

WORTHIES OF BUCKINGHAMSHIRE AS MEMBERS OF PARLIAMENT AND AS JUSTICES OF THE PEACE

1678-1689

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A STUDY of the backgrounds and attitudes of some prominent members of the squirearchy in Buckinghamshire for the latter half of the Restoration period provides a revealing picture of the country gentry in an agricultural county during the transitional interval from the "popish plot" to the Revolution. Even the sparse records available tell us much of the motivations and conduct of these rulers of the countryside, and impart a better comprehension of their functions both in local government and in relationship to the contemporary historical situation.

I

Buckinghamshire returned a total of fourteen members to Parliament¹. There were then in the House of Commons a total of 513 seats: 489 for the forty English counties and boroughs and 24 for the twelve Welsh counties and boroughs.² Consequently, the Bucks. representation of fourteen members for 84,000 inhabitants was only slightly higher than the average of 12.2 members for each English county. Meanwhile, Cornwall, a notorious seat of royal political influence, with forty-four members for 126,000 inhabitants, Devonshire with twenty-six members for 113,500 inhabitants, and Wiltshire with thirty-four members for 123,500 inhabitants serve to remind us of some of the inconsistencies of the "unreformed" House of Commons.

Of the fourteen members from Bucks., two were returned from the county at large and the other twelve were chosen from the boroughs of Amersham, Aylesbury, Buckingham, Great Marlow, Wendover and Wycombe.³ Of these, Buckingham was originally the county town, and had been so referred to in Domesday, but the more centrally placed Aylesbury subsequently displaced

¹ Each of the English counties sent two M.P.s to Westminster; the balance of their quota was made up by members from cities, boroughs, the Cinque Ports and universities. The Welsh counties sent only one member from the county at large plus others for cities and boroughs.

² *English Historical Documents, 1660-1714*, Andrew Browning, ed., 13 vols., Eyre & Spottiswoode, 1953, VIII, 958-9; George Chalmers, *An Estimate of the Comparative Strength of Great Britain*, John Stockdale, London, 1804, 216.

³ Brown Willis, *Notitia Parliamentaria, or an History of the Cities, Counties, Boroughs of England and Wales*, Robert Gosling, London, 1730, I, 3 and ff.

it as the chief meeting place. Assizes, county elections and meetings of the king's bench were held in Aylesbury. The county gaol was situated there and the Aylesbury quarter sessions house was also the market hall.⁴

Of these six boroughs, in 1678, Aylesbury, Buckingham and Wycombe possessed royal charters and exercised some degree of self-government; Amersham, Great Marlow and Wendover were controlled by their several lords of the manor and constituted what would soon afterwards be termed proprietary or "pocket" boroughs; in fact, Wendover was one of the smallest boroughs in England.⁵

Here in Buckinghamshire, as elsewhere in the country, the classes of persons who functioned as justices of the peace—the county gentry and the burgesses—were anxious to be returned as Members of Parliament. County elections and most of the elections from the boroughs were under the control of the landed gentry. At that time, the knights of the shire ranked higher in general status than the burgesses; popular feeling still accorded greater respect to the ownership of land. The greatest prestige among those returned to Parliament attached to the first of the two members elected from the county at large.⁶

The personnel of those returned from Buckinghamshire to the House of Commons, their relationship to the justices of the peace and an approximation of activity of the justices of the peace for the interval 1678 to 1689 may be more readily understood from the following tables:

Table I. List of Members of Parliament from Buckinghamshire, 1660–90.

Table II. Buckinghamshire justices of the peace mentioned in the quarter sessions books, 1678–89.

Table III. Justices of the peace from Buckinghamshire for the year 1680 from the printed list in the British Museum.

Table IV. Justices of the peace from Buckinghamshire for the year 1680 from the handwritten lists in the M.S. 223 from the library of All Souls' College, Oxford.

TABLE I
BUCKINGHAMSHIRE M.P.S, 1660–90

Dates given are regnal years. It is necessary to bear in mind that the first regnal year for Charles II is construed as beginning with the death of his father, Charles I, on 30th January, 1659, O.S. All of the sessions of Parliament were held at Westminster except the abortive and last Parliament of the reign, that of 32, Charles II, at Oxford (1681).

(Brown Willis, *Notitia Parliamentaria*, ed. 1730, I, 3 and ff.)

FOR THE COUNTY OF BUCKINGHAMSHIRE

Regnal Year

Charles II

12 (1660) Will Boyer, esq.; Thos. Terrill, Serj. at Law
13 (1661) Will Boyer, Kt. & Bart.; William Tyringham, Kt. of the Bath
31 (1679) Thos. Wharton, esq.; John Hampden, esq.

⁴ *Victoria History of the County of Buckinghamshire*, William Page, ed., Archibald Constable London, 1908, 4 vols and index, III, 1.

⁵ *Ibid.*, III, 6, 14, 20, 22, 69, 117, 141, 145, 476, 478.

⁶ David Ogg, *England in the Reigns of James II and William III*, Oxford Clarendon Press, 1957, 123

- 31 (1680) Thos. Wharton, esq.; Rich. Hampden, esq.
James II
1 (1685) John Lord Brackley; Thos. Wharton, esq.
William III and Mary II
1 (1689) Hon. Thos. Wharton, esq.; Tho. Lee, Bart.
2 (1690) Rt. Hon. Thos. Wharton, esq.; Rich. Hampden, esq.

FOR THE BOROUGH OF AMERSHAM

- Charles II
12 Cha. Cheyne, esq.; Thos. Proby, esq.
13 Thos. Proby, esq.; Will Drake, Kt. and Bart, dec. In his place Will
Drake, Kt.

Charles II

Regnal Year

- 31 Will Drake, Kt.; Roger Hill, Kt.
31 Roger Hill, Kt.; Algernon Sidney, esq.
32 Will Drake, Kt.; Will Cheyne, esq.
James II
1 Will Cheyne, esq.; Will Drake, Kt.
William III and Mary II
1 Will Drake, Kt.; Edm. Waller, esq.
2 Edm. Waller, esq.; Will Drake, Kt., dec.; in his place Hon. William
Montague, Serj. at Law

FOR THE BOROUGH OF AYLESBURY

- Charles II
12 Rich. Ingoldsby, esq.; Thos. Lee, esq., Bart.
13 Rich. Ingoldsby, Kt. of the Bath; Thos. Lee, Bart.
31 Rich. Ingoldsby, Kt. of the Bath; Thos. Lee, Bart.
31 Rich. Ingoldsby, Kt. of the Bath; Thos. Lee, Bart.
32 Rich. Ingoldsby, Kt. of the Bath; Thos. Lee, Bart.
James II
1 Will Egerton, Kt. of the Bath; Rich. Anderson
William III and Mary II
1 Thos. Lee, Bart.; Rich. Beke, esq.
2 Thos Lee, esq.; Thos. Lee, Bart., dec.; in his place Simon Mayne, esq.

FOR THE TOWN OF BUCKINGHAM

- Charles II
12 Rich, Temple, Bart; John Dormer, esq.
Charles II

Regnal Year

- 13 Rich. Temple, Bart.; Will Smith, Bart.
31 Edward Viscount Latimer and Peter Terrill, Bart.
31 Edward Viscount Latimer; Rich. Temple, Bart. and Kt. of the Bath
32 Rich. Temple, Bart. and Kt. of the Bath; Ralph Verney, Kt. and Bart.
James II
1 Rich. Temple, Bart. and Kt. of the Bath; Ralph Verney, Kt. and Bart.
William III and Mary II
1 Rich. Temple, Bart. and Kt. of the Bath; Ralph Verney, Kt. and Bart.
2 Rich. Temple, Bart. and Kt. of the Bath; Alexander Denton, esq.

FOR THE BOROUGH OF GREAT MARLOW

Charles II

- 12 Peregrine Hobby, esq.; Will Borlase, esq.
13 Peregrine Hobby, esq.; Will Borlase, esq., dec.; in his place Charles
Cheyney, esq.
31 Humfry Winch, Bart.; John Borlase, esq.
31 Humfry Winch, Bart.; John Borlase, esq.
32 John Borlase, esq.; Tho. Hobby, esq.

James II

- 1 John Borlase, Bart.; Humfry Winch, Bart.

William III and Mary II

- 1 Hon. Anthony Viscount Falkland; John Borlase, Bart.
2 James Chase, esq.; Will Whitlock, Kt. and Ralph Bucknell, esq. (double
return, the last indenture taken off the file)

FOR THE BOROUGH OF WENDOVER

Charles II

Regnal Year

- 12 Rich. Hampden, esq.; John Baldwin, esq.
13 Rich. Hampden, esq.; Robt. Crook, esq., dec.; in his place Thomas
Wharton, esq.
31 Rich. Hampden, esq.; Edw. Backwell, esq.
31 Rich. Hampden, esq.; Edw. Backwell, esq.
32 John Hampden, esq.; Edw. Backwell, esq.

James II

- 1 Rich. Hampden, esq.; John Badswell, esq.

William III and Mary II

- 1 John Hampden, esq.; Rich Hampden, esq.
2 Rich. Beke, esq.; John Badswell, esq.

FOR THE BOROUGH OF WYCOMBE

Charles II

- 12 Edm. Petty, esq.; Rich. Browne, esq., and Thos. Scott (Thos. Scott was
noted not duly elected)
13 John Borlase, Bart.; Edm. Pye, Kt. and Bart., dec.; in his place Robt.
Sawyer, esq.
31 John Borlase, Bart.; Tho. Lewis, esq.
31 John Borlase, Bart.; Tho. Lewis, esq.
32 John Borlase, Bart.; Tho. Lewis, esq.

James II

- 1 Dennis Hampson, Bart.; Edward Baldwin, esq.

William III and Mary II

Regnal Year

- 1 Tho. Lewis, esq.; Will Jephson, esq.
2 Tho. Lewis, esq.; Will Jephson, esq., dec.; in his place Charles Godfrey,
esq.

TABLE II
BUCKINGHAMSHIRE J.P.S MENTIONED IN Q.S. BOOKS
1678-89

(*County of Buckingham, Calendar to the Sessions Records, 1678-94, I, William LeHardy, ed., Aylesbury, 1933, 509-511*).

	78	79	80	81	82	83	84	85	86	87	88	89
Richard Anderson									x	x	x	
Sir Richard Anderson, 2nd Bart.	x	x	x	x	x	x			x	x	x	
Sir Richard Atkins, 1st Bart.									x	x	x	x
John Blackwell									x	x	x	x
Edward Baldwin	x	x	x	x	x	x	x	x	x	x	x	
Edward Bate (Bates)	x	x	x	x	x	x	x	x	x	x	x	x
Richard Beke											x	x
Thomas Berringer	x	x	x	x	x	x	x	x	x	x	x	
John Bigg, M.D.											x	x
John 4th Earl Bridgewater									x	x		
Sir John Busby, Kt.	x	x	x	x	x	x	x	x	x	x	x	x
William Busby	x	x	x	x	x	x	x	x	x	x	x	x
Roger Chapman												x
John Chase							x	x	x	x	x	
Stephen Chase					x	x	x	x		x	x	
Sir Anthony Chester 3rd Bart.							x	x		x		
William Cheyne					x	x	x					
John Clark		x	x	x	x	x						
Sir Thomas Clayton, Kt.	x	x	x	x	x	x	x					
Thomas Crompton												x
William Crooke												x
Charles Dormer												x
John Fleetwood	x	x										
Francis Duncombe						x	x	x	x	x	x	x
Giles Duncombe										x	x	x
Sir James Etheridge, Kt.								x	x	x	x	
George Evelyn	x	x	x	x	x	x	x	x	x	x	x	
Thomas Farrar, Sr.	x	x	x	x	x	x	x					
William Farrar, Solic. Gen. to Queen												x
William Fleetwood	x	x	x					x	x	x	x	
John Greene				x								
Thomas Hackett		x	x	x	x	x	x	x	x	x	x	
Sir Dennis Hampson, 3rd Bart.		x	x	x	x	x			x	x	x	x
Robert Hart	x	x	x	x	x	x	x	x	x	x	x	x
Sir Roger Hill, Kt.												x
Richard Ingoldsby											x	x
Sir George Jeffreys, Kt., Sgt. at Law		x	x	x	x							
Rev. Edward Jolly												x
Francis Knollys											x	x
Andrew Lawrence							x					
Sir Thomas Lee, 2nd Bart.											x	x
Sir Francis Leigh								x	x			

	78	79	80	81	82	83	84	85	86	87	88	89
Thomas Ligo, of Burcott											x	x
Martin Llewelyn, Dr. of Physic		x	x	x								
Robert Lovett	x	x	x	x	x	x	x	x	x	x	x	
Simon Mayne											x	x
Robert Minshall											x	
Owen Norton				x	x	x	x	x	x	x		
Henry Palmer											x	
Thomas Piggott												x
Edward Plampin											x	
John Proby							x	x	x	x		
John Risley	x	x	x	x								
George Russell		x	x	x	x	x	x					
Nicholas Salter						x	x	x	x	x	x	x
Thomas Saunders		x	x	x	x	x	x	x				
Edward Scawen												x
William Serjeant	x	x	x									
John Shalcrosse							x	x	x	x	x	x
Edmund Stafford							x					
Thomas Stafford	x	x										
Henry Summer (Somner)								x	x			
Sir Richard Temple, 3rd Bart., K.B.				x	x	x	x			x	x	
Sir William Terringham, K.B.							x	x				
Sir Robert Throckmorton, 3rd Bart.												x
John Thurbarne, Sergeant-at- Law												
Bernard Turney	x	x	x	x								x
James Tyrell	x	x	x	x	x	x	x	x	x	x		
Sir Ralph Verney, 1st Bart.	x	x	x	x	x	x	x	x	x	x		
Edmund Waller of Beaconsfield												x
Edmund Waller of Gregories												x
Thomas Waller				x	x							
John Webb of Peterly												x
Cavendish Weedon									x	x		
Edward West, Sergeant-at-Law					x							
Richard Wimwood	x	x	x									
Sir Humphrey Winch, 1st Bart.			x									
Sir John Wittewrong, 2nd Bart.												x

TABLE III

BUCKINGHAMSHIRE J.P.S, *LIBER PACIS*, XXIX, 1680

(A Catalogue of the Names of All His Majesties Justices of the Peace in Commissions in the several Counties throughout England and Wales according to the late Alterations. To which is added the Names of all those formerly in Commission now left out, British Museum, 2-3)

Charles Earl of Carnarvon
James Lord Bishop of Worcester

John Lord Brackley
 Sir William Scroggs, Kt.
 Chief Justice of the Court of Kings Bench
 Sir Richard Weston Kt.
 one of the Barons of the Exchequer
 Sir Anthony Chester Bar.
 Sir Richard Anderson Bar.
 Sir Humphrey Wynch Bar.
 Sir Ralph Verney Kt. and Bar.
 Sir Richard Temple Bar.
 Sir John Barlacye Bar.
 Sir Thomas Tyrell Bar.
 *Sir William Smith Bar.
 Sir Thomas Lee Bar.
 Sir Dennis Hampson Bar.
 Sir William Terringham Kt. of the Bath
 Sir George Jeffreys Kt.
 one of the Kings Majesties Serjeants at Law
 and Recorder of the City of London
 Sir John Trevor Kt.
 one of His Majesties Council learned in the Law
 Sir Robert Croke Kt.
 Sir Peter Tyrrell Kt.
 Sir Edward Smyth Kt.
 Sir Thomas Clayton Kt.
 Sir John Busby Kt.
 *Sir Caesar Wood late Cranmer Kt.
 Martin Lluellin Doctor of Physick
 *Robert Lovett
 Charles Cheney
 *Brett Norton
 *Thomas Hackett
 *Edmond West
 Thomas Farrer of Ailesbury
 Bernard Turney
 *John Clerk
 Thomas Sanders of Haddenham
 Edward Backwell
 Edward Baldwin
 Edmond West the younger
 *William Fleetwood
 John Risley
 William Adderley
 John Green of Hambleton
 Edward Lee
 Edmond Waller
 George Evelyn
 Alexander Dinton
 William Busby
 Thomas Piggott
 Robert Hart

Thomas Waller of Gregories
 George Russell
 William Cheyne
 Thomas Tyrell
 Edward Bate
 Thomas Berringer, Esquire

* "Those that have this mark before them with an asterisk (*) are such as are not of the quorum."

TABLE IV
 BUCKINGHAMSHIRE J.P.S, *LIBER PACIS*, XXX, BEFORE DECEMBER, 1680
 (All Souls' College Oxford, MS 223)

Prince Rupert	Brett Norton
Charles earl of Carnarvon	Thom. Hackett
James bishop of Worcester	Thom. Farrer of Aylesbury
John lord Brackley	Bernard Turney
Sir George Jefferys	John Clerk
Sir Ric. Temple, Bart.	Thom. Saunders of Haddenham
Sir Anth. Chester, Bart.	Edward Backwell
Sir Ric. Anderson, Bart.	Edw. Baldwin
Sir Humph Winch, Bart.	Edw. West
Sir Ralph Verney, Kt. and Bart.	Wm. Fleetwood
Sir Thom. Tyrrell, Bart.	John Risley
Sir Wm. Smith, Bart.	Wm. Adderly
Sir Thom. Lee, Bart.	Edw. Leigh
Sir Denys Hampson, Bart.	Edw. Waller
Sir Wm. Teringham, Kt. of Bath	George Evelyn
Sir John Trevor Kt.	Alex. Denton
Sir Robt. Crook	Wm. Busby
Sir Peter Tyrrell	Thom. Pygott
Sir Edw. Smith	Robt. Hart
Sir Thom. Clayton	Thom. Waller of Gregoryes
Sir John Busby	Steph. Chase, Sen.
Sir Caesar Wood, atty. Cranmer	George Russell
Cradock, soc. theolog. profess.	Wm. Chayne
Martin Lewellen, Dr. of physick	James Tirrell
Rob. Lovett	Edw. Bate
Charles Cheyney	Thom. Berringer, Esq.

II

Table I indicates that, for the period from 1678 to 1689, thirty-four different individuals were returned to the House of Commons from the county of Buckingham and its six boroughs. At least three of these persons were not residents of the county.⁷

Of the remaining thirty-one members, nineteen were either justices of the peace when returned or functioned as such before or after their service at Westminster. There were ten of the Bucks. M.P.s who were returned a number of times, as can be seen from Table I. The five of these ten members of the House of Commons who were also justices of the peace were John Borlase, Thomas Lee, Richard Temple, Ralph Verney and Thomas Wharton. The

⁷ Algernon Sidney, Edward Viscount Latimer and Anthony Viscount Falkland.

remaining five who did not become justices were Richard Hampden and John Hampden the younger, son and grandson of John Hampden of ship-money fame; Will Drake, Knight, of Amersham; Richard Ingoldsby, previously an officer under Cromwell,⁸ and Thomas Lewis, lord of West Wycombe manor.

The exclusion of the two Hampdens from the commission of the peace under Charles II seems to have been for political reasons.⁹ John Hampden the younger (1656–96) was of the party actively opposed to the unrestrained exercise of the royal prerogative and with Lord Shaftesbury, Lord William Russell and Algernon Sidney was one of the chief movers in the attempt to exclude the Duke of York from the succession. Such an attitude did not endear the Hampdens to the crown, even though they were returned as M.P.s consistently from the county and from Wendover borough. John Hampden the younger was subsequently arrested and fined £40,000 for his alleged complicity in the Rye House plot of 1683.¹⁰ The anti-monarchical attitude of the Hampdens goes far to explain why the king and privy council did not issue commissions of the peace to them.¹¹

Sir William Drake (*d.* 1690) was one of the influential lords of Amersham who had become possessed of lands in the county about 1600.¹² Members of the family were returned as M.P.s for the following two centuries. An uncle, Sir William Drake, who died in 1669 and from whom the Sir William Drake of our story inherited, had been a member of the Long Parliament and also one of the Bucks. representatives in the Midland Association, formed 15th December, 1642, under a parliamentary ordinance for the maintenance of defence and the recruitment of territorial forces.¹³ This would give him an anti-royalist background; but, since there were other members of the Midland Association who themselves or whose sons were commissioned J.P.s, we cannot assign this as the sole reason for Sir William's failure to attain this office. I have been unable to find any explanation for this omission.

Sir Richard Ingoldsby (*d.* 1685), the third so called, had been a famous and trusted colonel in the parliamentary army. He was returned to the Long Parliament from Wendover borough, acted as commissioner of the high court of

⁸ The Richard Ingoldsby listed as serving as justice of the peace for 1688 and 1689 was a nephew of the Richard Ingoldsby to whom we refer and who died in 1685.

⁹ The English kings had the power of appointment of justices of the peace and endeavoured consistently to issue commissions to those members of the gentry and burgesses who were known to hold opinions in consonance with royal ideas and, during the Restoration, sympathetic to the Stuart conception of the use of the prerogative and the dispensing power. The monarchs could err in selection, but the J.P.s were always subject to ready removal.

¹⁰ *V.H.C. Bucks.*, IV, 545; Bishop Burnet described him as "one of the learnedest gentlemen I ever knew", *Bishop Burnet's History of His Own Time*, William Smith, London, 1838, I, 353.

¹¹ *V.H.C. Bucks.*, *loc. cit.* Nevertheless, John Hampden the younger accepted 500 guineas of gold from Louis XIV in 1678–79. Under James II he avoided further charge of high treason by the payment of £6,000. He met with others at Harley House to encourage the coming of William III, presided at the Convention Parliament of January, 1680, was made one of the first privy councillors of the new monarchs, but was not returned to Parliament thereafter. He committed suicide 2nd December, 1696; III, 20. Richard Hampden (1631–95) was a son of John Hampden, the hero. He purchased the manors of Wendover borough and Forrens in 1660 and represented that corrupt borough. He became Chancellor of the Exchequer under William III.

¹² Rev. Daniel and Mr. Samuel Lysons, *Magna Britannia*, 6 vols., printed for T. Cardell and W. Davies, London, 1806–12, I, 474; Robert Gibbs, *Worthies of Buckinghamshire*, Aylesbury, 1888, 137.

¹³ *V.H.C. Bucks.*, II, 145, IV, 149, 536.

justice which tried Charles I, and signed the death warrant for the king's execution. Both Oliver and Richard Cromwell had great faith in him and he had served as one of the lords of the upper house. In spite of these affiliations, he became active for the Restoration of Charles II, who showed his gratitude by making him Baronet and Knight of the Bath. He was the only one of the regicides to obtain a free pardon.¹⁴ Nevertheless, the fact that the king and his advisers did not trust him sufficiently to commission Sir Richard justice of the peace is demonstrated by a royal order of 17th April, 1680, to remove him from his position of Deputy Lieutenant of Buckinghamshire. His mother was Oliver Cromwell's daughter, so that he was a cousin to the Protector. He was by another connection cousin also to John Hampden, the patriot. Incidentally, he married the mother of Sir Thomas Lee of Hartwell, after she had been widowed.¹⁵

Sir Richard occupied Waldrige manor at Dinton, Stoke Hundred. He died 16th September, 1685, and was buried in the Church of the Assumption of Our Lady of Hartwell, Stoke Hundred.¹⁶ A study of the Entry Books in the Public Record Office during the reign of James II reveals the following letter:

Sunderland to the Earl of Bridgewater, Whitehall, 2 July, 1685. The King has given orders to commit Sir Richard Ingoldsby and Major Beake to the Tower. They are to be handed over to Mr. Thomas Atterbury.

The old Cromwellian spent but little time in confinement, since the index to the records in the custody of the Constable of the Tower of London reads:

Sir Richard Ingoldsby committed 2 July, 1685. Dates of orders 3 and 9 July, 1685. Date of discharge 20 July, 1685. Expenses, Michaelmas quarter, 1685.¹⁷

There is an identical entry for Major Beake, from which we can assume that Colonel Ingoldsby was not released because of ill health, which might be suggested by his death on 16th September, 1685. We see the extent of James II's distrust of the former parliamentary soldier in the order to send him to the Tower, although the explanation of his early release is not available. The fact that both former Commonwealth soldiers from Bucks. were imprisoned and released on identical dates is strong evidence of political reasons for the orders for commitment. We have seen no mention of Richard Ingoldsby's sojourn in the Tower in any of the numerous biographical accounts of him. Perhaps the

¹⁴ James Joseph Sheehan, *History and Topography of Buckinghamshire*, Longmans Green, Longmans, and Roberts, London, 1862, 251; Godfrey Davies, *The Early Stuarts, 1603-1660*, Oxford Clarendon Press, 1952, 237; D. Brunton and D. H. Pennington, *Members of the Long Parliament*, Harvard University Press, 1954, 207, 235.

¹⁵ Robert Gibbs, *History of Aylesbury*, 1885, 184-5; *Cal. S.P.D.*, 1st January, 1679, to 31st August, 1680, 17th April, 1680, 438.

¹⁶ *V.H.C. Bucks.*, II, 271; *D.N.B.*, XXIX, 10.

¹⁷ P.R.O. *Entry Books*, S.P. 44/56. Letters, f.248. Robert Spencer, earl of Sunderland, was Secretary of State and John Brackley, earl of Bridgewater, was Lord Lieutenant of Buckinghamshire and Hertfordshire; Thomas Atterbury was alderman of Buckingham town and servant to Charles II and James II, *V.H.C. Bucks.*, IV, 204. See also Index to the Records in the custody of the constable of the Tower of London, relating to the state prisoners, garrison, etc., in the *Appendix to the 30th Report of the Deputy Keeper of the Public Records*, London, 1869, 315, 331.

local historians omitted this reference because of consideration for the feelings of his descendants, even though there are many Englishmen who would consider the imprisonment of an ancestor by James II a cause for family pride.

Thomas Lewis, a former London alderman, married Elizabeth, daughter of Francis Dashwood, a Turkey merchant. In 1670, Lewis purchased the manor of West Wycombe from Charles Dormer, second earl of Carnarvon, to whom the Civil War had brought financial stringency. Lewis was returned from the borough of Wycombe to the parliament of 1679, the first such body to be elected after his acquisition of West Wycombe manor. Evidently his purchase of the manor carried with it the return of the new owner to the House of Commons, since the previous lord had become a peer and sat in the House of Lords. Even though Lewis continued to be returned from Wycombe borough from 1679 through William III's parliament in 1695, he did not become a burgess of West Wycombe until 1688. The burgesses of West Wycombe were a hereditary class with tenure on the High Street as one of the criteria for burgess-ship. Political and industrial motives prompted the admission of some "foreign" burgesses, but Thomas Lewis had to wait nineteen years after becoming lord of West Wycombe manor and nine years after he began to be returned from the borough to Parliament before the borough council elected him one of themselves.

Such a degree of social consciousness and exclusiveness among the gentry of West Wycombe suggests the intensity of class feeling against a man of urban origin, one who had acquired the estate of a local earl. This arouses the suspicion that there was no local or county sponsorship for his being commissioned by Westminster.¹⁸

We are able to say, however, that of the ten members of the Bucks. county gentry who served multiple terms in Parliament from 1678 to 1690, five or one half of those most frequently returned M.P.s were also J.P.s—the same individuals serving in a dual capacity. To state the case differently, those five important members of the Bucks. gentry were in a position to govern the county as justices of the peace, members of the House of Commons, and through their personal connections with the other justices in the county and with the administration at Westminster.

Some identification of these five members of the gentry will give us a further impression of the squirearchy of Buckinghamshire.

Sir John Borlase the younger (*d.* 1685), Baronet, of Bodrun House, Medmenham, was a member of a family who, like the Drakes, had been landowners in Bucks. since 1600. His father, also Sir John Borlase, had shifted his allegiance during the Rebellion. He had been a member of the Midland Association for Bucks., but his subsequent change to the king's side is demonstrated by the circumstance that Parliament voted him delinquent and fined him because he was a royalist, so that he had to compound for £2,400.¹⁹ After the death of

¹⁸ Gibbs, *Worthies*, 134; *V.H.C. Bucks.*, III, 118, 119, 137, Thomas Lewis alienated West Wycombe manor in 1696 to his brothers-in-law, Samuel and Francis Dashwood. In 1702, we find Sir Samuel Dashwood, knight, sitting in Bucks. as a justice of the peace. *County of Buckingham, Calendar of the Quarter Sessions, Vol. II, 1694–1705*, William LeHardy and Geoffrey L. Rickett, eds., Aylesbury, 1936, 454. The family were no longer "foreigners"—they had lived in Bucks. long enough to qualify as gentry.

¹⁹ *V.H.C. Bucks.*, III, 80; Gibbs, *Worthies*, 53.

his father in 1672, Sir John the younger was returned to Parliament from Wycombe after a disputed election when the validity of his choice was determined only in the House of Commons. We have reason to suspect Borlase's loyalty to the monarchy in the troublesome Parliaments from 1679 to 1681 when we learn that Charles II withdrew his commission as justice of the peace on 8th July, 1681.²⁰

Sir Thomas Lee of Hartwell, Baronet and Knight of the Bath, was the fourth of that name. Besides being the stepson of Sir Richard Ingoldsby, he served in Parliament with him for Aylesbury continually from 1660 until Sir Richard's death in 1685. Sir Thomas Lee had cherished little enthusiasm for the parliamentary cause and became an active royalist to vote in the Convention Parliament for the return of Charles II. His titles, as in Sir Richard Ingoldsby's case, derived from the king's gratitude for Lee's support in 1660. He was an outstanding and articulate member of the House of Commons. He sired three distinguished sons, of whom William became Chief Justice of England.²¹

Sir Richard Temple (1634–97), Baronet and Knight of the Bath, was returned for Warwickshire in Oliver Cromwell's parliament of 1654 and for Buckingham town in Richard Cromwell's parliament of 1658–59. He was nevertheless a secret royalist and continued during his lifetime to sit for Buckingham for all but one of the parliaments of Charles II, James II, and William III. He became one of the leading members of the country party in the House of Commons under Charles II, was active in prosecuting the alleged conspirators of the popish plot, promoted the Exclusion Bill, and later voted for the return of William and Mary to the throne of England. James II removed him from his position in the customs service early in 1685, after which Sir Richard supported the motion for supply to the king in November of the same year. Then on 20th April, 1686, the king awarded Temple an annual pension of £1,200, "in consideration of good services to Charles II and to himself". Evidently both the king and Sir Richard decided to be practical. William III restored the baronet to his customs post on 5th April, 1689, and saw Temple continue to play a vigorous part in the Commons.²²

Sir Ralph Verney (1613–96), Baronet, had represented Aylesbury in both the Short and Long Parliaments of 1640. Dedicated to the Church of England, he opposed Bishop Laud, took the parliamentary side in the Rebellion, and went into exile in 1643 rather than sign the Covenant. He lost his estates by sequestration in 1646, but his wife had this confiscation removed after great effort. After his return to England in 1653 and his imprisonment by Cromwell three years later, he was fined by the court of major-generals at Aylesbury. Reconciled to the Restoration, he attended Charles II's coronation. He worked hard at his magistracy and continued to oppose encroachments by the crown. With the coming of James II, he defended the free-holders of Buckinghamshire against the attempts of Justice George Jeffreys upon their electoral rights. In the election of 1685 he was successful in saving the county's and his own seat in Buckingham town from the activities of the king's party. He lost his magis-

²⁰ P.R.O. *Crown Office Docket Books*, C. 82.4215, f.51.

²¹ Sheehan, *op. cit.*, 151; Gibbs, *Aylesbury*, *op. cit.*, 184–5.

²² Gibbs, *Worthies*, 377; *D.N.B.*, LVI, 37.

tracy by action of James II, but was a member of the Convention Parliament which greeted William and Mary.²³

Thomas Wharton (1648–1725), the first marquis of Wharton and Malmesbury, represented the county of Bucks. in the Commons until the death of his father in 1696. He seems to have deserved his national reputation as the greatest rake in England—a hard-won accolade in the age of Congreve and Wycherly during the Restoration when this form of activity had reached a high state of development. Macaulay said of him:

The most dissolute cavaliers stood aghast at the dissoluteness of his emancipated precision. . . . But to the end of his life, the wives and daughters of his nearest friends were not safe from his licentious plots. . . . What shame meant he did not seem to understand. . . . But he lived in times when faction was almost a madness. . . . The falsest of mankind in all relations but one, he was the truest of Whigs . . . Wharton was such a master of the whole art of electioneering as England had never seen. Buckinghamshire was his own special province, and there he ruled without a rival . . . he made himself so popular that his journeys to Aylesbury to the quarter sessions resembled royal progresses. . . . It was commonly believed that . . . he expended on his parliamentary interest not less than eighty thousand pounds.

He voted for the Exclusion Bill in 1680 and was one of the small minority to vote against settling the revenue upon James II for life. He corresponded with William of Orange and joined him at Exeter. He became Lord Lieutenant of Bucks. in 1702. It has been suggested that in some respects he was a pupil of Danby and in others a precursor of Walpole.²⁴

The accounts of these “worthies” of the Buckinghamshire of their day give an impression of individualists accustomed to rule, to lead, and who knew what they wanted. The overtones of the violent feelings prevalent before and during the Rebellion persist in the attitudes and loyalties of these country gentlemen. Royalists and parliamentarians still, they continue to play significant roles in the political life of the transition era of the Restoration, the reigns of Charles II and James II. The old causes did not die in 1660; Puritanism became a more effective moral force in the Restoration than on the battlefield, and constitutionalism remained a firm bond among the protagonists of the Rebellion.

The life stories of these ten members of the gentry also demonstrate in microcosm the truth of the statement that Clarendon’s compromise of the Restoration—the king and his councillors in Parliament with the king, lords and commons wielding power jointly—was an insupportable solution. Even though the Restoration came about because Englishmen were tired of civil war and of the religious extremes of the Puritans, it required only a little time for all concerned to discover that sovereignty is indivisible, Clarendon to the contrary notwithstanding. Even though their original adherence to the Restoration settlement was taken in good faith, these J.P.s, M.P.s, and combinations

²³ *D.N.B.*, LVIII, 264.

²⁴ Gibbs, *Worthies*, 401; T. B. Macaulay, *History of England from the Accession of James II*, Crosby, Nichols, and Lee, Boston, 1860, IV, 365–8; *D.N.B.*, LX, 418; Thomas Wharton served as justice of the peace and is mentioned as sitting in 1692 and 1693, see *B.Q.S.R.*, I, 511.

of the two did not change their ideas, their loyalties, or their emotions. They continued to struggle as before, although without the use of gunpowder, until the more workable compromise of the "Glorious and Bloodless Revolution of 1688".

III

The gentry in the county enjoyed such profound esteem and confidence as to cause the continued return to Parliament of members of the same families for generations. This process had the effect of ensuring the stabilizing results observed in Parliament at the times of such crises as the Restoration and the Revolution.²⁵ In Buckinghamshire, the political viability and continuity of governance of the prominent families, those who provided the members of the House of Commons and the justices of the peace for the county, extended far back in England's history. Here in a shire with an estimated population at Domesday in 1086 of 19,500, in 1377 of 37,000, and in 1690 of 84,000,²⁶ we see members of the same family returned regularly to Westminster.

Let us glance at some of the family names of Bucks. gentry listed in Table I. The first recorded return to Commons from the county was in 1290 (18 Edward I). In 1295 (23 Edward I), Rogerius de Tyringham sat at Westminster for Bucks.—the same name as he who was returned in 1661 (13 Charles II). Johannus de Hamden (seemingly another spelling of Hampden) is listed in the Parliament of 1351–52 (25 Edward III), incidentally nine years before the establishment of the office of justice of the peace, and Johannes Cheyne functioned in 1373 (47 Edward III). We find the names of Robertus Dormer, *armiger* (ancestor of our 2nd earl of Carnarvon), in 1529 (21 Henry VIII), Antonius Lee, *miles*, in 1541–42 (33 Henry VIII), Edmundus Verney, *armiger*, in 1552–53 (7 Edward VI), and John Burlace, Esq. (another spelling for Borlase) in 1586 (28 Elizabeth I). The other names begin with 1603. Of the thirty-one M.P.s resident in Bucks. from 1660 to 1690, we find only nine names²⁷ which had not appeared in the Parliament rolls before 1661.

The names of these family members do not continue in unbroken sequence on the records of the House of Commons; but, after their original appearance, they recur persistently over the years through the Restoration. These facts indicate a considerable immobility between classes and demonstrate the restriction of political and county administrative power not alone to the gentry and burgesses of Buckinghamshire but more especially to a closely knit group of their number. This is all the more significant when we remember that the re-

²⁵ Ogg, *op. cit.*, 124; Ogg says, "Of the 80 English knights of the shire who sat in the Convention Parliament of 1689, at least 40 had sat in the short Exclusion parliaments of 1679–81, but only 17 had sat in James II's packed Parliament, figures which support the view that this last Parliament was objected to, not so much because the institution violated freedom of election, as because it involved the exclusion of so many families whose seats in the Commons were nearly as secure as those in the Lords in their House." All of this shows the cohesion between the gentry in their conviction that they were entitled to rule. Ogg gives here a similar example of the continuity of the burgesses in their return to parliament.

²⁶ Josiah H. Russell, *British Medieval Population*, University of New Mexico Press, Albuquerque, N.M., 1947, 53, 132; George Chalmers, *op. cit.*, 216. Gregory King uses an estimated ratio of persons to houses of approximately 4½ to 1 for these tables.

²⁷ These were Brackley, Hill, Egerton, Winch, Chase, Lewis, Jephson, Godfrey and Montague.

turn of fourteen members from the county and the six boroughs thereof did not date from 1290 (18 Edward I), when the county first sent members to Parliament. The boroughs of Amersham, Aylesbury, Great Marlow and Wycombe began to send members to Westminster in 1300 (28 Edward I); but, of these last four, only Wycombe returned members continuously. The first three of these boroughs neglected to make a return from 1309 (2 Edward II) to 1623–24 (21 James I), when their right to be represented was restored by an Act of Parliament. The boroughs of Buckingham and Aylesbury returned members continuously after 1545 (36 Henry VIII) and 1553 (1 Mary I) respectively.²⁸

IV

It is fair to state that a list of the justices of the peace in a county such as Bucks. at this time was actually a roster of the landowning and well-born families of the shire.²⁹ Generally these men were officials, lawyers in the higher courts former sheriffs, small proprietors, Members of Parliament and peers³⁰—gentry and nobility who were anxious to be commissioned justices of the peace. At this point we will investigate how seriously the Buckinghamshire justices, always so eager to attain this office of distinction and of political and economic control, fulfilled one of their chief responsibilities, that of attending and functioning at quarter sessions court.

In order to ascertain the relationship between the number of justices commissioned and those who actually functioned in the quarter sessions courts from 1678 to 1690, it is necessary to turn to the *libri pacis*. These volumes were lists of all commissions of the peace issued at Westminster. For the period of our study only four such records have been identified. These are:

Charles II				
<i>Number</i>	<i>Calendar Date</i>	<i>Regnal Year</i>	<i>Reference</i>	
XXIX	1680	32	British Museum (printed)	
XXX	Before December 1680	32 or 33	All Souls' College, Oxford, MS ccxxiii	
XXXI	1682–83	34 or 35	Public Record Office 572–C193/12	
James II				
XXXII	Sept. or Oct. 1695	1	Public Record Office, ³¹ 572–C193/12	

The two handwritten *libri pacis*, XXXI and XXXII, are not useful sources of information for the identity of the full list of the justices of the peace at any one time. The reason for this is that they are in the form of a running account

²⁸ *Great Britain, Return of Members of Parliament, Part I, 1213–1702, with Index, Order House of Commons, 1878, passim; Notitia Parliamentaria, I, 102, 113, 130, 141, 149, 156.*

²⁹ Edward F. Cheyney, *A History of England from the Defeat of the Armada to the Death of Elizabeth*, Longmans Green, London, 1936, II, 314.

³⁰ Wallace Notestein, *The English People of the Eve of Colonisation, 1602–1660*, Harper & Brothers New York, 1954, 211, 212n.

³¹ Bertha Haven Putnam, "Justices of the Peace from 1558 to 1688", *Bulletin of the Institute of Historical Research*, Vol. IV, 1926–27, 147–9, 156. Miss Putnam points out that copies of these *libri pacis* were furnished to several departments and to high officials. It is supposed that those copies now in the Public Record Office were originally intended for and were used by the Privy Council.

of the names in commission. Many of the names are crossed off and others are written in wherever there happened to be space on the page for their insertion, but without any dates to show when the old names were crossed out and new ones inserted. These obliterations and additions of names occurred not only when commissions were withdrawn from justices or new justices commissioned but also when an individual's rank was raised and he acquired a new title. It is a form of single-entry bookkeeping without any chronological sequence.

These changes in the personnel of the justices of the peace in the *libri pacis* can be substantiated further by reference to the Crown Office Chancery Docket Book³² and also to the minutes of the privy council meetings for the years in question.³³

The two *libri pacis* of 1680, the printed record XXIX from the British Museum (Table III) and the handwritten document XXX from the library of All Souls' College (Table IV), are simple listings of names of justices, free from confusing alterations, apparently set down at nearly the same time, and consequently sources more useful for our purpose. While we know that there were continual changes in the identities of the justices of the peace commissioned, these two *libri pacis* do give the names of those actually in commission when the lists were made. The lists read almost alike—list XXIX contains five names not on list XXX, and list XXX includes three names not on list XXIX. Each comes close to checking the other.³⁴

Having established the close identity between these two *libri pacis*, let us use XXIX for further study. Of the fifty-four persons whose names are listed in Table III for 1680, at least four were not then residents of Bucks.: James lord bishop of Worcester, Sir William Scroggs, Sir Richard Weston and Sir George Jeffreys (a resident occasionally). The crown frequently commissioned privy councillors, justices of assize on circuit and other non-residents of counties as justices of the peace for particular areas as a form of distinction and also so that they could function with magisterial authority when they came to the counties on government business.³⁵ This leaves us with a probable number of 50 resident J.P.s in Bucks, at the time when this list was compiled. Since there were 52 counties with a total of 2,500 J.P.s for the whole country, Bucks. had almost exactly the average number of J.P.s per county.

How many of these justices of the peace listed in the printed version of

³² P.R.O., *Crown Office Docket Books, 1678-1699*, C. 82, Index 4215, f.27 to f.147, passim.

³³ P.R.O., *Privy Council Register*, P.C.2, ¶168, ¶169, ¶170, ¶171.

³⁴ T. G. Barnes and A. Hassell Smith, "Justices of the Peace from 1558 to 1688—A Revised List of Sources", *Bulletin of the Institute of Historical Research*, XXXII, 86, November 1959, 240, 7n-10n. The authors comment further upon the special character of these four *libri pacis*.

³⁵ This can be seen from the identity of the non-resident justices: James, lord bishop of Worcester; Sir William Scroggs, Knight, chief justice of the court of king's bench, the notorious presiding justice at the trials of those denounced by Titus Oates during the popish plot; Sir Richard Weston, justice of assizes and baron of the exchequer; and the infamous Sir George Jeffreys, then one of the king's serjeants at law and recorder of the City of London but later of the "bloody assizes"—most of his legal and administrative offices were in London in 1680, although he acquired Bulstrode Manor in Buckinghamshire from Sir Roger Hill in 1686 and became technically then a resident of the county. See Sheehan, *op. cit.*, 210. Putnam, "J.P.s, 1558-1688", *op. cit.*, 156, 6n, "Jeffreys appointed a chancellor 28 September, 1685, heads the list in each shire. As president of the council, Halifax appears with his name crossed out and the earl of Sunderland, appointed 4 December, 1685, is given instead." See *liber pacis* XXXII.

liber pacis XXIX functioned at all in quarter sessions? Tale II shows which Buckinghamshire J.P.s appear in the quarter sessions record books for the various years. Table III is a roster of all justices of the peace commissioned in 1680. If we seek in Table II, the list of justices who functioned in quarter sessions at any time for all the years from 1678 to 1689, the names of the 54 who were commissioned in 1680 (Table III), we will find only 36 of them so recorded. Some of these 36 are mentioned for quarter sessions for some years and some for others. This indicates that one-third of the justices commissioned in 1680 never attended quarter sessions court throughout their incumbency. We should remember, however, that many of the justices not listed in the sessions books probably functioned to some degree, either because they sat as individuals, or in company with one or more other justices in petty sessions, or because they served on committees of investigation and conciliation. Unfortunately, no records of petty sessions for Buckinghamshire before 1800 exist in the county archives at Aylesbury.

The brief biographical sketches of our ten rugged individualists show a great disparity in personality and outlook. As we contemplate the wide variance in the individual attitudes of these key figures, we cannot but wonder how they and the others of whom we know less were able successfully to function together and to what purpose. Their achievement of consistency in judicial and administrative behaviour was possible only because of their common attitude towards those whom they governed. The Buckinghamshire gentry who functioned as members of the House of Commons, as justices of the peace or in both capacities simultaneously, were quite definite in self-appraisal. They considered themselves not only conservators of the rights, privileges and property of their own class but also as proper arbiters of the religious and social conduct of their inferiors.

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