its supporters and elevating as a potential successor a son who had no understanding of the men upon whom he most depended'.² Hutton also

¹ The following paper is a draft chapter written by John Godwin, while working on his PhD (2014-17), undertaken in the History Department of the University of Bristol. Ill health forced John to withdraw from his studies in May 2017. He was awarded an MPhil by aegrotat in June 2017, in recognition of the research he had completed to date. This included an article based on his earlier MA dissertation (Bristol, 2014): John Godwin, '[The origins of Bristol's mayoralty](#)', *Transactions of the Bristol & Gloucestershire Archaeological Society*, 133 (2015), 141–150. John died on 29 August 2017. Before dying, he agreed to have this chapter posted online, on the Smugglers' City website: a course unit he had participated in during 2014. His supervisors were keen to publish the chapter online because they felt that it contained much valuable research, which throws significant new light on how the Restoration of Charles II (1660) affected the operation of Bristol's municipal government. It was hoped that posting this online would facilitate the research of future historians working in this field. Please be aware that, since this chapter is a draft, it is not as fully referenced or polished as would be normally be the case. It was, however, lightly copy edited by Evan Jones, with the consent of the author.

² Ronald Hutton *The Restoration. A Political and Religious History of England and Wales 1658-1667* (Oxford: Oxford University Press 1987) p. 41

takes a clear view of the collapse of the Republic and the restoration of the Monarchy. He cites the unpopularity of the army and godly reform, the divisions among republican leaders, the waning of ideological fervour and the corruption of Puritanism by power.³

Supporters of monarchical government had by no means disappeared in the 1650s, with most favouring the restoration of the Stuarts. As the Protectorate tottered, royalism increased. Even before the death of Oliver Cromwell, rumours of royalist plots were spreading in Bristol and the West of England. The State papers of 1656 contain many letters to Secretary Nicholas, the King's minister in Cologne, discussing royalist conspiracies in Bristol and elsewhere, claiming that large numbers of men were ready to rise on behalf of the King should he return to England.

By 1657, the Cromwell's government was seriously concerned about the possibility of a royalist uprising and the Lord Protector himself wrote to Bristol Council on 2 December. The letter was recorded in the minute book and opens:

Trusty and well-beloved wee greet you well; Remembering well the late expressions of Love that I have had from you, I cannot omit and opportunity to express my Care of you.⁴

The letter notes that Cromwell had received intelligence that royalist plotters had designs on Bristol and it gave authority to the council to raise its militia under previously issued commissions. It also promised to send a troop of horse in support.

The letter was read to the council on 8 December, which resolved to raise a militia for the defence of the city. The wording of Cromwell's letter was not threatening, and was apparently advisory, yet the council seems to have accepted it as a command. No dissent was recorded in the minutes to the Protector's proposal. The council resolved to follow Cromwell's recommendation and a small committee of aldermen was drawn up to draft a suitable response. A much larger committee was formed to consider all necessary actions and the Mayor ordered them to meet as a committee the following day.

Cromwell wrote again in March 1658 warning Bristol's council that the Spanish were supporting a rising in the city. He offered Bristol all assistance required. The Council asked the officers of its eight companies or locally trained-bands what they needed. It also authorised the city chamberlain to make funds available for an extraordinary guard if so required and it ordered an investigation into what quantity of powder and other ammunition was needed. The chamberlain was to make the necessary funds available.

³ Hutton idem p. 119.

⁴ BRO M/BCC/CCP/1/5 p. 146.

Richard Cromwell never had the same degree of respect or authority his father possessed. By April 1659 the second Protectorate was effectively over and in May the Rump of the Long Parliament was restored, proclaiming the return of the Commonwealth. But the Rump Parliament was immediately at odds with the army and did not last six months. Despite this, in the spring of 1659 there was still only minority public support for the restoration of the monarchy. On the other hand, the public feared anarchy and throughout the country there was concern about a possible uprising by royalists. At this stage, the Stuart cause was not popular. In July and August 1659 there was an attempted royalist rising. The government's first action was to send a letter to colonels, majors or captains of the counties asking them to raise their troops and await instructions. They were offered equal pay to that of the regular army.⁵

One of the difficulties the Council of State faced was that rumours of uprisings were coming from many different parts of the country. These included Bristol, Bath and Gloucester. On 19 July 1659, Bristol and Gloucester were ordered to raise volunteers.⁶ Later that month the government was no longer prepared to leave the defence of the country with local leaders and trained bands. On 25 July, President Lawrence, on behalf of the Council of State, wrote to six local men, Colonel Hagget, Nehemiah Collins, Edward Tyson, Thomas Ellis, Samuel Clarke, and John Harper. They were appointed military commissioners and required to enlist, arm and muster six companies of foot 'from amongst the well-affected' inhabitants of Bristol. Each of the commissioners was to command a company. Similar instructions were sent to Gloucester for convening four companies there.⁷ Two other military men, Colonels Okey and Desboro were later added at Bristol.

Trained bands had been introduced at the time of Elizabeth I for the defence of the realm and had been used during the Civil War. But they had a poor reputation as fighting units. Belonging to a trained band was compulsory for freehold householders and their sons. It had been intended that they would take part as they had property to defend, but the practice had grown up of freeholders sending servants or paid substitutes in their stead. At the same time as President Lawrence's letters were sent out, an Act was passed through Parliament setting up the militia, giving power to the Council of State to appoint commissioners and setting out their powers and responsibilities. The commissioners became answerable to parliament or the Council of State through monthly reports. They could also demand money or arms from the previous local military leaders of the trained bands. Their terms of reference specifically authorised them to search 'Popish retreats' for arms.⁸

⁵ *Calendar of State Papers Domestic 1659-60* ed. Mary Anne Everett Green (Vaduz, Kraus reprinted for Her Majesty's Public Record Office 1965) pp. 15,16.

⁶ *CSPD 1659-60* p. 34.

⁷ *CSPD 1659-1660* p. 42.

⁸ *CSPD 1659-60* p. 42.

By this stage the government was clearly extremely concerned and on 27 July there is a reference in the state papers that Bristol should be secured by army troops. The President of the Council of State wrote to Col. Okey, one of its leading military officers, warning him that on 'the occasion of the public mart at Bristol, the enemy will endeavour to raise commotions, and apprehending a confluence of ill-affected persons there, desires you immediately to repair to Bristol with some Army or Militia troops from the adjoining counties'.⁹ On 29 July the Council of State wrote again to Colonel Okey, requiring him to have his forces ready not only for defensive purposes, but also offence, to secure Bristol and the adjoining counties. Such a process was not confined to Bristol.¹⁰ The Council of State feared uprisings all over the country. On the same day, President Whitelock wrote to numerous military chiefs sending them to different parts of the country to quell anticipated uprisings. For example, the President wrote to Colonel Gibbon and Lieutenant General Kelsey concerning an insurrection on 'Saturday, Sunday or Monday next' in Tunbridge, ordering them to go there with Army or Militia troops under them to seize all persons they suspected of involvement. Similar appointments were made for Warwick and Cornwall, amongst others.¹¹

There is evidence in the state papers themselves that by 2 August 1659 the State Council was receiving conflicting reports about what was happening around the country. On that date, the President of the Council wrote to Col. Okey and other loyal officers to thank them for their speedy assistance and to say that the planned insurrections had been thwarted by their speedy action. He reported 'that the enemy is much dispersed at Tunbridge, Redhill, Gloucester, Hereford and Bristol and nowhere remains in any force'.¹² He also advised Col. Okey that he would receive an Act for the Militia 'which you are able to communicate to the Mayor of Bristol and the well-affected there, to encourage them to secure their city'.¹³

Yet the threat was not over and later the *same day* President Whitelock wrote a second letter to Colonel Okey warning that the Council of State had heard that the enemy intended a sudden attempt upon Bristol. He was instructed to draw his forces together to defend Bristol and Gloucester, and to send a party to Bath to seize suspected persons, and to search Colonel Popham's house near Bristol for arms.¹⁴

It is clear from the State papers that the Council of State, whilst ostensibly giving free rein to its appointed Militia Commissioners, was at the same time requiring regular reports and issuing frequent instructions. These varied from town to town and according to need. Yet the Commissioners in Bristol were clearly short of money, for on 17 August they were empowered by the Council of State to levy substantial sums

⁹ CSPD 1659-60 p. 47.

¹⁰ CSPD 1659-1660 p. 50.

¹¹ CSPD 1659-60 p. 50.

¹² CSPD 1659-60 p. 68.

¹³ CSPD 1659-60 p. 68.

¹⁴ CSPD 1659-60 p. 68.

according to the powers given under the Militia Act. Similar powers were given to Hereford and Somerset.¹⁵

There is no evidence in the Bristol council minutes that local councillors resented this intrusion from central government. In fact, they were more concerned about the cost of provisioning the troops and on 1 November 1659, at which time the crisis seemed to have abated, the City Council approved a payment by the Chamberlain of £42 as an advance towards the cost of paying off the soldiers employed in the defence of the city. The Mayor's Audit shows more money was paid in this way. By January 1660 the figure had reached £105, to be recovered through a rate levied on householders.¹⁶ From the State papers it can be seen that three companies of army foot were quartered in Bristol, along with some additional mounted troops.

By the end of the year the government was withdrawing troops from the city and elsewhere. But the royalists had not given up. Sir Edward Nicholas, who had been appointed secretary of state by Charles II while in exile, kept up a regular correspondence with Hyde and other royalists in England to prepare the way for the king's return. Sir Nicholas was clearly involved in planned uprisings in Bristol during December 1659, for he wrote about this from Brussels to a royalist in England, Mr Lipe. The letter suggests that an invasion was imminent, and that the troops sent by Cromwell to repel it were forces that had been withdrawn from France. It was hoped these army units might rebel and support the king. Yet the royalists in exile were lacking accurate information on the situation in Bristol, as the letter reveals:

Brussels: Thanks for your long delayed letter and your care of my troublesome business. Before the King's departure, he and your friends here were perfectly acquainted with your and Wm. Clayton's great industry in the business of Bristol and others his Majesty's services, and I am glad there is still so great hope of that important place. I hear that the foot companies in Bristol are part of those men that were called out of France, and not ill-affected to the interest of the King. He will be here next week, so let the person whom Sir Wm. Courtney and Sir Hum. Bennet send to receive his orders come here, where they might privately speak with him. I will tell him how needful it is to send Maj.-Gen. Massey to take charge of the Bristol business, for which he is the fittest person, being an excellent commander, faithful and loyal. What is become of honest Mr Hopton? Let me hear from you, for we have not so good intelligence of transactions in England as we should have. What does the city? We know they talk of

¹⁵ *CSPD 1659-60* p.119.

¹⁶ *BRO M/BCC/CCP/1/6* p.6.

setting up a militia of their own, and that some of them say they helped to drive out the father, they will help to bring in the son.¹⁷

Yet the Council of State did not see matters as being critical in London and Bristol. On 5 January 1660, it wrote to the Mayor of Bristol to report that orders had been issued to withdraw three companies from the city. The local military commissioners were to raise a local force sufficient to preserve the peace.

We have ordered Lieut.-Col. Mainwaring to withdraw his 3 companies from Bristol and march for London; and for your safety, we hereby authorise you, with the assistance of the Militia Commissioners of the city, to raise a sufficient force for the preservation of the city's peace, and for your protection against any hostile designs, to return the names of fit officers to Council, and when you deem the city in a posture of safety, to deliver the enclosed to Col. Mainwaring.¹⁸

Whilst not dismissing the threat of insurrection, the Council of State clearly felt it could rely on the mayor to safeguard the city. On the same day, the Council of State ordered that 'Forces be raised by the cities of Bristol, Gloucester and London'.¹⁹ Captain Mainwaring was ordered to march his companies to London. This was replicated in other cities across the country. The withdrawal proved risky. Richard Ellsworth, a leading Bristol merchant and strong royalist, sought to create agitation amongst apprentices and other young men, urging them to call for a free Parliament, the overthrow of the Government and the restoration of the Stuart monarchy. Urged on by Ellsworth, and with pamphlets that had clearly not been written by the apprentices themselves, the resulting riots lasted a week.

On 6 February, an anonymous letter was written to an 'M. Betts', merchant, Paris. It is in the State Papers. Probably M. Betts was an ally of Charles, or a false name. It records that the Rump parliament was trying to recruit some of the expelled members of parliament, provided they did not insist on the restoration of the monarchy. At the same time, the Rump's remaining troops were deployed into garrisons or towns across the country allegedly to awe the people. The letter continues:

Monk said to those of the Rump who urged him to take the oath of abjuration that he will go right for a free Parliament; Ireland declares also for it. Bristol is angry that the Rump has sent down their army into the country and some to those who are very unwilling to receive them, nor are the soldiers sent out of the city well satisfied, but still upon mutiny. In Ireland the

¹⁷ *CSPD 1659-1660* p. 280.

¹⁸ *CSPD 1659-60* p. 301.

¹⁹ *CSPD 1659-60* p. 300.

soldiers have clapped up the Rump's Commissioners, and declared for a free Parliament.²⁰

There was a meeting of Bristol's common council on Monday 6 February 1660 at which a report was read to the council from the two John Knights and Major Yeamans entitled 'The Declaration of the City and County of the City of Bristol.' Unusually it was not written out in the minutes so is likely to have been a confidential report about the rioting. No debate about the report is recorded either, just the decision that the council should meet as a committee that same afternoon to report at the next House.²¹

The full council met again two days later and presumably received a report. The minutes of the meeting read as follows.

The calling of the Coomn Council on Wednesday the Eighth day of February 1659 [i.e. 1660].²²

The maior, Aldermen and Coomn Counsell of this Citty taking notice of the tumultuous meetings and assemblies of diverse young men apprentices and others in this Citty have thought that proclamations be made in the Cross as followeth:

The Right Woppell the Maior, Aldermen and Coomn Council of this Citty of Bristol assembled in the discharge of their trust haveing in Consideration the peace and welfare of this Citty and being deeply affected with their late tumultuous meetings and unlawfull assemblies of divers young men apprentices and others within the same, And being desireous by all faire waies to prevail with them to returne to their obedience that soe all past miscarriages may be buried in oblivion, this Citty restored to its former peace and quietness and the sad and daingerous effects that doe inevitably attend those unwarrantable practices may be prevented, as they do with utter abhorrence disowne and declare against all such mutinous actions, soe they do hereby charge and command all apprentices and others whatsoever soe assembled and mett together forthwith peaceably to returne to their masters and owne houses, and what armes they have taken from any person or persons that they render the same to the Right owners and that as they expect indemnify for what is past with in our labour for And preventing of farther mischiefe and dainger to the Citty and

²⁰ *CSPD 1659-60* p. 347

²¹ *BRO M/BCC/CCP/1/6* p. 11 (check).

²² The English calendar year at this time still ran from March to March. We know this year as 1660.

themselves they do immediately submit to theis our Comands as they will answere the contrary at their utmost perill.²³

From this, it is clear the Council took the riot extremely seriously.

The Bristol apprentices' riot suggests that by early 1660 public opinion was moving, with many now feeling that the country could only be settled by the return to government by king, lords and commons. Yet the country was not prepared to undertake a full-scale insurrection to achieve it. Latimer relates that the riot started on 2 February when youths gathered in the Marsh 'in a tumultuous manner' calling for a free parliament and for Charles Stuart. The apprentices also called for the return of the Shrove Tuesday festival, games of football, and throwing stones at cocks and dogs (illegal at the time so they had to make do with bitches and hens).²⁴ Some of the more popular celebrations had been banned by the Puritans during the 1650s. Even carrying a parcel on a Sunday was illegal; and Christmas Day was designated a Fast Day. The riot was the apprentices' response. They marched on the city, took the guard house and its weapons, then broke into many other houses before securing the mayor in his home. This continued for a week despite orders from the magistrates to disperse. Yet although many people from the surrounding areas came in to watch what was happening, and to goad the rioters on, not many were willing to join them. Eventually it took only a single troop of horse to quell the rioting and Ellsworth fled to London.²⁵ The incident appears to have been a limited incident of youths stirred up by Ellsworth, for the following month a pamphlet appeared called 'A Letter of the Apprentices of the City of Bristol to the Apprentices of the City of London' which again may have been the handiwork of Richard Ellsworth. Still, this incident, and others around the country show that public opinion had by now switched to a demand for a free parliament and most understood that to mean the restoration of Charles II. On 10 February Bristol Council was able to tell the Government that there was no longer any disorder in the city.²⁶ Nevertheless Col. Okey continued acting with severity and on 25 February the Council of State felt impelled to write to him reproving him for continuing to arrest and imprison people and ordering him not to do so in future except on their instructions. A copy of this letter was sent to the mayor.

It would be wrong and too simplistic to assume that the Parliamentarians continued to support the Puritan moral precepts of the 1650s whereas the Anglican (later Tory) royalists were on the side of relaxed moral behaviour, as called for by Bristol's apprentices. The Anglican Tory, Sir John Knight, who would be a scourge of the nonconformists when he later became mayor, issued a pamphlet calling for reform of

²³ *BRO M/BCC/CCP/1/6* p. 12.

²⁴ Barry Reay *Popular Culture in Seventeenth Century England* (London & Sydney: Croom Helm 1985) p. 70.

²⁵ John Latimer, *Annals of Bristol in the Seventeenth Century*, (Bath:Kingsmeasd Reprints 1970) pp. 290-91.

²⁶ *BRO M/BCC/CCP/1/6* p.12

moral behaviour in the city, probably the first to do so. Yet, after the Restoration there was a coming together of the various groups within the city – guilds, council, various other societies and even the apprentices most of the time who saw relaxed leisure pursuits as part of a common culture of the city.

When considering the impact of the Restoration on cities similar in size and economic and social development to Bristol, a pattern emerges. Norwich is a fair comparator. As in Bristol, and across the country, by 1659 the discontent with central government was making itself felt in Norwich. At the same time, the city was undergoing an economic depression. When General Monk and his army, marching from Scotland, was within thirty miles of London, the citizens of Norwich presented him with a Declaration ‘from the gentry of Norfolk and the city of Norwich’. It recited its grievances and its complaints against the Rump Parliament, and called for the restoration to the House of Commons of those members who had been excluded. The historian, John Evans, suggested this was a thinly veiled call for the restoration of the Stuarts.²⁷ But not all aldermen and councillors signed it. Evans surmises that this was because of local circumstances and concludes that by the end of the Commonwealth in England, most magistrates in Norwich wanted the restoration of the Stuarts. As with Bristol, Norwich Council was made up of a small oligarchy of merchants who were cautious about taking sides in national disputes for fear of finding themselves on the losing side. Yet despite working with the Commonwealth, their celebrations on the restoration of Charles were unbounded. The welcome followed the same pattern as would be displayed in Bristol. A public display of loyalty by a parade through the city; an oath of loyalty; the return of a fee farm to the king; a money gift, in this case £1,000; oaths of allegiance and supremacy. The council also started the process of working through all their decisions since the civil war started to see which should be repealed. And, as would occur in Bristol, they were determined to keep the question of the ejection and restoration of councillors in their own hands.

The Commonwealth-supporting councillors of Norwich did not resign, nor were they forced out at first. Excluded royalist aldermen were brought back when casual vacancies occurred. As in Bristol, it was not until late 1660 and 1661, following pressure from the king, that any councillors were expelled. By autumn 1661 the council was back in royalist hands, but, even then, not all commonwealth men were excluded. As in Bristol, despite the willingness of the council to change the composition of the council, they opposed attempts by the king to appoint his favourites either on the council or to important civic posts. The pattern in Norwich, as in Bristol and elsewhere, is of councillors who defended their city against royalist uprisings in 1655 and who sent a loyal address to Oliver Cromwell in early 1658, now giving a public demonstration of support of a king. Evans believes this was largely because merchant councillors simply wanted to keep their positions. In Norwich, as

²⁷ John T. Evans *Seventeenth Century Norwich: Politics, Religion and Government 1620-1690* (Oxford: Clarendon Press, 1979) p. 223.

in Bristol, there was a desire to keep a unified council as far as possible, and to make changes only as they saw fit.

The final recognisable action in Bristol in support of the commonwealth government was a resolution passed on 15 March 1660 when the council resolved to present an address to parliament in support of its authority and expressing goodwill towards it.

The Calling of the Comon Councill on the fiveteenth day of March 1659 [1660].

The house this day taking into Consideration what is necessary and convenient to be done by the government of the Citty at this Juncture of tyme under the present authority of parlt doe enact, ordain and resolve as follows

1. That the Maior Aldermen and Coon Counsell of this Citty doe recognise the present Authority of parlt and by way of petition or addresse expresse their good Affections to the Same
2. That a petition be presented in the name of the Maior Aldermen and Coon Councillors of this Citty (if the Citty of Londn and other places doe the like) for the confirmation of this present parlt and filling up of vacant places of deceased members by new Elections.
3. That there being six hundred and 0 dd pounds owing to the Citty and Inhabitants thereof especially poore Alehouse keepers, In keepers, and for the late quartering of soldiers hereunder the Comand of Colonel Mainwaring, that some speedy and effectuall course be taken forthwith for the recovery of the same and full satisfaction thereof
4. It is enacted and resolved that applications be made and endeavours used for the vindication of the government of this Citty and the members thereof heretofore agreed on by this house to be Comms of the Militia from any asperitions cast either upon the one or other and that there may be an addition of those gentlemens names to be Comms of the Militia within this Citty heretofore approved of by this house and are not passed and inserted in the newe Act of parliament for the Militia and that all the Comms of the Militia may be added and impowered to be Comms of Assessment within this Citty.
5. And lastly that it be referred to the Maior and Aldermen to take care that theis Acts and resolves of this house be forthwith put in effectual execution.

In pursuance of the Acts and resolves of the Maior Aldermen and Coon Counsell.²⁸

The minutes do not indicate any dissent to the proposals, though they rarely did. Nevertheless, there were 29 councillors present plus one arriving late, and the minute taker indicates in the margin against each name that there was complete agreement. So most of the council supported the action. Latimer hints that the whole purpose of the address was to secure payment of the money the council had paid out supporting the military but it is more likely that the council simply wanted to stay on the side of the parliament as it then stood.²⁹ Clause 2 shows that the council did not wish to be out of step with popular sentiment and made their support conditional upon London and other cities taking a similar position. Perhaps by suggesting that vacancies in parliament were filled by elections, the council were hedging their bets, for they must have realised that royalist sentiment would prevail if that occurred. The Rump Parliament had so few MPs in it that filling 'vacancies' would almost amount to a general election.

Although by April the country seemed ready to welcome back their king, not everyone was happy. On 14 April, James Powell, chamberlain of Bristol wrote to John Weaver, one of the Council of State.

We are fallen into a sad condition, the good old cause sunk, and a spirit of profaneness, malignity, and revenge rising up, trampling on all that have the face of godliness, and have been of the Parliament party. If the Lord interpose not, a massacre will follow, and the very name of fanatic will ruin any sober Christian, as that of Christian among the heathen, Lollards among the Papists, and Puritan of late among the Prelatics. The Militia is placed in hands that will cut men's throats.

I beg your aid for Mr Teage's continuance as postmaster, though but for a time, for few honest men will have any place of trust or profit. The Cavaliers threaten a routing out all.³⁰

This final request was supported by a certificate signed by the mayor and fifteen aldermen and common councilmen of Bristol to the Committee for Posts, of the fitness of John Teage, who was in arms for Parliament, to continue in the employment which he has held for many years at Bristol.

²⁸ *BRO M/BCC/CCP/1/6* p.14.

²⁹ *Latimer Annals* p. 292

³⁰ *CSPD 1659-60* p. 414

Why was it that despite the prevailing dislike of the Protectorate and the Commonwealth that people were not ready to embrace the return of the Stuart monarchy until the early weeks of 1660? One suggestion has been put forward by Ian A. Thackray. He argues that during the Interregnum there was continual fear of popish and Jesuit plots, wrapped up with claims that nonconformists were Catholics in disguise.³¹ This argument was particularly made about Quakers. Thackray concluded that 'Towards the end of the decade the fear of Jesuit subversion, particularly through the manipulation of the Quakers, escalated considerably'.³²

Although allegations of an alliance between Catholics and Quakers might seem incomprehensible now, there is evidence that such belief was widespread: people drew up lists of Catholic practices and those of dissenting groups and compared them side by side to illustrate their similarity. Shortly after the Restoration, the writer William Brownsword celebrated the occasion by claiming:

Let every godly true-hearted Protestant rejoice. The greatest Plot that ever Rome had against us, is by the restoring of his Majesty and Parliament, defeated. What probable way was the Pope in to conquer us, when he had murdered our Prince, dissolved our Parliament, set up Jesuits in places of trust in the Nation, and made them our common teachers in every part of the Nation, under the forms of Anabaptists, Quakers, &c. into the latter of whom he had instilled most of his abominable principles.³³

Latimer relates that on 22 January 1655, a Bristol ironmonger asserted on oath before magistrates that some Franciscan friars had recently arrived in England from Rome pretending to be Quakers, two of whom had come to Bristol. Two days later, the Government gave a similar warning to Bristol's mayor and aldermen; the latter responded by instructing the parish constables to search out and arrest likely papists.³⁴

There was little attempt to make an immediate change to the composition of the Council when Charles II took the throne. He was almost universally welcomed. Support for him was widespread. Naturally the royalists were delighted. But he had considerable support from Nonconformists too. For many in Bristol and across the country the promise of religious toleration was far more important than nature of the government. In April 1660 Charles issued the Declaration of Breda which, among other pledges, promised religious toleration, giving considerable hope to the

³¹ Ian A. Thackray, 'Zion undermined: The Protestant Belief in a Popish Plot during the English Interregnum', *History Workshop* (No. 18, autumn 1984) pp. 28-52.

³² *Ibid* p. 39.

³³ W. Brownsword, *England's Grounds of Joy* (1660), quoted in Thackray, p. 40.

³⁴ Latimer pp. 258-9.

Nonconformists. The support shown for Charles throughout England was mirrored in Bristol by the celebrations led by the City Council. The Mayor's Audit for the year shows that expense was incurred in putting wine through the key pipe. On 29 May the Council agreed to a monetary present for the king and debated how much it should be. It was agreed to give £500 plus an additional £50.³⁵ The minutes contain marginal notes showing which councillors thought the council should make a monetary gift and how much. Three councillors, Robert Cann, John Pope and Christopher Griffiths, suggested £1,000 whereas everyone else felt £500 was appropriate. However, the Council did not have this money and met again the following day whereby agreement was reached to borrow it from Aldermen Joseph Jackson (who was an Anabaptist) and Arthur Farmer. By 8 June councillors thought that the money gift might not be enough to secure the goodwill of the restored monarch and so it decided to make a further gift of fee farm rents. These amounted in value to £67. 6s. 11d and related to land in the manors of Congresbury, Winterbourne and elsewhere that had been purchased from the previous government.

Cities across the country were making similar gestures of both money and fee farm gifts, which suggests that Crown advisers may have indicated what might be acceptable to the king if he were to accept their allegiance and, in effect, their apology for supporting the previous regime. Councillors would have seen that both their own personal positions and the independence of their cities were at stake. Nevertheless, having had to borrow the money at interest to pay the money gift, surrendering the fee farm rents would have been a considerable blow. But having supported the Commonwealth so openly only two months before, no doubt Bristol's councillors felt very vulnerable.

Celebration Day nationally was 28 June 1660. In Bristol, it was carried out in style. Councillors together with leaders of the guilds and trade companies processed to the cathedral for a sermon. Gun salutes were fired. A new statue of the king was commissioned and the royal arms re-decorated. A new silver mace was ordered and corporate plate, previously hidden in a cellar, was re-gilded. There was even a new ducking stool to revive the banned practice of ducking scolds. Councillors perambulated the city boundaries and ended the day with a feast.

Events took a similar course in Newcastle. The historian, Roger Howell, notes: 'The town appears on the whole to have been well content to follow the drift of events rather than attempt to lead them, and this influenced it to begin to accept the Restoration well before it became an accomplished fact'.³⁶ Newcastle council records show expenditure to celebrate the Restoration, and a loyal address to the King in

³⁵ *BRO M/BCC/CCP/1/6* p. 20.

³⁶ Roger Howell Jnr. *Newcastle upon Tyne and the Puritan Revolution* (Oxford: Clarendon Press 1967) p. 209

May or June 1660 'hoping that he may be the instrument to unite a divided church, compose a distracted kingdom, and ease an oppressed people'.³⁷

Despite the apparent display of unity and reconciliation, not everyone was content with the situation on Bristol Council. The first to register their discontent were some of the ex-councillors who had been ejected from their position during the Commonwealth. Even while the country was rejoicing, John Locke and Gabriel Sherman, two of those forced out in February 1656, applied to the Court of King's Bench to redress the irregularities alleged to have been committed by the Council before the Restoration. This was followed by similar requests from others expelled: Aldermen Henry Creswick, Nicholas Cale, Richard Gregson, and John Knight senior. There was no resistance to this from the City Council and at a meeting on 19 June 1660 the expelled councillors were re-instated, except for the unpopular John Locke, and even he returned a few weeks later. Council minutes do not reveal any debate and record only the decisions, but it is likely that the Nonconformists among them realised that any attempt to block the reinstatement would be futile, and they may even have welcomed the royalists as a sign of city unity, particularly since the King had promised tolerance. The Council minutes record that the decision was unanimous.³⁸ The decision for reinstatement includes a note that they 'take their places in the house according to their antiquity and seniority (viz) Mr Creswicke and Mr Cale to sit in the house and be entered in the books next to the sheriffs, Mr Grigson next to them who have been sheriffs and before such who have not been sheriffs and Mr Knight next to Mr Grigg.' This emphasises the importance of formality and procedure and a willingness to put the ceremony of the Council above political differences. This strict order of seniority would have applied to ceremonial processions too, demonstrating to the populace at large the unity of the corporation.

By the middle of June Bristol Councillors appear to have gained a little confidence and were willing to challenge the king on issues relating to their own rights and privileges. At the same meeting of the Council on 19 June the councillors decided that:

The mandamus out of the King's Bench for the restoring of Henry pirry to the offices of Clerk of the Tolzey, Clerk of the Courts before the maior and Aldermen and under townclerke being this day read the Maior Aldermen and Coon Counsell declared their Judgement that they know noe such offices within the Cittty, That Henry pirry was imploied by the former Town Clerk and in his tyme duly removed and that such imploiments if any be are in the Town Clerk's disposeal and not in the house and referred to the Cittys Counsell learned in

³⁷ *CSPD 1660-61* ed. Mary Anne Everett Green (Valdaz: Kraus reprinted for Her Majesty's Public Record Office 1965) p.4.

³⁸ *BRO M/BCC/CCP/1/6* p. 23.

the law to make a returne to the same Mandamus accordingly.³⁹

But the State papers show that the royalists on both the Council and at court wanted the more puritanical councillors removed. In September 1660, the Council was due to hold its annual meeting and this seems to have been the trigger for action from Bristol royalists. On 10 September, the Council of State received a petition from the recently restored Henry Creswick and others seeking the King's permission to remove from the Council such members as were elected for their affection to the late government, to restore all those surviving who were turned out and to elect others to bring the total number of councillors to the required 43.⁴⁰ Latimer refers to this as being a secret petition.⁴¹ This is not necessarily the case, though it was not an official Council petition. It is not referred to in the Council minutes, but may well have been presented in the weekly meetings of mayor and aldermen. The reference in the State Papers gives a number of annexes, including more details of the petition itself. It lists those who should be expelled for disloyalty and also those who were in fact expelled. It was addressed to Edward Hyde, the Lord Chancellor, who forwarded it to the Clerk of the Privy Council, John Nicholas. With it was a comment from Hyde to Nicholas 'The men are impatient to have all done at once, but it must be done by degrees'.⁴² This is an interesting comment. Whilst it was recognised that displaced loyalists should be restored to their positions, it is perhaps too an acknowledgement that nonconformists had supported the Restoration and that a distinction should be made between those who were actively disloyal, and those who were supportive of the monarchy, but not of the Anglican persuasion. This is a matter that will be central to the next chapter. There is an echo of this in the King's reply dated 24 September:

The King to the Magistrates of Bristol. Is anxious, now on his restoration, to remove all differences between his subjects, if they conduct themselves well. Wishes all those who were removed from the corporation for their loyalty to be restored, the number of 43 filled up with such remaining as were chosen before the late illegal proceedings, and the others to be displaced, so as to restore to the people the benefit of their charter. Has a particular kindness for the city, as a place where he has so long presided.⁴³

The King's response, by accident or design, was sent after the Council's annual meeting. However, in the event, it was not critical, for at its annual meeting on 15 September 1660 the Council abolished the Puritan system of voting by secret ballot.

³⁹ *Ibid* p.23.

⁴⁰ *CSPD 1660-1661* p.263-4.

⁴¹ Latimer p. 296.

⁴² *CSPD 1660-61* p. 264

⁴³ *CSPD 1660-61* p. 274

The restored practice was that the mayor nominated one person as a candidate for mayor, the mayor with the aldermen and sheriffs nominated another, and the common councillors a third. By this means they elected the same Henry Creswick mayor, and Sir John Knight and Thomas Stevens, both royalists, as sheriffs.⁴⁴ However, the King was clearly willing to interfere in Bristol's affairs, for at the same meeting the Council had to consider a request from the King to sack their Chamberlain, James Powell. The King claimed Powell had been appointed by Oliver Cromwell and now asked that he be replaced by Alexander Gray, a Bristol merchant. This was clearly regarded by councillors as an unwarranted interference in their powers and they replied by petition that they would not do so and asked the King not to press them. The language used in the petition is helpful in understanding the relationship between the Council and the king.

To the King's Most Excellent Majestie.

The humble petition of your loyal and obedient subjects, your Maior Aldermen and Coon Counsell of your Majesty's Citty of Bristol.

Humbly Showing

That your petitioners haveing by the Customs usages and privileges of this City and by the several Charters thereof granted by your Majestie's progenitors power to make one of their burgesses to be Chamberlin thereof from time to time as occasion should require did in the month of November in the third year of your Majestie's Reign on the death of our Wm. Chetwind our late Chamberlin according to this power several Burgesses of the said Citty then in Competition for the said place constituted our James Powell an ancient Burgess of the said Citty (qualified to all intents for the Execution of the said office) to be Chamberlin hereafter who hath ever since first executed the same with Care and fidelity And whereas if hath pleased your Majestie and information of one Alexander Gray a National in your Majestie's kingdom of Scotland to signifie under your Majestie's Royal signature that the said James powell having been put into the Said place by Recommendation of Oliver Cromwell that it was your Malestie's Royall pleasure to recommend the said Alexander Gray to be chosen and admitted into the said office ... :of the said James Powell. How for as much as the said James Powell was then made Chamberlin and that without any recommendation or intimation of Oliver Cromwell or any other and is not such

⁴⁴ *BRO M/BCC/CCP/1/6* p.28

sort as your Majestie hath been informed and so is legally intituled thereunto.

Your petitioners most humbly before your Majestie that the desires of the said Gray may have not further place in Royall power, but that your petitioners may enjoy the said powell their Chamberlin for by them constituted as aforesaid according as hath ever been before.

And your petitioners shall duly pray. It is forwarded by the maior and Aldermen to imploy such person in the presenting of this petition.⁴⁵

This is another example of the Council feeling it had to stand up to the King. What is striking about this is the humility they try to show by the deference to 'Majestie'. They seek to make clear that they support him and do not want to argue with him. Yet they want to preserve their rights and privileges. Although Oliver Cromwell is mentioned, they stress the king's regnal years back to the death of the king's father and point out that James Powell was one of several applicants, and the most suitable for the job. By doing so, they attempted to show that Powell was not Oliver Cromwell's appointee. Emphasising the legality of the appointment they also point out that Alexander Gray, the King's choice, was Scottish and therefore ineligible under the terms of the city charter. For his part, the King seems not to have wanted a trial of strength over this point and did not press the matter at that time, although he did return to it two years later. This incident again shows that although councillors were loyal royalists, they wished to preserve the city's powers and handle their affairs themselves, even if that meant protecting an individual who had, until very recently, been displaying strong Commonwealth sympathies. For it may be recalled that James Powell had written to a member of the Council of State as late as April, lamenting the state of affairs.⁴⁶

The records show that despite the petition from Henry Creswick in September 1660, and him subsequently becoming mayor, he nevertheless did not take any action to replace councillors with loyalists previously dismissed. In April 1661, the King wrote to Creswick repeating his previous instructions to remove disloyal councillors and restore the loyalists. At the same time, the King wrote to the Aldermen with the same instruction. A few days later Richard Ellsworth, who had been involved in encouraging the apprentices to insurrection in support of the King, wrote to Secretary Nicholas alleging that the mayor had delayed making changes to keep his relatives in place. He cited Alderman Joseph Jackson, as a factious Anabaptist, and the town clerk, Robert Aldworth. His letter says that six royalists, expelled from the Council in

⁴⁵ *BRO M/BCC/CCP/1/6* p. 28.

⁴⁶ *Supra* p.22.

1645, could not be brought back.⁴⁷ Within days this was supported by a letter to Secretary Nicholas from William Colston and Nathaniel Cale. 'The Mayor of Bristol still neglects to fulfil the King's orders for removal of the disaffected aldermen, mortal enemies to King and Church. He read the orders in Common Council, January 22, and promised to fill up the Council with honest persons, such as they should approve, but has since continued the former ones'.⁴⁸

It was not until the Mayor changed at the annual meeting of 1661 that action was taken. The new Mayor was Nathaniel Cale, who had already demonstrated his harder attitude. It is likely that Councillors knew what was coming for only ten members were present at a Council meeting held on 10 October when the mayor read out a letter from the king.⁴⁹ It referred to the fact that magistrates (at this time the councillors were the magistrates) in office through 'ancient established laws' were removed 'during the late disturbances' and requested that those brought in to replace them should be put out and those removed should be restored. Any vacancies should be filled by the Council in accordance with its charters.

Once again, the king relied on ancient laws to stress that what he was doing was within his powers. In Bristol's case, he was relying on the 1499 charter which allowed councillors to choose their replacements when vacancies arose. Therefore, the law, charter, courts, and the king himself authorised the Council to act. At the same time, the king's letter contained a veiled threat. Action as the King wanted would mean the King 'would be mindful of you on any occasion....'. With the possible threat to their own independence in the background, the Councillors faced a dilemma.

There then followed what at first sight was a strange set of actions by Mayor Cale, normally regarded as a strong Royalist. As the Council had been run by Parliamentary supporters for sixteen years, the King's mandate would effectively cause most Councillors to be ejected. Pursuant to the King's letter, at a meeting on 4 October the Recorder, four aldermen and thirty Common Councillors were removed.⁵⁰ At a meeting on 30 October, only three out of the forty-three who formed the Council two years before, attended – Aldermen Sandy and Ballman, and Councillor Stephens. Also present were Aldermen Locke and Sherman, who had recently recovered their seats, and five others, mostly elected after the Restoration. This body decided to elect sixteen more. However, what it did was to restore sixteen of those from the Council that had been constituted at the time of the commonwealth. A list of councillors removed at this time, and which of those were subsequently restored is set out in Appendix 2. So, within a month, sixteen out of thirty-four

⁴⁷ CSPD 1660-61 p. 569.

⁴⁸ CSPD 1660-61 p. 570

⁴⁹ BRO M/BCC/CCP/1/6 p. 45

⁵⁰ This and subsequent information is taken from Latimer, and Beavan, and the original council minutes. Because the minutes do not list the dismissals, there is a slight discrepancy between Latimer and Beavan as to the exact date when individual councillors were dismissed. However, the total number is correct, and all were dismissed on or within a few days of 4th October.

aldermen and councillors had been restored to office. Why did this happen? Local Councillors, including Alderman Cale, the Mayor, took the view that whilst they wanted to support the King, they were not willing to allow him to dictate who should serve on the Council, this being a matter for local decision under the terms of their charter. It is an example of the leading citizens trying to both serve their King but at the same time preserve their independence and keep a unified city administration. On 7 and 28 November, another twenty-four councillors were elected, twenty-two of whom had not previously served. Subsequent actions show most, if not all, were royalists and Anglicans. Between those two dates the mayor selected from aldermen who had not been removed, five to serve on the Court of Aldermen – John Gonning, Miles Jackson, Joseph Jackson, Walter Sandy, and Arthur Farmer, all of whom had been commonwealth men. This appears to be another example of the council keeping the best men irrespective of previous persuasions. It is likely that amongst the councillors were some who had been very vocal for the commonwealth and those who had quietly supported it but could just as quietly accept the change in regime and continue to support a unified council.

To understand this apparent inconsistency by the Council it is necessary to look back to the Civil War. It was but twenty years from 1642 to 1662. Many of the councillors in office during the First Civil War were still active politically twenty years later; or if not, their sons or other relatives were. Drawing councillors from a limited pool meant that generations of the same family served on the Council. Even family members of the executed Robert Yeamans served as councillors after the Restoration. The historian John Reeks has demonstrated that, despite different political affiliations, the majority of councillors looked to preserving the independence of the city throughout both parliamentary and royalist occupations of the 1640s.⁵¹ Reeks argues that far from the Council being inactive during the two occupations, in fact they managed the situation as best they could. Rather than allow the occupying forces – first parliamentary, then royalist – to collect tax, provisions and arms, the Council agreed with the occupying governors, first Fiennes then Hopton, to do it for them. It was clearly difficult to meet the exactions: sometimes councillors had to find money from their own resources. But it preserved a measure of self-government throughout the first Civil War and prevented soldiers sacking the city and collecting resources themselves. The fact that the Council was at first able to do so under parliamentary occupation, then royalist, gives a clear indication of how the Councillors saw themselves. A few made their allegiances clear, in the case of Robert Yeamans leading to his execution. Most probably had unexpressed feelings for one side or the other. Several would have had no views either way. As merchants, traders and manufacturers, they simply sought peaceful co-existence with whatever occupying force was uppermost at the time.

⁵¹ John Reeks etc

Such political conciliation came to an end in 1645 when the city fell to the New Model Army. Attempts by the Council to stay in control failed, despite an offer by the Council of £6,000 for the soldiery. While struggling to raise funds, Parliament decided that some members of the Council (royalists) were not to be relied on and an ordinance of 28 October 1645 removed the Council leaders, who included Mayor Creswick and six other senior Councillors. John Gunning junior was appointed mayor.

The 1645 ordinance was passed by parliament 'for the better securing and government of Bristol' and stated that those removed 'had been so disaffected to parliament, and so active in promoting the designs of the enemy, that their continuance in the magistracy and council would be inconsistent with the safety and welfare of the city'.⁵²

This Ordinance from parliament is important and is set out in full in Appendix 1. It was the first time since the outbreak of the civil war that central government, whether royalist or parliamentary, had sought to make wholesale changes to the Bristol council. It is clear from the council minutes that there was little or no resistance in Bristol. This was probably because by this time it was clear that parliament had won the civil war. The council wanted to be on the winning side with as little disturbance as possible. And despite the compulsory rejection of a number of aldermen and councillors, parliament tried to work within the council's charters. The surviving councillors were the ones who had legally rejected those being ousted, and the incoming mayor was to take the oath as customary, and the remaining aldermen and councillors were to fill the vacancies that had occurred.

The 1645 Ordinance is an important document, for it contains more than just the dismissal of those who have 'become very much disaffected to the Proceedings of Parliament, and forward and active to promote the designs of the enemy'. The Ordinance relies on information 'by divers well-affected Persons of the said City'. They are named individually, and include the mayor. In addition, it appoints the Committee of Parliament for the City of Bristol to investigate 'their delinquencies'. A new mayor was to be appointed and removed councillors replaced. The Ordinance, despite being specific in its instructions, nevertheless followed the Bristol Charters and local practice in the method of appointments. To be on the safe side, it called for the aldermen and common council 'and such others, which, by, and according to the charters of the same ought to be present'. It gave the council a free choice from among those 'well-affected' to the Parliament. But the Ordinance went further. It gave the Committee for Bristol the power to remove all other inferior officers who shall prove to be 'Malignants or Delinquents' and to elect others to succeed them. It ended by granting free liberty to trade and traffic by land and sea which seems to suggest parliament no longer had concern that the city might be aiding monarchists.

⁵² CSPD 1645-47 p. 208.

Between 1646 and 1660 individual aldermen and councillors retired, died, or obtained release from duty after payment of a fine, and some appointed did not take the oath for several years, but on each occasion the council appointed his replacement. Throughout these years the council had a pro-parliamentary majority, the expelled royalists biding their time. They had no wish to be re-instated if required to swear an oath to the commonwealth or protectorate governments. Some councillors changed sides. In late 1646 the parliamentary tribunal valuing the estates of 'delinquents' (i.e. royalists), considered a number of prominent royalists in Bristol with a view to compounding their estates. A number of civic dignitaries took the opportunity to change sides and pay fines. These included Thomas Colston, ex-alderman Wallis, Richard Gregson, and ex-alderman Richard Long though the latter is believed not to have expressed a change of political view.⁵³ Others who were willing to compromise included ex-mayor Alexander James and ex-alderman Humphrey Hooke.

On 18 February 1656, following a visit to Bristol by Major Desbrowe, a group of three, aldermen Knight, Lock and Sherman having been subject to forced resignations, were replaced by four commonwealth supporters (one filling a casual vacancy), Richard Balman, Arthur Farmer, Walter Sandy and Edward Tyson, in September of that year. Many of the councillors were nonconformists, most being Presbyterians. Virtually all of them were supporters of the commonwealth, or nonconformists, or often both. Being precise about this is difficult, because some Nonconformists, particularly among the Presbyterian community, fulfilled statutory requirements to worship in accordance with the Anglican church the appropriate number of times a year. The religious beliefs of councillors and other leading citizens the influence of religion on city government is the subject of the next chapter.

How had Bristol managed to maintain a degree of independence until 1656? It would seem that Bristol was in a better position to do this because of its narrow oligarchic structure: a small group of men were able to work together despite personal, political and religious differences because they were primarily businessmen who put their unified desire for peaceful trading conditions above other differences. This was not the case everywhere. Norwich had municipal leaders firmly wedded to puritan/parliamentary beliefs. Other towns and cities, and Reeks cites Dorchester as one, had a wider franchise for electing Councillors, so control could more easily change hands.⁵⁴

Bristol Council's attempts to maintain a similar conciliatory approach after the Restoration was not to last. Events in Parliament with the election of the Cavalier Parliament and its subsequent partial actions, particularly the repression of Dissenters, produced a corresponding response in Bristol. Although by November 1661 the royalists had control of the city council, they did not regard this as sufficient.

⁵³ Latimer *Annals* p. 215.

⁵⁴ Reeks p. 59.

During 1662 and 1663 another eleven aldermen and common councillors were expelled, including four of the five recently appointed to the Court of Aldermen, and a further sixteen members elected, all for the first time. One purported new member was ineligible and one refused to serve. Four refused to swear the oath of loyalty initially, albeit two of them did in 1663 and the other two in 1664. By September 1664 the Council had forty-eight members, five more than their charter allowed. This was to cause them some difficulty with the king later.

The danger the Councillors saw was contained in a Corporation Act recently passed by the Cavalier Parliament with the King's support, setting up commissioners to regulate corporations. The purpose of the Act was to remove from town offices those who were believed to be disloyal. Commissioners were appointed to remove anyone who refused to take certain oaths and to restrict public office in England to members of the Church of England. One of the main targets was the Presbyterians who had strong representation in the governance of cities and towns throughout England. The Act's provisions barred anyone from being elected to office relating to the governance of a city or corporation unless within the previous twelve months they had taken the sacrament of the Lord's Supper under the rites of the Church of England. Any office holder was also required to take Oaths of Allegiance and of Supremacy, swear to passive obedience, and renounce the Covenant.

The Corporation Act challenged the desire of Bristol's governing elite to preserve civic unity between Anglicans and Dissenters and between Parliamentarian and Royalists. Bristol was not the only corporation faced with dilemma. The difficulty manifested itself in different ways across the country. The historian Charles Mullett noted 'Under the Corporation Acts, all sorts of situations arose. In Bristol, the Act was evaded seemingly without penalty. In Norwich aldermen refused to comply and the mayor at first refused to permit the election of some who would subscribe.....'⁵⁵

On 24 March 1662 Nathaniel Cale, still Mayor, wrote to Secretary Nicholas:

Will execute the commission grounded on the Act of Parliament for regulating corporations; begs him to move the King against granting letters of recommendation to the Commissioners, for office in the corporation,- it would be an infringement of their power, and they best understand the dispositions of those who solicit employment.⁵⁶

This produced an immediate and supportive response from the Secretary setting out the King's agreement.

⁵⁵ Charles F. Mullett 'The Legal Position of English Protestant Dissenters 1660-1689' *Virginia Law Review* (Vol. 22 No. 5, March 1936) p.504.

⁵⁶ *CSPD 1661-62* ed. Mary Anne Everett Green (London: Longman, Green, Longman & Roberts for Her Majesty's Stationary Office 1861) p. 319.

Whitehall, March 1662. The King to the Mayor of Bristol. Thanks him for his vigilance and loyalty, and, as a special mark of confidence, declares that he is to be at perfect freedom in execution of the commission on the Act for regulating corporations, and to appoint what officers he thinks best, notwithstanding His Majesty's recommendation of persons.⁵⁷

What lay behind this manoeuvring was the importance of the Bristol charters. In the spring of 1661 the King had issued *Quo Warranto* writs to corporations asking them to declare by what authority they exercised the rights and liberties they claimed. The basis for this claim was the wholesale rejection of royalist councillors from councils across the country during the Commonwealth, as has been seen in respect to Bristol. The struggle to retain their charters occupied the Councillors for many years on and off, for the problem reappeared over twenty years later. This present dispute took several forms. The Council saw it as an opportunity to add to their existing rights whilst at the same time resisting new measures inserted in the charters by King or Parliament. Several individuals sought to have themselves granted positions of remuneration in any new charter issued; and the King saw it as an opportunity to control fractious corporations. At one point the Society of Merchant Venturers in Bristol tried to use the situation to obtain monopoly trading rights for themselves.

In July 1662 Mayor Cale wrote to the Privy Council requesting the renewal of the city's charter and set out a number of suggested new clauses. It was sent on to the Attorney General for consideration. A previous request for renewal made the preceding year had asked not only for renewal of its own charter, but also for a new charter for the Society of Merchant Venturers. It took another eighteen months before a royal warrant was signed but even then the Great Seal was not affixed until April 1664. The Mayor's Audits show how expensive the whole process had become. The Town Clerk was in London for several months pushing Bristol's case and the accounts show £400 being paid to him then a further £50 most of which was used to bribe various officials. As well as this outlay, a further £426 6s. 8d. was paid to one of Bristol's MPs, Sir John Knight, for his involvement in securing the charter. In the event, the charter was a disappointment. None of the new powers or privileges was granted. The only new entry was a clause aimed at Dissenters. This required men elected as councillors to take the oaths of allegiance and supremacy.

The whole subject of the Bristol's charter came up again in March 1683. The Government decided to secure powers against all corporate towns and the Attorney General granted a 'rule' requiring Bristol Council to show cause why a *Quo Warranto* writ should not be issued. The leading royalist councillors were willing to fall in with the King's wishes but, when it came to a decision in the council chamber, a resolution to surrender the charters was defeated. However, for reasons that will be

⁵⁷ Ibid p. 319

dealt with in a later chapter, the charters were eventually surrendered and then re-granted. The new charter reserved to the crown the right to annul the election of any civic official and to nominate his successor. Latimer states that this was so that the King could make sure the sheriffs were sound appointments to secure members of parliament favourable to the Crown.⁵⁸ At the request of the Council a clause was also included fining anyone who refused to serve as Mayor, Alderman, Sheriff or Councillor, and to imprison the nominee until the fine, put at £500, was paid.

⁵⁸ Latimer p. 421.

APPENDIX 1⁵⁹

Ordinance for the Government and Security of Bristol.

'Forasmuch as Francis Creswicke, Mayor, Humfry Hook, Richd. Long, Ezekiell Wallis, Alexander James, Thomas Colston, William Fitz Herbert, Henry Creswicke, William Colston, Nathaniel Cole, William Bevan, Richard Grigson, and John Elbridge, Aldermen, and members of the Common Council of the City of Bristoll, have (as both Houses of Parliament are credibly informed by divers well-affected Persons of the said City) become very much disaffected to the Proceedings of Parliament, and forward and active to promote the designs of the enemy, so as their Continuance in the Magistracy, Government, and Common Council of the City (of so great Concernment to the whole Kingdom) will be altogether inconsistent with the Safety and Welfare thereof in these Times of War and Danger: It is therefore Ordained, That the said Francis Creswick, Humfrey Hooke, Richard Longe, Ezeckieil Wallis, Alexander James, Thomas Colston, William Fitz Herbert, Henry Creswick, William Coleston, Nathaniell Cale, William Bevan, Richard Gregson, and John Ellridge, be forthwith suspended from their respective Places of Aldermen and Members of the Common Council of the said City; and that the Committee of Parliament for the City of Bristoll, appointed by this or any other former Ordinance, do speedily and effectually proceed to the Examination of their several delinquencies, and return the Proofs of their Delinquencies, proved by sufficient Testimonies upon Oath, to the Parliament, to the End the Parliament may proceed to further Judgement: And they do further Ordain, Nominate, and Appoint, John Ganning Mayor of the City of Bristoll, to all Intents and Purposes, in the Room and Place of the above mentioned Francis Creswick; hereby enjoining and requiring the Sheriffs of the said City, presently after such Proof of Delinquency as aforesaid, to summon the rest of the Aldermen and Common Council Men of the said City, or such others, which, by and according to the Charters of the same, ought to be present, to meet, within Two Days after the said Summons, at their usual Place, and then and there to give unto the said John Ganning, according to the ancient Custom, the Oath usually taken by him which is chosen Mayor of the said City, and to elect so many other Persons, Freemen of the said City, well-affected to the Parliament, as will complete the Number of those Persons above mentioned, which shall be so disabled and removed as aforesaid; and that no Person for the Time to come shall be elected into any of those Places, whose Person shall be imprisoned, or his Estate sequestered, by virtue of any Ordinance of Parliament: And they do further authorize the said Committee, or the major part of them, to remove and displace all other Inferior Officers of the said City from their respective Places and Offices, which shall be proved before them to be Malignants or Delinquents, within the Compass of any Ordinance of Parliament, and to elect others to succeed them in their Offices and Places, who shall execute and

⁵⁹Taken from british-history.ac.uk House of Lords Journal Volume 7: 28 October 1645 in *Journal of the House of Lords: volume 7, 1644* (originally published by HMSO London 1767-1830) pp. 663-666

enjoy the same by virtue of this Ordinance: And be it Ordained, That all Person and Persons shall have free Liberty to trade and traffic, by Land and Sea, to and from the said City, as formerly they might have done when the same was under the Obedience of Parliament: And the Lords and Commons do further Order and Ordain, That Serjeant Major General Skippon Governor of Bristoll, Edward Stevens, Alexander Popham, John Ashe, and Richard Aldworth, Esquires, Robert Haynes and Denis Hollister, be added to the Committees of Parliament in the said City, who have hereby as full Power and Authority, together with them, to all Intents and Purposes, as if their several Names had been inserted I the former Ordinances.'

APPENDIX 2.⁶⁰

Name	First became councillor	Removed ⁶¹	Re-instated
Aldermen			
Richard Vickris	1633	4/10/61	-
Henry Gibbes	1636	4/10/61	-
Robert Yate	1643	4/10/61	-
Edward Tyson	1645	4/10/61	-
Common Councillors			
George Lane	1645	4/10/61	-
Christopher Griffiths	1646	4/10/61	30/10/61
William Grigg	1646	4/10/61	-
John Lawford	1646	4/10/61	30/10/61
John Pope	1646	4/10/61	30/10/61
William Yeamans*	1646	4/10/61	30/10/61
Robert Cann (Sir)	1649	4/10/61	30/10/61
John Harper	1650	4/10/61	-
Thomas Harris	1650	4/10/61	-
John Knight snr	1650	4/10/61	30/10/61
Robert Vickris	1650	4/10/61	30/10/61
John Bowen*	1652	4/10/61	30/10/61
John Willoughby	1652	4/10/61	30/10/61
Henry Appleton	1653	4/10/61	30/10/61
Jonathan Blackwell	1653	4/10/61	-
John Knight jnr ⁶²	1653-4	-	2/11/61

⁶⁰ The re-instated councillors marked with an asterisk refused to be re-sworn.

⁶¹ But see footnote 52..

Edward Morgan	1653	4/10/61	30/10/61
Andrew Hooke*	1653	4/10/61	30/10/61
Henry Rich	1656	4/10/61	30/10/61
Edward Bovey	1659	4/10/61	30/10/61
William Crabbe	1659	4/10/61	30/10/61
Thomas Langton (Sir)	1659	4/10/61	30/10/61
Nehemiah Collins	1655	4/10/61	
Anthony Gay	1655	4/10/61	-
Jeremiah Hollway	1655	4/10/61	-
George Attwood	1656	4/10/61	-
Timothy Parker	1656	4/10/61	-
Walter Stephens	1656	4/10/61	1688
William Willett	1656 only	-	2/11/61
Richard Baugh	1659	4/10/61	-
Gabriel Deane	1659	4/10/61	-
John Stephens (Recorder)	1660	4/10/61	?

⁶² He refused to serve.