

Derby's Last Charter.

By F. WILLIAMSON.

THE last royal charter granted to the Borough of Derby was that of 34 Charles II dated 5 Sept. 1682, under which the borough was still governed when Glover's History was written about 1829, and a transcript of it appears in Glover, Vol. I, app. p. 88, and in Simpson, p. 117.

A government publication has just been issued which throws further light on the proceedings of that time, namely, *Calendar of State Papers, Domestic Series*, 1682.

This is Glover's account of what took place between the king and the burgesses (Vol. 2, p. 383);

"As Charles II, in the year 1682, ruled the nation without a parliament, he was dependent upon the liberality of his subjects for the supplies of his exchequer, and one of the expedients which loyal corporations had recourse to an order to manifest attachment to the court was the surrender of their charters, under the pretence of obtaining some new immunities, for which a handsome gratuity was paid to the crown. This business was managed in Derby, by Mr. Bagnold, the town clerk, during the mayoralty of Mr. Edward Walker. The charges amounted to £400."

It will be seen from the State Papers that Robert, Lord Ferrers was the prime mover in this matter, and it was he who prevailed on the burgesses to surrender their charter, on the understanding they should receive another embodying certain privileges for which they specifically asked.

Lord Ferrers addressed a letter to Secretary Jenkins (Sir Leoline Jenkins, Secretary of State), dated 5 June 1682, advising the acceptance of the offer of the burgesses, and enclosing a letter from the mayor, Edward Walker to himself making the offer of surrender, as follows:—

“Edward Walker, mayor, to Lord Ferrers. What you recommended about surrendering our charter I readily complied with and communicated it to my brethren, and all of them, except three or four consented thereto and an order was entered to that effect, not that we are dissatisfied with our large immunities and advantages, but out of our readiness to prostrate our liberties, properties, and privileges at the king's feet in testimony of our loyalty and steady resolutions to serve him, his heirs and lawful successors. If his majesty restore us to our ancient privileges and grant anew to this corporation such other advantages as he shall think fit, I doubt not this corporation will serve, honour and obey him, his heirs and lawfull sucesors, so long as the sun and moon endure. Let us beg your countenance and assistance therein. Enclosed are the most material things we desire and some others the town clerk will acquaint you with. June 5, 1682, Derby.”

Enclosed.

“The said desires. Till the late unhappy wars the election of burgesses to Parliament for the borough was on the mayor and capital burgesses and they under the common seal of the borough made a return of members elected, but in the times of confusion and since the common burgesses claim and have had the privilege of votes for election of members though many of them pay neither scot nor lot, and have elected members contrary to our inclinations that have gone contrary to the king's interest. We desire that it may be inserted in our new charter, if his majesty grant us one, that the power to elect burgesses may be in the mayor and capital

burgesses and then this corporation will be in an undoubted capacity to serve the king by sending faithful and loyal men to Parliament.

That all foreigners, that keep stalls in the market, shall open at an hour certain and pack up at sunset." *State Papers Domestic*, 1682, p. 229-230.

"1682. July 11. Robert, Lord Ferrers to Secretary Jenkins. The gentlemen who wait on you and are part of the corporation of Derby and represent the whole, had a full account from me of the free invitation you gave them to accept your service. They will on your directions from time to time attend your leisure, and were it not impertinent to beg you to be a favourable mediator for them, I might renew my request. They have followed your directions to the gentlemen I sent to wait on you on their behalf, but, if anything else be necessary, they'll be at hand to beg your instructions. They will I hope, in a little time see a happy issue of their loyal intentions, and I hope the favour his majesty will show to so much loyalty will be of excellent example to other corporations." *Ibid.*, p. 286-7.

"1682. July 21. Acceptance by the king of the surrender of the charter of the borough of Derby with directions that the said charter and this instrument be kept in the Petty Bag Office for ever, and that the surrender be not enrolled till the king has declared his further pleasure." *Ibid.* p. 306.

"1682. July 27. Warrant for a new charter to the borough of Derby with a privilege to the mayor to carry a white staff and to have the mace carried before him on all public occasions, and a proviso that butchers that are foreigners shall not expose their meat before 12 in the market on the market day being the usual time of ringing the market bell, and that at sunset they pack up." *Ibid.* p. 315.

"1682. Sept. 13. Statement by John Cooke. . . .

Tuesday I went to Windsor with the bill for Derby charter, which his majesty signed that night, with two or three other warrants " *Ibid.* p. 392.

The charter is dated 5th September 1682, and the full text is printed in Simpson's, *History of Derby*, 1826, pp. 117-155, and in Glover's *History*, 1829-31, Vol. I, app. p. 88. Not only did the burgesses obtain all the privileges they requested of the king, but also confirmation of all previously granted letters patent or charters, so that it cannot be denied they received full value for the money expended, and we cannot but believe the transaction was entirely voluntary on their part.