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**The Reform of Gloucester's Municipal Corporation in 1835' (pp.  
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## The Reform of Gloucester's Municipal Corporation in 1835

By ALAN SPARKES

Gloucester's municipal corporation evolved through a succession of medieval royal charters culminating in Richard III's charter of 1483. Thereafter, the corporation emerged as the governing body of Gloucester and played a substantial but restricted role in the government of the city until 1974.<sup>1</sup> Its responsibilities were distinctly limited during the first half of the 19th century and focused on property management, charity administration and trade regulation. These activities were administered or controlled by the common council, which represented the ruling body of Gloucester's corporation. The structure of the corporation was subjected to its first significant reform by the imposition of the Municipal Corporations Act in 1835.<sup>2</sup>

The Act replaced the essentially private constitutions of 178 municipal corporations with new public institutions in the form of elected town councils and made provision for new ones to be created in areas of growing urbanisation.<sup>3</sup> It represented the first significant reform of English borough administration by public general Act.<sup>4</sup> The reform sought to render corporations more representative of their local communities, more accountable for their expenditure and less influential in the local judiciary, in an attempt to rationalise local government.<sup>5</sup>

The specific timing of the 1835 Act has been attributed to political expediency, but its impetus arose from the broader imperatives created by industrialisation and a widely held view of corporations' self-serving and ineffective nature.<sup>6</sup> Contemporaries dismissed municipal corporations as corrupt oligarchies, ill-equipped to cater to the needs of growing urban communities and preoccupied with exploiting their role in parliamentary election contests.<sup>7</sup> The corporation reform issue gained increasing currency following the parliamentary reform crisis of 1831 and 1832 and subsequent introduction of the Great Reform Act. This crisis sharpened long held dissatisfaction of the corporations' power to manipulate the local electorate and centred on the unrepresentative nature of the elective franchise.<sup>8</sup> It exposed municipal corporations in

1. *Victoria County History of Gloucestershire (VCH Glos.) IV, The City of Gloucester*, ed. N. Herbert (Oxford, 1988), pp. 204–5.
2. 5 & 6 Wm IV, c. 76.
3. The Lord Snell, 'The Town Council', in H. Laski, W. Jennings and W. Robson, *A Century of Municipal Progress: 1835–1935* (London, 1935), pp. 55–6.
4. B. Keith-Lucas, *The Unreformed Local Government System* (London, 1980), p. 149.
5. G. Finlayson, 'The Municipal Corporation Commission and Report 1833–35', *Bulletin of the Institute of Historical Research* 36 (1963), pp. 36–52.
6. P. Salmon, *Electoral Reform at Work: Local Politics and National Parties 1832–1841* (2002), pp. 210–37; G. Finlayson, *England in the Eighteen Thirties: Decade of Reform* (London, 1969), p. 1.
7. Finlayson, *Decade of Reform*, pp. 23–5.
8. J. Phillips, *The Great Reform Bill in the Boroughs: English Electoral Behaviour 1818–1841* (Oxford, 1992), pp. 42–4; G. Finlayson, 'The Politics of Municipal Reform, 1835', *English Historical Review* 81 (1966), pp. 674–5.

particular to criticism, as many exerted considerable influence over the election of M.P.s often through their control of admissions to the borough freedom in those places where the freedom was an essential prerequisite for voting.<sup>9</sup> However, the majority of corporations were firmly in the hands of Tory supporters and Whig demands for reform were treated by some as little more than a cynical attempt to place them under the control of Whigs. Nevertheless there was also a broad consensus that the corporations were ill-equipped to respond to change and needed overhauling.<sup>10</sup>

### Support for Municipal Reform in Gloucester

In Gloucester the parliamentary reform crisis was vigorously debated and brought into sharp focus the corporation's overwhelming influence in parliamentary election contests.<sup>11</sup> While the Whig dominated corporation had actively supported parliamentary reform, this did not quell all criticism, especially from local Tories.<sup>12</sup> The corporation exerted considerable authority over the borough fund, the city's markets, the municipal charities and the freedom. The corporation's authority was further boosted by the status of its aldermen as the city magistrates. Nevertheless, the corporation's ability to respond to change could be distinctly limited.<sup>13</sup> Its involvement was shaped or influenced by the presence of non-corporation members within statutory bodies and the parish vestries.<sup>14</sup> City improvements were distinctly limited by financial constraints as no precedent existed for imposing rates for general purposes and so the corporation looked to local Acts and private investment to meet local needs.<sup>15</sup> Furthermore, when the corporation did take action, the ratepayers, vestrymen and improvement commissioners could become uncooperative, deliberately obstructive or generally reluctant to act if measures involved notable expense or great inconvenience. In 1815 the residents of St. Mary de Crypt parish had refused to pay any rate demanded of them for local repairs that had not 'been first allowed or ordered to be so done by the Inhabitants'.<sup>16</sup> In the 1830s similar resistance to the imposition of expense on ratepayers was continuing to manifest itself.<sup>17</sup> Yet the need to respond to the changes and problems emerging from growing urbanisation and an increased population was becoming increasingly apparent to the citizens of Gloucester.

In December 1831 fear pervaded the city as outbreaks of cholera in Gloucestershire spread.<sup>18</sup> The city's voluntary board of health reported that Gloucester was in dire need of a complete sewerage system, the lack of which was producing conditions 'too revolting to describe'.<sup>19</sup> In March 1832 many of the city's shops closed as a mark of respect for those suffering, but within four months

9. R. Sweet, *The English Town, 1680–1840* (Harlow, 1999), pp. 155–6.

10. Salmon, *Electoral Reform at Work*, p. 211.

11. G. Goodman, 'Pre-Reform Elections in Gloucester City, 1789–1831', *Trans. BGAS* 84 (1965), pp. 156–7; *Gloucester Journal*, 12 Mar. 1831.

12. *VCH Glos.* IV, pp. 152–4.

13. A. Sparkes, 'The Municipal Corporation of Gloucester: Its Composition, Structure and Functions During the Early Nineteenth Century' (University of Gloucestershire M.A. thesis, 2005), pp. 24–5, 30–2, 33–35, 40–8.

14. E. Christmas, 'The Growth of Gloucester 1820–1851: Tradition and Innovation in a County Town' (University of Leicester Ph.D. thesis, 1989), pp. 238–40.

15. *Ibid.* p. 239.

16. Gloucestershire Archives (GA), P 154/11/VE 2/1, 6 July 1815.

17. *Ibid.* 30 Aug. 1832, 18 Apr. 1833.

18. Paragraph based on *Glouc. Jnl.* 17 Dec. 1831, 3 Nov 1832, 20 Apr., 18 May, 26 Oct. 1833, 4 Jan. 1834, 31 Jan. 1835.

19. *Ibid.* 26 Nov. 1831.

over a third of Gloucester's 366 diagnosed cases of cholera died.<sup>20</sup> In April 1833 the city observed a nationally appointed day of thanksgiving as the epidemic passed and shortly after the board of health announced that £1,052 had been spent in responding to the outbreak in Gloucester, the cost to be met by a rate. Yet even after the threat receded, improvements were slow and limited. In October, the corporation instructed the newly elected parish surveyors to address the disgraceful state of the streets. Once again, action was in response to a problem and also came from bodies other than the corporation. A benevolent society, for preventing pauperism and improving the condition of the poor, was formed shortly after the cholera epidemic subsided, while the subscribers to a cholera fund, established during the epidemic, were still meeting three years later. By 1835, satisfaction was being expressed with notable improvements to some areas of Gloucester, but the core problem had not been addressed. The issue, nurtured by numerous factors, including poor housing, overcrowding, poverty, inadequate water supply and non-existent sewerage, was not confined to Gloucester.<sup>21</sup> Nor was it at the heart of populist calls for reform, but it laid bare the limitations of an organ of local government being rendered increasingly incapable of meeting the needs of 19th-century towns and cities. In Gloucester's case, it seems apposite that the epidemic preceded the arrival of the commissioners for municipal reform by less than a year.<sup>22</sup>

However, calls for reform centred not on municipal corporations' ability to act effectively as agents for improvement and change in their host communities, but on their self-electing and closed constitutions and abuse of their privileges. In Gloucester these complaints were manifested in a petition to the mayor, dated 21 May 1833.<sup>23</sup> Representing local freemen and enfranchised residents of the city, the petition called on mayor Edward Bower (currier) to convene a meeting at the shire hall 'for the purpose of considering the expediency of presenting a Petition to Parliament, praying an alteration in the constitution of such Corporate Bodies as are Self-Elected'. The requisition focused on the issue of self-election and, along with the impressive list of 333 names attached to it, represents unequivocal evidence of a groundswell of opinion in favour of reforming Gloucester's corporation. The freemen (those entitled to practice their trade within the borough limits) and the electors (those entitled to vote for the parliamentary representation of the city) were expressing their dissatisfaction with the current constitution of closed corporations. However, what is not clear is whether this dissatisfaction was prompted by particular grievances with Gloucester's corporation or was stimulated by wider national debates, as the issue had received much attention in the national and local press.

Bower saw no need for a meeting as the issue was already a subject of enquiry in parliament, but nevertheless he eventually acquiesced to the petitioners' request.<sup>24</sup> Figuring prominently at the meeting, which was held at the shire hall in May 1833, were William Cother (surgeon) and James Francillon (property owner).<sup>25</sup> Members of the corporation also attended, including alderman John William Wilton (surgeon), although none has been identified among the signatories of the petition. The event was reported in the *Gloucester Journal* two days later.<sup>26</sup> After the preliminaries of the meeting, Cother sought to assure his audience 'that there was no incorrectness

20. Christmas, *Growth of Gloucester*, p. 60.

21. *Ibid.* pp. 56–7.

22. The commissioners formally began their enquiries in Gloucester at the Tolsey on 20 September 1833: *Glouc. Jnl.* 14 Sept. 1833.

23. *A Requisition to the Mayor of Gloucester* (Gloucester, 1833): copy in Gloucestershire Collection (Glos. Colln. at GA), NZ 12.2(L).

24. *Glouc. Jnl.* 1 June 1833.

25. *VCH Glos.* IV, pp. 174–5; Gloucester Borough Records (GBR at GA), B 3/15, f. 2.

26. *Glouc. Jnl.* 1 June 1833.

in meeting to discuss the propriety of throwing open corporations' and continued by asking why 'men who had lived 20, 30 or 40 years virtuous and worthy citizens, should be excluded from municipal honours and distinctions?' The complaint was a familiar one in Gloucester, but was equally relevant to many corporations where political factions dominated these closed bodies.<sup>27</sup> Those holding Tory principles controlled the majority of corporations at the time, and much of the broader stimulus for reform arose from parliamentary Whigs, radicals and Benthamites.<sup>28</sup> Yet Gloucester was an exception to the rule and the dominance of Whigs in the corporation had long been a point of grievance for local Tories.<sup>29</sup> Cother brought the prevalence of local party rancour to the fore once more. He claimed that the corporation put party interest above the best interests of the city and continued that '(t)here was a better thing than party – welfare of our country'.<sup>30</sup> He was expressing popular criticisms of the unreformed corporations, but his interests were also of a distinctly local and even personal nature. While organised constituency parties did not evolve fully for another three decades, Gloucester had an active and lively political life.<sup>31</sup> In 1814, local Tory interests organised themselves with the formation of the True Blue Club, but not all support for reform in Gloucester was formed along the same lines.<sup>32</sup>

When Francillon attempted to address the meeting, Cother and his supporters vocally opposed him. Nevertheless, the former was in agreement with the latter regarding reform in general, but saw the issue as one which should not be used as a platform for airing local grievances. 'They were assembled...to discuss the general good of their country, and the most effectual mode of applying a remedy to the evils blended with the present system, not to discuss local interests or the conduct of any particular corporation'. Francillon denounced Cother's criticism of the corporation as it was merely complying with its charter, but agreed that 'there could be no set of men fit to be entrusted' with the power of self-election.<sup>33</sup> Francillon's pragmatic defence of the unreformed system did not seek to excuse the abuses but rather to explain them and it goes some way to explaining why the corporation was not held to account more specifically on its inability to offer the city a more proactive and responsive form of local government.

### **The Commissioners for Municipal Reform and Gloucester**

The Whig government realised that an extensive enquiry into the state of the municipal corporations was an indispensable pre-requisite to establishing a cogent framework for their reform. In July 1833 a royal commission was appointed to the task.<sup>34</sup> The chief commissioner was John Blackburne (M.P. Huddersfield) and its secretary was Joseph Parkes, a Birmingham solicitor with strong radical proclivities. England and Wales were divided into nine circuits, each circuit having two commissioners. London's corporation was subject to special arrangements due to its unique nature.<sup>35</sup> The commissioners were all armed with a list of questions to put before public

27. G. Bush, *Bristol and its Municipal Government 1820–1851* (Bristol Record Society 29, 1976), pp. 95–100; R. Greaves, *The Corporation of Leicester 1689–1836* (Leicester, 1970), pp. 5–19.

28. Finlayson, 'Commission and Report', pp. 36–7.

29. Goodman, 'Pre-Reform Elections', p. 144.

30. *Glouc. Jnl.* 1 June 1833.

31. P. Madgewick, *A New Introduction to British Politics* (Cheltenham, 1994), p. 227.

32. Goodman, 'Pre-Reform Elections', p. 147.

33. *Glouc. Jnl.* 1 June 1833.

34. Finlayson, 'Commission and Report', pp. 38–41; 'Politics of Municipal Reform', p. 675.

35. Parliamentary Paper, H.C., 1837 (239), xxv, cited in J. Collinge, *Office Holders in Modern Britain: Volume IX Officials of Royal Commissions of Inquiry 1815–1870* (Institute of Historical Research, London, 1984), p. 20.

courts of enquiry in each town or city. The almost overwhelming task was completed in less than two years and the final report was presented to the House of Commons in March 1835 and made public the following month.

*The Municipal Corporations' Commission of Enquiry*

Despite widespread complaints about the state of municipal corporations, attitudes towards the means of addressing the problems polarised from the outset. Many Whigs, radicals, nonconformists and Benthamites broadly supported the notion of statutory reform.<sup>36</sup> Many Tories, Anglicans and aristocrats resisted change and viewed municipal reform as a dangerous extension of the democratic precedent set by the Great Reform Act. Lord Lyndhurst (Tory) claimed that should the corporations fail to reform the Church and hereditary peerage would soon follow.<sup>37</sup> Opponents to reform perceived it as an attempt to destroy the self-perpetuating Tory havens in order to benefit and strengthen the Whig party.<sup>38</sup> In such a climate it was not surprising that the commission was controversial and criticism of it was vitriolic and sustained. The commission was packed with radicals, many of them personal friends of Parkes. Of the twenty commissioners chosen to assist Blackburn and Parkes only John Drinkwater and Sir Francis Palgrave were non-radicals. It is of note that Palgrave was one of only three commissioners who refused to sign the completed report.<sup>39</sup> Lyndhurst complained bitterly that the commissioners were tainted by political partisanship and the *Quarterly Review* denounced the commission as monstrous.<sup>40</sup>

*The Commissions' General Report*

Despite the criticisms levelled at the commission, its survey of the corporations was comprehensive and meticulous and resulted in a powerful and lucid report. The substantive report consisted of the commission's general judgement of the unreformed corporations, to which were attached the reports of individual corporations.

The general report's main criticisms of the corporations were numerous, but the points may be summarised as follows.<sup>41</sup> Municipal authority rested in the hands of councils even where the corporation included a large number of the inhabitant freemen and thereby excluded the majority of the local population from any active role in municipal government. Members were usually self-elected for life, which ensured the ascendancy of one political party and normally extended to the exclusion of Catholics and dissenters, despite the repeal of the Test and Corporation Acts. Self-interest permeated admissions to the freedom and extended to the administration of charities, corporation revenues and property management. Party spirit tainted magistrates and police constables who were at times notoriously inefficient. Corporators were frequently commissioners under local Acts, but rarely took an active role in the duties entailed and were often politically opposed to the other non-corporation commissioners. The general mismanagement of corporation

36. Salmon, *Electoral Reform at Work*, pp. 210–1; Phillips, *The Great Reform Bill*, pp. 295–6.

37. Finlayson, *Decade of Reform*, p. 27.

38. Hansard. *Parliamentary Debates*, 3rd ser. 29, pp.1382–3, cited in Finlayson, 'Politics of Municipal Reform', p. 677.

39. Collinge, *Officials of Royal Commissions*, p. 20.

40. Finlayson, 'Commission and Report', p. 46.

41. This paragraph represents a summary of the more salient criticisms of corporations made in the general report by the commissioners: *The First Report of the Commissioners Appointed to Enquire into the Municipal Corporations of England and Wales* (Parliamentary Papers, H.C., 1835 (116), xxiii, pp. 1–798.

funds included civic feasts and the payment of unimportant offices instead of being applied to the good of the community. Few corporations were willing to acknowledge their roles as mere trustees of municipal property and consequently saw no obligation to use surplus funds to the public advantage. Local inhabitants were frequently ill-informed about the extent of authority their civic leaders rightly had over them, or the nature of local bye-laws, which were often created or repealed without their knowledge, as many close corporations conducted their affairs in strict secrecy.

The report dismissed the majority of corporations as little more than political engines, offering little benefit and much harm to the towns and cities after which they were named. The report's conclusions were unequivocal:

(T)here prevails amongst the inhabitants of a great majority of the incorporated towns a general, and, in our opinion, a just dissatisfaction with their Municipal Institutions; a distrust of the self-elected Municipal Councils, whose powers are subject to no popular control, and whose acts and proceedings being secret, are unchecked by the influence of public opinion.<sup>42</sup>

In addition the report concluded that even in those corporations where the civic leaders acted with the utmost propriety, the very nature of their constitutions rendered them incapable of responding to the needs of the rapidly changing social, economic and political conditions.<sup>43</sup>

#### *Gloucester's Municipal Corporation and the Reform Issue*

In Gloucester, the reform debate emulated national concerns, but civic rhetoric was more muted than it had been on the issue of parliamentary reform in 1832.<sup>44</sup> Publicly, the corporation was supportive of municipal reform; privately, little is known of what individual members thought about the issue. When the mayor and town clerk gave evidence on Gloucester's corporation to a House of Commons' committee of enquiry in March 1833 the matter was reported in the local press, but little was made of the issue otherwise.<sup>45</sup> In November 1834 William IV dismissed Lord Melbourne's reforming Whig ministry and invited Sir Robert Peel (Tory), an ardent opponent of parliamentary reform, to form the next government. This once more placed reform at the centre of public debate.<sup>46</sup> The following month Gloucester's mayor, William Morgan Meyler, led a forthright address to the king expressing the corporation's concern.

(W)e have received with great alarm the change of your Majestys (*sic*) late confidential advisors for others who both in and out of Parliament have uniformly offered the most determined opposition to every measure of Reform – and whose recorded declarations have even gone the length of stating that our establishments are not susceptible of any improvement.<sup>47</sup>

Gloucester's aldermen and councilmen were not reticent in their support and resolved to have the address published in the local press without delay. The following day Meyler convened a large and boisterous public meeting of freemen, householders and inhabitants. Feelings were running high and councilman Charles Parker (attorney) declared that '(m)inisters who are generally supported by the people have been suddenly dismissed...an administration has been proposed,

42. *First Rep. Com. Municipal Corporations*, p. 49.

43. Finlayson, 'Commission and Report', p. 43.

44. J. Phillpotts, *To the Independent Freemen of Gloucester* (Gloucester, 1831): copy in Glos. Colln. NF 10.16(14); *Election Squib*: copy in *ibid.* NF 10.16(17a).

45. GBR, B 4/16, p. 394.

46. E. Evans, *The Forging of the Modern State: Early Industrial Britain 1783–1870* (London, 1983), p. 246.

47. GBR, B 3/14, f. 232.

composed of those who have been the inveterate enemies of all reforms – the enemies of the will of the people'.<sup>48</sup> Parker was cheered loudly, but William Cother, advocate of Gloucester's municipal reform petition, attempted to defend the Tory cause, dismissing Parker's 'overheated imagination', and proudly proclaiming his own Tory principles, but he was met with jeering, groans and hisses. The meeting ended with agreement to petition the king and anger that a government committed to corporation reform was to be replaced by an anti-reforming ministry.

The degree to which corporation support was due to its composition or to strong local feeling is unclear. Most corporations were dominated by Tories and reform offered a potential end to their dominance, but the opposite was true in Gloucester. Nevertheless, some saw the issue as one of principle which extended beyond personal interest. Alderman John William Wilton had attended the public meeting held by the pro-reform petitioners in May 1833.<sup>49</sup> Wilton declared his support for reform, but took issue with Cother's politically partisan motives for demanding change. Wilton claimed that, regardless of the consequences, municipal reform 'should upon general grounds, have his hearty support' and he continued 'these opinions were those he had always entertained' and he claimed one shared by all liberal-minded people.<sup>50</sup>

Wilton was only one member of Gloucester's thirty-nine strong common council, but even if his principled lack of fear was not entirely shared by his peers, their concerns may have been tempered by a belief in the general popularity of Gloucester's corporation. Yet, given recent events, such as the reform crisis and cholera epidemic, and more perennial problems, such as sustained criticism from local Tories and belligerence from the parish vestries, this self-assurance seems unlikely. A more significant factor in the corporation's attitude to reform may have been the vocal local support for the issue expressed at the petition meeting, thus convincing the corporation pragmatically to support an issue that seemed increasing likely to become statute law.

#### *The Commissioners' Report on Gloucester's Municipal Corporation*

The corporation's public support for reform matched the manner in which it cooperated with the commissioners. Peregrine Bingham and David Jardine opened their enquiry in the Tolsey on Friday 20 September 1833.<sup>51</sup> They were charged with investigating twenty-seven corporations, including Cirencester, Tewkesbury and Oxford, and were authorised to summon all the officers of the corporation and 'any other persons they may judge necessary'.<sup>52</sup> It is indicative of the pressure the commissioners were under that they had only begun their investigation of Tewkesbury two days before starting in Gloucester. Representations from the city to the commissioners were made by mayor Edward Bower, alderman William Henry Hyett (M.P. Stroud), and councilman Arthur Hammond Jenkins (solicitor). Equipped with suitable *gravitas*, they were accompanied by other corporation members and various inhabitants who wished to attend. The entire proceedings were conducted in an open and public manner and the civic leaders 'were complimented in very flattering terms by the commissioners for their level of cooperation and assistance'.<sup>53</sup> Nevertheless, 'parties opposed to the corporation' were also able to give evidence.<sup>54</sup>

48. *Glouc. Jnl.* 6 Dec. 1834.

49. Sparkes, 'Municipal Corporation', pp. 51–3.

50. *Glouc. Jnl.* 1 June 1833.

51. GBR, B 3/14, f. 231; F 4/16, f. 394.

52. *Glouc. Jnl.* 21 Sept. 1833.

53. *Ibid.*

54. P. Bingham and D. Jardine, *Report on the Corporation of Gloucester, 1833* (copy in Glos. Colln. JF 6.1), p. 62.



The commissioners made no reference to issues of public health in Gloucester, which is in stark contrast to a report made after reform, c.1844.<sup>55</sup> While the framers of the 1833 commission had significant concerns with issues of public health in the municipalities, no mention was made of local drainage, sewerage, water supply, housing conditions, refuse management and levels of mortality and morbidity in the city's population, but focused directly on the constitution and primary functions of Gloucester's corporation. The evidence taken formed the substance of Bingham and Jardine's report.<sup>56</sup> Much of the content of the report was purely descriptive, including details of salaried, honorary and inferior officers, and the city's freedom, revenues, expenditure, rents and leases.

However, Bingham and Jardine did pass comment on a number of issues, especially complaints levelled at the corporation. They made no direct reference to the alienation of the inhabitants from the municipal body which would figure so prominently in the general report, but the commissioners were informed that self-election and the creation of honorary freemen had long enabled the corporation to be politically exclusive and to influence parliamentary elections in its favour. The issue was a well rehearsed one, but the commissioners dismissed its occurrence in the city as unproven and, even if true, the result of 'the personal interest of individuals' in the council, rather than the abuse of authority by the corporate body as a whole.<sup>57</sup> Such a conclusion seems obtuse at best, given the level of prolonged controversy surrounding the issue in Gloucester.<sup>58</sup> While the political value of creating freemen had been removed in 1832, the issues of self-election and political exclusion from civic office remained. Yet Bingham and Jardine minimised this complaint and pointed out that the presence of several dissenters in the corporation demonstrated that exclusion on grounds of personal opinion was not a significant problem. Such apparent myopia is at odds with contemporary views of the commission's anti-corporation agenda and with local anti-corporation rhetoric and differed sharply from the general report's perspective.

Nevertheless, Bingham and Jardine did identify a number of failings in Gloucester. While they effectively dismissed complaints that Gloucester's magistrates were tainted by the ills of self-election and political exclusivity, the commissioners noted imperfections created by having a separate county and city magistracy as offenders could escape city justice by simply crossing the municipal boundary.<sup>59</sup> The preoccupation with relatively minor complaints is at odds with the considerable concerns articulated in the general report, particularly the perception that municipal magistrates' objective judicial integrity was compromised and undermined by political partisanship. This lack of critical probing by Bingham and Jardine extended to the various municipal officers and servants. Their methods of appointment, duties, and salaries were listed in detail, but no other comment was recorded. Of greater concern to Bingham and Jardine was the state of the city's police, which they judged as ineffective.<sup>60</sup> Yet, responsibility for the failings was not levelled directly at the corporation constables but at the twelve ward officers, who were dismissed as unenthusiastic and inefficient. Furthermore, the inadequacy of the local Act 'for the regulation of the town' was

55. *Appendix to Second Report of Commissioners of Inquiry into the State of Large Towns and Populous Districts*: copy in *Glos. Colln.* JF 6.1.

56. Bingham and Jardine, *Rep. on Glouc. 1833*, pp. 58–68.

57. *Ibid.* p. 62.

58. J. Cannon, 'The Parliamentary Representation of the City of Gloucester (1727–1790)', *Trans. BGAS* 78 (1959), p. 138; Goodman, 'Pre-Reform Elections', p. 144.

59. GBR, G 3/SM 3, 22 Apr. 1796; G 3/SM 5, 6 Oct. 1809; G 3/SM 10, 30 Oct. 1829.

60. *Ibid.* G 3/SM 5, 6 Oct. 1809; G 3/SM 7, 11 Jan. 1820; *Glouc. Jnl.* 17 Jan. 1820; Gloucester Market and Improvement Act, 1 & 2 Geo. IV, c. 22.

blamed for the unsatisfactory state of the police.<sup>61</sup> The same cause was blamed for the poor state of paving in the city, but no mention of the corporation was attached to the criticism. The brief manner in which these matters were presented in the report was in noticeable contrast to the attention given to city improvements made by the corporation which focused on its building of the cattle market, improvements to Spa Road and repairs to St. Mary Magdalen's hospital.

The corporation's financial activities were dealt with at length. Again much of the detail was descriptive, but where comment was passed it was favourable. The practice of leasing corporation property to its own members was deemed minimal, impartial and, given that much of the city was corporation property, practically unavoidable.<sup>62</sup> The commissioners' report contained the corporation's income and expenditure over a twelve-year period. The years ending Michaelmas 1821 to 1823 and 1829 to 1832 were included, while the years ending 1824 to 1828 were omitted. The commissioner's selective use of the accounts revealed an average annual income of £31,461 while expenditure was only £30,006. The report thus showed income exceeding expenditure by an average of £207 a year.<sup>63</sup> If all years between Michaelmas 1821 and 1832 are included, expenditure exceeded income by an average £152 each year.<sup>64</sup> The commissioners' selective treatment of the accounts only distorts the treasurer's full figures marginally. It is of note that in three of the five financial years ignored by the commissioners the corporation had the most substantial shortfall in income since 1814.<sup>65</sup> Nevertheless, the commissioners went on to discuss corporation expenditure during the years ignored by their table and much was made of the considerable expense incurred in improving the city, particularly with regard to its markets.

Public interest in Gloucester was aroused by the enquiry and the town clerk reported that the corporation had attended the commissioners' enquiry 'and afforded every information and assistance' in its power.<sup>66</sup> Notwithstanding the various complaints brought to the commissioners' attention, they concluded that despite the issue of self-election 'the practical evils arising from the system are less developed in the city of Gloucester than in many other instances of close corporations'.<sup>67</sup> The *Gloucester Journal*, which had deliberately restrained itself from all but the most perfunctory reporting of events during the enquiry, published a full account of the report.<sup>68</sup> The commissioners judged Gloucester's corporation as an active, well-ordered and responsible municipal body, whose deficiencies were due to the limitations of its antiquated constitution and not to self-interest or corruption. The overall impression given by the report was very favourable and bears little resemblance to the general report's judgement of municipal corporations.

## The Municipal Corporations Act and Gloucester

### *The Municipal Corporations Bill*

On the 5 June 1835 a bill for municipal reform was introduced into parliament by Lord John Russell, at that time, leader of the House of Commons. Drafted by Parkes among others,<sup>69</sup> the

61. Bingham and Jardine, *Rep. on Glouc. 1833*, p. 62.

62. Sparkes, 'Municipal Corporation', pp. 44–5.

63. Bingham and Jardine, *Rep. on Glouc. 1833*, p. 67.

64. See app. 11 in Sparkes, 'Municipal Corporation', p. 130.

65. *Ibid.*

66. GBR, B 3/14, f. 23; F 4/16, f. 394.

67. Bingham and Jardine, *Rep. on Glouc. 1833*, p. 62.

68. *Glouc. Jnl.* 2 May 1835.

69. Joseph Parkes, J.E. Drinkwater and John Campbell have all been credited with drafting the bill: B. Keith-Lucas, *The English Local Government Franchise: A Short History* (Oxford, 1952), p. 52.

bill was based on the commission's condemnation of the corporations and applied to 183 of those municipal bodies investigated.<sup>70</sup> Radicals, Whigs, Tories and ultra-Tories all took a keen interest in the bill's progress.<sup>71</sup> Melbourne's second government claimed to seek an amelioration of the worst defects of corporations by a number of proposals which Parkes jubilantly summarised as 'a thorough purge of the existing Corporators'.<sup>72</sup>

The bill, in its initial form, proposed to reinstate the original purpose of the majority of existing corporations; councils were to act as the representative bodies of the local community, elected by and for its municipal inhabitants to whom they would be answerable.<sup>73</sup> The councillors of each corporation were to be elected by the inhabitant ratepayers for three-year terms, with one third required to retire annually. There were to be no aldermanic benches or life membership. Thus, the municipal franchise proposed was more democratic than the parliamentary franchise of 1832 which was limited to the £10 household qualification and certain freemen's rights.<sup>74</sup> The qualifications for municipal office were to be the same as for the municipal franchise. Towns were to be divided into electoral wards where populations exceeded 12,000.<sup>75</sup> The magistrates were to be separated from the corporate body and to be chosen by the Crown, along with a barrister as the recorder. Councils were obliged to appoint a town clerk and a treasurer, but all other officers and servants were to be chosen at their discretion. Corporations wishing to raise loans or sell municipal property were to gain approval from the Treasury. The main functions of the councils were to be limited to the administration of municipal finances, granting licences to sell alcohol, enacting bye-laws for governing their communities and the obligatory establishment of a watch committee, under which a borough police force would replace any existing police.<sup>76</sup> Controversially, municipal charities were to be placed in the hands of the new councils, thus creating the potential for charitable funds to be used for political purposes. All methods of acquiring the freedom were to be abolished, although the rights of existing freemen would only lapse on death.<sup>77</sup> This aspect of the bill aroused particular concern among Tory peers in general and Lord Lyndhurst in particular, as it effectively abolished the parliamentary freeman franchise and gave the bill its distinctly partisan character.<sup>78</sup>

Parkes's delight with the proposals was quickly replaced by despair as a series of objections, particularly in the Lords, threatened to destroy the bill's reforming principles entirely.<sup>79</sup> Despite Brougham's defence of the bill in the upper chamber, wrecking amendments introduced by Lyndhurst represented bitter resistance to a bill perceived as nothing but 'a party job, intended to...destroy the Conservative party in the country, in order that their opponents might...recover their political influence'.<sup>80</sup> Objections rested on concern over the amount of electoral influence councils would have at their disposal as a result of having the distribution of charities and liquor licences vested in them. Of greater concern however, was the attempt to abolish the parliamentary

70. Bush, *Bristol and its Municipal Government*, p. 104.

71. Finlayson, *Decade of Reform*, pp. 26–9.

72. Letter from Joseph Parkes to Lord Durham 1 June 1835, cited in Finlayson, 'Politics of Reform', pp. 678–9.

73. J. Redlich and F. Hirst, *The History of Local Government in England* (London, 1970), p. 129.

74. Phillips, *Great Reform Bill*, p. 2; Keith-Lucas, *Local Government Franchise*, pp. 60–1.

75. Redlich and Hirst. *Local Government*, p. 130.

76. G. Young and W. Handcock, *English Historical Documents Vol. XII(I) 1833–1874* (London, 1956), p. 610.

77. Finlayson, 'Politics of Municipal Reform', pp. 679–80.

78. Salmon, *Electoral Reform at Work*, p. 216.

79. Finlayson, *Decade of Reform*, pp. 26–7.

80. Hansard, *Parliamentary Debates*, 3rd ser. 29, p. 1401, cited in Finlayson, 'Politics of Reform', p. 677.

freeman franchise. Opponents in the Commons denounced it as irrelevant to municipal reform and Peel, who was more inclined to accept municipal reform than he had been to accept parliamentary reform, angrily condemned it as a blatantly anti-Tory measure.

However, acrimonious polemics were tempered by political pragmatism as the urgent need for municipal reform was acknowledged across the political spectrum and party rancour gave way to compromise.<sup>81</sup> Peel's anger subsided and he and Russell led the way, both eager to avoid more conflict between the Commons and Lords.<sup>82</sup> Peel distanced himself from the staunchest opponents, restrained Lyndhurst's criticisms and achieved broad Tory support in the Commons.<sup>83</sup> Meanwhile, Russell conceded ground on a number of issues and a series of changes was made to the bill that was broadly acceptable to both the government and opposition.<sup>84</sup> '(T)he struggle may be considered to have terminated satisfactorily, (but)...there has been very little room for triumph on either side'.<sup>85</sup> Final modifications to the bill were made and agreed in both houses by 7 September 1835.

### *The Municipal Corporations Act*

William IV prorogued parliament on 10 September 1835, announcing that the important measure was 'calculated to allay discontent, to promote peace and union and to procure for those communities the advantages of responsible government'.<sup>86</sup> Thus, the corporations' bill passed into law.

The Municipal Corporations Act applied to 178 of the 183 corporations specified in the original bill and represented numerous changes to the objectives proposed by the original bill only three months earlier.<sup>87</sup> Most notable of these included the removal of the clause for the granting of licences, leaving their administration in the hands of the magistrates. The parliamentary freeman franchise was effectively preserved by abolishing only the creation of freemen through gift or purchase, but exclusive trading rights were ended as 'every Person in any Borough may keep any Shop...and use every lawful Trade, Occupation, Mystery, and Handicraft, for Hire Gain, Sale or otherwise'.<sup>88</sup> Property qualifications were imposed on prospective councillors and varied according to the size of the municipal borough.<sup>89</sup> Electoral wards were required for all municipalities with over 6,000 inhabitants and a class of aldermen was admitted to the new councils, elected by the councillors, either from among themselves or from those qualified to be councillors.<sup>90</sup> Elected for six-year terms, the aldermen were to constitute one-third of the council membership. The Act replaced all charters, privileges and rights not consistent with its provisions.<sup>91</sup> It transferred municipal finances from the old corporations to the new councils and allowed all

81. Salmon, *Electoral Reform at Work*, p. 211.

82. Keith-Lucas, *Local Government Franchise*, p. 52.

83. Finlayson, *Decade of Reform*, p. 28.

84. Young and Handcock, *Historical Documents*. p. 610.

85. *Glouc. Jnl.* 12 Sept. 1835.

86. *Ibid.*

87. Keith-Lucas claims the corporations bill dealt with 184 boroughs, while Finlayson claims 183. Nevertheless, both acknowledge that the Act applied to 178 boroughs, listed in Schedules A and B to the Act: Keith-Lucas, *Local Government Franchise*, p. 52; Finlayson, *Decade of Reform*, p. 26.

88. 5 & 6 Wm. IV, c. 76, s. 14.

89. See below.

90. 5 & 6 Wm. IV, c. 76, s. 25.

91. Redlich and Hirst, *Local Government*, p. 131.

dispossessed corporation officials to claim compensation for losing their office as a result of the Act.<sup>92</sup> It also made provisions for altering parliamentary and municipal boundaries in some boroughs.<sup>93</sup> Following reform, the municipal charities passed into the care of newly formed and independent charity trustees.<sup>94</sup>

Despite the numerous changes imposed on the original bill many proposals survived the passage through parliament, offering a potential restoration of popular confidence in municipal corporations. Re-establishing the connection between borough inhabitant and corporation was achieved, to a limited degree, by the terms imposed on the municipal franchise. If adult males could meet the various requirements specified by the Act, they could have a direct role in the election of the majority of their representative council and be deemed a 'Member of the Body Corporate' of their municipal borough.<sup>95</sup> While the property qualifications effectively excluded the majority of working-class inhabitants from municipal office,<sup>96</sup> entry to a borough's governing body no longer rested in the hands of its existing members. Opportunities for civic patronage were reduced by the restrictions placed on the borough freedom, the new system of managing municipal charities, the auditing of accounts and public scrutiny of council proceedings. Confidence in the provision of law, order and justice was offered by the obligatory establishment of borough watch committees and police forces and by the separation of the local magistracy from the corporation. Yet in all other respects the Act was permissive not prescriptive. It empowered councils to impose borough rates, make bye-laws for good government and take over the duties of the local improvement commissioners created by Acts of Parliament, but only if they so wished.

### *The Coming of Reform in Gloucester*

Prior to 1 January 1836, when the Act eventually came into force, considerable uncertainty was expressed in Gloucester regarding the exact implications of reform. In June 1835 the town clerk, Henry Hooper Wilton, was instructed to go to Westminster in order to clarify a number of issues, including the privileges of Gloucester's freemen, corporation debts and 'such other matters arising out of the Municipal Corporation Bill'.<sup>97</sup> On his return, it was resolved that the common council form a standing committee to meet daily until further notice to monitor events pertaining to municipal reform. Shortly after, a meeting of the corporation lessees was held at the Bell Hotel in Gloucester. Concern was expressed about the impact reform would have on the terms and conditions of their leases and a petition to that effect was made to the House of Lords.<sup>98</sup> Preparations for the first municipal elections were confused by a two-month delay in implementing the Act, which had originally been planned for November, but was then delayed until Christmas Day 1835.

The parish overseers were instructed to compile burgess lists for submission to the town clerk by 7 November and details of 900 potential voters were published in the local press, but it was clear this figure would change.<sup>99</sup> The lists were displayed at the town hall for one week and any

92. Finlayson, 'Politics of Reform', p. 686.

93. 5 & 6 Wm. IV, c. 76, schedule A, ss. 1 and 2; R.K. Dawson, *Gloucester c.1837*: copy in Glos. Colln. C 65.5(1)

94. For a more detailed account of this aspect of reform, see Finlayson, 'Politics of Reform', pp. 685–6.

95. 5 & 6 Wm. IV, c. 76, s. 9.

96. Keith-Lucas, *Local Government Franchise*, p. 58.

97. GBR, B 3/14, f. 264.

98. *Glouc. Jnl.* 1 Aug. 1835.

99. Paragraph based on *Glouc. Jnl.* 12 Sept., 14 Nov., 5 and 19 Dec. 1835.

objections or omissions registered. Such changes were publicly displayed for eight days, after which they were scrutinised by revising barristers appointed to hear claims for and objections to inclusion on the list. Amendments were made during early December and as the first municipal poll approached debate raged over entitlement. Less than two weeks before the election thirty-eight individuals were removed, while another thirty new claims were allowed. Most of these rested on issues of residence and rating, but accusations that the practice was merely 'the expression of angry party feeling' ignored dire warnings of the penalties for undue influence, bribery or corruption. '(A)ny person attempting to influence the vote of another...is liable to a penalty of 50*l.* with costs of suit, is disqualified from ever after voting at any Municipal or Parliamentary election in any part of the kingdom, and is declared to be situated as if he were naturally *dead*'.<sup>100</sup> The strong warning failed to subdue entirely attempts to influence votes and considerable acrimony persisted.

Less than a month before the bill passed into law the corporation upheld its traditional practice of nominating the next mayor and other annually elected posts before Michaelmas, because members were unsure when the bill would pass into law.<sup>101</sup> Yet, such elections were unnecessary and the current officers remained in place until the new Act came into force.<sup>102</sup> There was one exception as in late September Earl Somers resigned his position as recorder because he lacked the qualification of being a barrister to continue in the post.<sup>103</sup> However, his resignation was preemptive and the Secretary of State saw no reason why Somers should not continue in office until the corporation was abolished.<sup>104</sup> It is not known whether Somers was persuaded to reverse his decision, but the episode, coming so close to reform, is indicative of the uncertain state of affairs.

Shortly after members gathered together for a meeting of the common council in Gloucester. The gathering was unique in one respect; it was the last time that the self-electing representatives of the city's governing body would formally convene under a constitution which began in 1483 and had existed virtually unaltered since 1672.<sup>105</sup> The corporation, aware that its rights and privileges were effectively reformed, tended to the formalities of leaving office. Thanks were given to William Morgan Meyler for discharging his duties as mayor and to others for the sustained 'undeviating correctness and integrity' with which they had performed their duties.<sup>106</sup> This was the last recorded entry in the minute books of Gloucester's unreformed corporation.

#### *Gloucester's First Elected Council*

William Morgan Meyler's final duty as the last mayor of Gloucester's unreformed corporation was to preside over the election of the city's new councillors and then declare and publish the names of the successful candidates, for which he was later paid £39 13*s.* from the borough fund.<sup>107</sup>

Gloucester's new governing body was much smaller than its predecessor and consisted of eighteen councilmen and six aldermen. The unreformed corporation had consisted of twenty seven councilmen and twelve aldermen.<sup>108</sup> Following reform the city was divided into three electoral

100. 5 & 6 Wm. IV, c. 76, s. 54.

101. GBR, B 3/14, f. 267.

102. 5 & 6 Wm. IV, c. 76, s. 38; *Glouc. Jnl.* 10 Oct. 1835.

103. Somers served as recorder from at least 1815: GBR, B 3/13, f. 153v.

104. GBR, B 3/14, ff. 278–9.

105. J. Webb, *The Charter Granted by King Charles the Second to the City of Gloucester* (Gloucester, 1834): copy in Glos. Colln. 7218.

106. GBR, B 3/14, f. 281.

107. *Ibid.* B 3/15, 26 Dec. 1835, 1 Jan. 1836.

108. See app. 4 and 14 in Sparkes, 'Municipal Corporation', pp. 123, 133.

wards (west, east and south), each returning six councillors. These eighteen councillors in turn elected two aldermen for each ward.<sup>109</sup> Under the Act, the mayor was drawn from the ranks of the councillors and aldermen.<sup>110</sup>

The eighteen new councillors collectively received 2,786 votes cast by 892 electors.<sup>111</sup> This plural voting was possible because the Act allowed each elector to ‘vote for any number of persons *not exceeding the number of Councillors to be chosen for each Ward*’.<sup>112</sup> Only nine out of the thirty-nine retiring councilmen and aldermen stood as candidates. Meyler was included in this number, but was defeated along with five others.<sup>113</sup> Only three members of the unreformed corporation were elected to the new council: former councilmen John Dowling (landlord) and James Taylor (ropemaker) and former alderman David Mowbray Walker.<sup>114</sup>

Walker was a prominent member of Gloucester’s unreformed corporation and the city.<sup>115</sup> Following his father’s death in 1831 Walker and his brother, Alexander, took over management of the *Gloucester Journal*, which was unchallenged as the leading paper of both the city and the county. David Mowbray Walker was not content to restrict his activities to journalism and in 1817 he was voted in as a councilman of Gloucester’s corporation. He rose quickly through the ranks, serving two terms as sheriff in 1822 and then 1824. In 1828 Walker was co-opted to the exclusive aldermanic bench to become one of the borough’s magistrates. In the year 1830–31 he served his only term as mayor of the unreformed corporation. Walker was well known as a man of Whig/Liberal sympathies and his editorials in the *Gloucester Journal* were broadly sympathetic to the numerous reforming measures being promoted by the Whig governments of the period.

Following municipal reform only five Whigs were elected as councillors, compared to thirteen Tories, representing an end to the Whig domination of Gloucester’s civic government.<sup>116</sup> Significantly, William Cother, the self-proclaimed and outspoken defender of the Tory cause, was elected, along with another seven signatories of the 1833 petition. Those seven included John Burrup (attorney), Richard Butt (soapboiler), William Hicks (builder), James Buchanan (gentleman), John Andrews (grocer) and John Hanman (grocer).<sup>117</sup> It is not known how many of these former petitioners were actually Tory, for the issue drew support from Tories such as Cother and Whigs such as John William Wilton, but their presence on the new council suggests that support for reform in Gloucester was prompted, to some degree, by the opportunity to expel the dominant Whigs.

All eighteen councillors elected Gloucester’s aldermen on New Year’s Eve 1835.<sup>118</sup> Eight nominations were made for the six places and, in accordance with the new law, prospective aldermen were drawn from those holding the same qualifications for office as councillors.<sup>119</sup> Party politics quickly became apparent as all nominees were unanimously elected, except those put

109. 5 & 6 Wm. IV, c. 76, schedule A, s. 1.

110. *Ibid.* s. 9; *Glouc. Jnl.* 26 Dec. 1835.

111. GBR, B 3/15, 26 Dec. 1835.

112. *Glouc. Jnl.* 19 Dec. 1835; 5 & 6 Wm. IV, c. 76, s. 32.

113. GBR, B 3/14, f. 277v; *Glouc. Jnl.* 2 Jan. 1835, cited in *VCH Glos.* IV, pp. 191–2.

114. GBR, B 3/15, 26 Dec. 1835; see app. 14 in Sparkes. ‘Municipal Corporation’, p. 133.

115. The following is based on GBR, B 3/14, ff.17v., 149, 215; C 3/1, f. 21v.; R. Austin, *Bicentenary: Gloucester Journal: 9th April, 1722–8th April 1922* (Gloucester, 1922), pp. 50–8; *VCH Glos.* IV, pp. 159, 196, 381.

116. *VCH Glos.* IV, pp. 191–2.

117. GBR, B 3/15, 26 Dec. 1835; *Requisition to Mayor of Glouc.*

118. GBR, B 3/15, 31 Dec. 1835.

119. 5 & 6 Wm. IV, c. 76, s. 25.

forward by Walker. He nominated Meyler for the east ward, but the motion was defeated. Walker then nominated Meyler for the south ward, but was again defeated. The Tory councillors increased their political advantage by dominating the aldermanic bench which included George Counsel (surgeon), an outspoken supporter of Cother.<sup>120</sup> The following day, Counsel proposed Cother as the first mayor of Gloucester's reformed corporation. Seconded by Hicks and with little more than symbolic resistance from Walker,<sup>121</sup> Cother was duly elected. Having made the required declarations, the council was complete, instantly conferring upon its members 'all the powers, privileges, duties and responsibilities which they enjoy or are liable to...as successors of the old body'.<sup>122</sup>

Thereafter, the council wasted no time in proceeding to the compulsory election of a town clerk and treasurer. Former councilman Henry Hooper Wilton was unanimously re-elected as town clerk, but was replaced as treasurer by William Mathews. Non-council members now held both roles, always occupied by members of the common council before 1836.<sup>123</sup> Using its discretionary powers, the council resolved to retain most of the offices and servants used before reform.<sup>124</sup> In addition to the mayor, town clerk and treasurer, the council chose a sheriff, coroner, chamberlain, steward and recorder, all to be elected by the full council 'excepting the recorder, who is appointed by the Crown'.<sup>125</sup> None of these offices were filled by councillors or aldermen and therefore they held no voting rights in council. The minor offices consisted of a sword bearer, an under-sheriff, four sergeants at mace, four porters, a day bellman and a beadle. The office of night bellman was discontinued, but otherwise it was resolved that those persons holding office before reform should continue in their posts, conditional on the understanding that the council could abolish any office, alter its duties and adjust pay as thought necessary.<sup>126</sup> Settling the levels of payment for the principal and minor offices of the reformed corporation began on 21 January 1836 and two days later the local press provided a comparison of old and new salaries for its readers.<sup>127</sup>

The council's choice of the honorary office of high steward was also the cause of disagreement, with Walker once again being out-voted by his peers. In April 1836 Henry Somerset, duke of Beaufort, was proposed as Gloucester's high steward. Walker protested, claiming that 'this body has no power to remove the present Noble High Steward from his office', but John Burrup disagreed arguing that the former steward's office had effectively 'ceased upon the Municipal Corporations Act coming into operation'.<sup>128</sup> It is not clear who the last High Steward of the unreformed corporation was. Lord Henry Howard was replaced by His Royal Highness William Frederick, duke of Gloucester, in 1824, but the latter died in November 1834. There is no reference to his replacement in the corporation minutes.<sup>129</sup> Nevertheless, a familiar pattern was beginning to emerge as Walker was defeated and the duke of Beaufort was elected to the honorary office.<sup>130</sup>

120. *VCH Glos.* IV, pp. 191–2.

121. GBR, B 3/15, 1 Jan. 1836.

122. *Glouc. Jnl.* 26 Dec. 1835.

123. Except for the treasurership between 1809 and 1815: GBR, B 3/13, f. 72; Sparkes, 'Municipal Corporation', pp. 40–1.

124. GBR, B 3/15, 1 Jan. 1836.

125. *Hunt and Co.'s Directory and Topography for the Cities of Gloucester and Bristol* (London, 1849), p. 8.

126. GBR, B 3/15, 1 Dec. 1835.

127. *Glouc. Jnl.* 23 Jan. 1836.

128. GBR, B 3/15, 11 Apr. 1836.

129. *Ibid.* B 3/14, 19 July 1824.

130. Sparkes, 'Municipal Corporation', pp. 86–9.



### Gloucester's Municipal Corporation after Reform

Following municipal reform access to Gloucester's corporation no longer rested in the hands of the city's civic leaders and the freedom of the city ceased to represent the qualification for corporation membership. Under the Municipal Corporations Act, eligibility for municipal office was the same as for the new municipal franchise with additional qualifications. The municipal franchise was misleadingly referred to as the household franchise. It applied to men who occupied any rateable property in the borough (except tenements), paid their rates, lived within seven miles of the borough boundary and had been doing so for at least three years.<sup>131</sup> In addition prospective aldermen and councilmen had to possess land or property worth between £500 in smaller boroughs and £1,000 in larger ones. Alternatively, they needed to occupy a property rated at £15 or £30 depending on the size of the borough, based on population. Gloucester had a comparatively large number of parliamentary voters (1,674) and municipal voters (1,069) but with only three electoral wards, was classed as a small borough by the Act.<sup>132</sup> Nevertheless, the qualifications for civic office ensured that Gloucester's aldermen and councillors were comparatively well situated and represented the more prosperous members of the local community.

Nevertheless, the reformed corporation was expected to be much more open regarding its proceedings and business agenda, offering a greater degree of accountability. Any burgess was entitled to inspect the council minutes 'at reasonable times on payment of a shilling'.<sup>133</sup> It is not known how well this privilege was exercised, but in the new spirit of openness it was resolved to provide an authenticated report of the proceedings of each meeting to the local press. However, there were distinct limits to this spirit of accountability and the notion of a more open forum was resisted by certain factions of the council, at least during its first year of operation. In January 1836, councillors Walker and Taylor moved to have a reporter admitted to the proceedings, but the motion was defeated.<sup>134</sup> By itself this incident seems insignificant, but it came to represent a persistent issue, one which was raised (usually by Walker) at virtually every council meeting in 1836 and one which was dismissed with equal regularity.<sup>135</sup> That he was a leading figure in the city and county's leading newspaper goes some considerable way to explaining Walker's interest. Yet he was also a Whig of the old corporation and defeats were not restricted to this one issue. On numerous occasions motions he proposed or seconded were regularly defeated.

The frustration of Walker's ambitions reflected the internal politics of the reformed council and the election of mayors, in particular, rested on political lines. However, in November 1839 Walker was elected mayor and his victory marked the newly gained control of the council by Whig and Liberal supporters, with Walker as their principal leader.<sup>136</sup> It represented Walker's first of three terms as mayor of the reformed corporation and marked the end of the short-lived Tories domination of the council. Nevertheless, party politics continued and corruption sometimes accompanied municipal elections, with 'the distribution of large quantities of beer' being used to

131. There was no value specified on the amount of rates paid: Keith-Lucas, *Local Government Franchise*, pp. 55–6, 148. Cf. *Glouc. Jnl.* 5 Dec. 1835.

132. Figures compiled from burgess lists and parliamentary returns for 1837 by Keith-Lucas: *Local Government Franchise*, p. 8.

133. Sparkes, 'Municipal Corporation', pp. 86–9.

134. *Glouc. Jnl.* 23 Jan. 1835.

135. GBR, B 3/15, *passim*.

136. *The Reign of King David of Gloucester*. (Gloucester, 1853): copy in Glos. Colln. SR 24.1; *Glouc. Jnl.* 5 Nov. 1853; GBR, B 3/16, p. 2.

influence voters in 1853.<sup>137</sup> By 1854 Tory supporters were once more in control of the council, although their dominance was again short lived and control changed hands once again by the late 1850s.<sup>138</sup> The fluid political composition of the reformed council was a marked departure from the political homogeneity of the pre-reform period.<sup>139</sup>

Nevertheless, other problems persisted and even accelerated after reform. Pavements, thoroughfares, sewage management and water supplies all needed to be improved.<sup>140</sup> Filth in the streets, sickness in the homes and disorder in the alehouses were all present to some degree in Gloucester.<sup>141</sup> Borough rates to raise money, regulations to enforce public responsibilities and officers to enforce day-to-day order were all issues which touched on the council's business.<sup>142</sup> Expectations of the reformed council were high. On the day of the first municipal poll the *Gloucester Journal* celebrated the passing of 'the old Corporations (which) were doomed to be swept away' due to their many flaws and anticipated the dawn of a new era of 'good and quiet government'.<sup>143</sup> All of Gloucester's councillors and aldermen owned property or paid rates in the borough. Many lived and worked there too; some were employers and thus had close connections with the city's varied economic life and population. They could see at first hand the problems and possibilities facing the city, challenges similar to those faced by the unreformed corporation: a growing urban population (much of it without permanent work), poverty, overcrowding, and need to keep order and provide civic amenities. Following reform these leaders were, to some degree, more answerable to the city's population. Over the next two decades the municipal electorate grew steadily to 1,069 in 1837, 1,158 in 1843 and 1,366 in 1851, an increase of over 65 per cent.<sup>144</sup> The municipal franchise was a profound departure from the traditional practice of the self-electing, closed-corporation of the pre-reform era, but the number of electors represented less than 8 per cent of the resident population by the 1850s, despite the steady increase in their numbers after 1835.

## Conclusion

Local complaints levelled at Gloucester's unreformed corporation were politically motivated and focused on the civic leaders' control of the freedom of the city and subsequent creation of honorary freemen during parliamentary election contests.<sup>145</sup> This is unsurprising if, as Rosemary Sweet has argued, contemporary radical propaganda sought to use the corporations, particularly in parliamentary boroughs, as scapegoats for the new challenges of an increasingly industrialised and urbanised society.<sup>146</sup> Nevertheless, in Gloucester the parliamentary reform crisis had brought the issue of the corporation's electoral role into much sharper focus and, while the beginning of the

137. *Glouc. Jnl.* 5 Nov. 1853, cited in *VCH Glos.* IV, p. 196.

138. *VCH Glos.* IV, p. 196.

139. Sparkes, 'Municipal Corporation', pp. 27–8.

140. Discussion of a bill for improving sewerage, drainage and paving in towns and cities in GBR, B 3/17. p. 125.

141. *Second Report on the State of Large Towns and Populous Districts* (Parliamentary Papers, H.C., 1845, xviii) p. 602, cited in E. Christmas, 'The Administration of the Poor Law in Some Gloucestershire Unions, 1815–1847' (University of Bristol M.Litt. thesis, 1973), p. 9.

142. See 'By-Laws for the Good Rule and Government of Gloucester' recorded in council minutes and promulgated in local press: GBR, B 3/16, p. 250.

143. *Glouc. Jnl.* 26 Dec. 1835.

144. Keith-Lucas, *Local Government Franchise*, p. 148; *VCH Glos.* IV. p. 191.

145. Bingham and Jardine, *Rep. on Glouc. 1833*, p. 62.

146. Sweet, *The English Town*, pp. 141–3.

1830s also saw serious problems of public health, the city took a narrower view in justifying demands for municipal reform.<sup>147</sup> Rapid urban growth, subsequent problems of poor health and inadequate public utilities may have caused considerable concern for governors and governed alike, but these issues seem to have played little part in demands for reform in the city.

Whether the 1833 petitioners were representative of Gloucester's wider population is unclear, but what is certain is that they were a minority, less than 3 per cent of the city's population, moved to act on the issue of reform.<sup>148</sup> Their concerns were clearly heard by their civic leaders. Not only did the mayor concede to the petitioners' request for a public meeting, but members of the corporation also attended and expressed unequivocal support for reform. Whether the corporation's public support of the issue was prompted by a genuine desire to see the corporations reformed is unknown, but some members may have taken the view that a positive attitude to the issue could stand them in good stead with a new local electorate. If so they were mistaken.<sup>149</sup> Yet given the corporation's positive support for parliamentary reform in 1832, despite reform's potential to undermine significantly its traditional source of influence and patronage, a less cynical perspective may be warranted. Such debate cannot be resolved without documentary evidence, and from surviving records it is clear that the corporation pursued a pro-reform policy prior to 1835.<sup>150</sup>

The corporation commissioners judged Gloucester favourably in 1833 and the overall impression that emerges from Bingham and Jardine's report is very different from the main report's conclusions on corporations in general.<sup>151</sup> Considering the accusations levelled at the commission, Bingham and Jardine demonstrated a favourable bias possibly influenced by the corporation's political composition, especially given the cursory manner in which some complaints were dismissed. However, the commissioners were acting under considerable pressure and given the rapidity with which they dealt with Tewkesbury's corporation it is clear that they were not in a position to delve too deeply into all aspects of corporate activity.<sup>152</sup> Nevertheless, Gloucester's corporation cannot be dismissed as one of the corrupt, ineffective and self-seeking political engines so strongly condemned by the general report. Yet, its ancient constitution left the corporation both ill equipped to deal with the new social problems of the 19th century and vulnerable to political and popular criticism because of its closed and politically inviolate constitution. Nevertheless, few of the more extreme criticisms of the unreformed corporations applied to Gloucester to any great extent.<sup>153</sup> The Municipal Corporations Act was born of political compromise and offered limited innovations; it focused on altering access to governing councils with limited internal structural changes and few compulsory changes in function. Apart from rendering Gloucester's new civic leaders more accountable to their host community, the Act appears to have offered little to affect directly the corporation's role in local government, at least in the short term.

147. *Requisition to Mayor of Glouc.*; *Glouc. Jnl.* 1 June 1833.

148. *VCH Glos.* IV. p. 154.

149. GBR, B 3/15, 26 Dec. 1835.

150. *Ibid.* B 3/14, f. 232; *Glouc. Jnl.* 21 Sept. 1833, 6 Dec. 1834.

151. Bingham and Jardine, *Rep. on Glouc. 1833*, p. 62; *First Rep. Com. Municipal Corporations*, p. 49.

152. *Glouc. Jnl.* 21 Sept. 1833.

153. *The Times.* 25 June 1833.

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154. Sparkes, 'Municipal Corporation'.