# 'a distant and whiggish country': the Conservative party and Scottish elections, 1832–1847*

Writing in 1948, Norman Gash described post-Reform Scotland as a 'distant and Whiggish country', one fundamentally hostile to Conservatism and largely immune to central party influence.[1] This article explores the role of the Conservative party in Scottish political culture between 1832 and 1847. Investigating whether Scotland was indeed distant and whiggish, it argues that focusing solely on Liberal electoral success overlooks the important ways in which the Conservative party reshaped Scotland's political culture after Reform.

In order to do so, it will examine the ways in which Conservative candidates, agents, proprietors and supporters worked within Scotland's reformed electoral system. The English, Scottish, Welsh and Irish reform legislation of 1832 introduced a degree of uniformity to the electoral systems of all four nations.[2] Nonetheless, its application in the Scottish context did not end that country's distinctive electoral culture; in many ways, uniquely Scottish features were in fact strengthened. Section one thus explores how Conservatives adapted (with varying levels of success) to what were, in some constituencies, alien and exotic electoral rituals. Sections two and three explore electoral registration and the creation of fictitious votes. As in England and Wales, Scottish Conservatives quickly took advantage of new registration frameworks, but marked Scottish legal distinctiveness compelled electoral agents to forge a distinctive registration and

vote-making culture. The Scottish Conservative party's inability to mitigate the diminishing effectiveness of the creation of fictitious votes, however, had the most serious long-term impact on their electoral performance, with the election of 1847 marking a watershed for the party's influence over Scottish politics. This, along with their inability to adapt their strategies to the changing nature of political influence, explored in section four, consigned them to the periphery of Scottish political life for over half a century. Nonetheless, they played a demonstrably significant role in reshaping the underpinnings of Scottish political culture during a crucially formative period. Moreover, their ability and relative success in doing so adds nuance to an image of Scotland which emphasises the headline fact of Liberal electoral dominance.

The interconnected political cultures of the United Kingdom both before and after the Reform Act(s) of 1832 have been extensively studied.[3] England has benefitted from the lion's share of scholarship, both longstanding and more recent. Most usefully, Philip Salmon has illustrated that the working of the practical provisions of the English Reform Act had a marked effect on the evolution of party organisation.[4] In Scotland, this was also something of a two-way street; emerging party organisations played an active role in shaping and manipulating the interpretation and implementation of these provisions. Ireland, and more recently Wales, have benefitted from in-depth and authoritative works which explore the practical working of reform at a grassroots level.[5] Scottish political culture has also benefitted from scholarly attention, particularly by I.G.C. Hutchison, whose monograph remains the standard work on Scottish politics in a broader sense within this period.[6] Nonetheless, existing work on this area is small when compared to elsewhere in the UK, and with a few notable exceptions little of it is recent. Moreover, a great deal of work remains to be done on the position of parties within broader politics. The workings of the Conservative party in England, Ireland and Wales during this period have been

examined from many angles, from grassroots to elite, organisation to ideology.[7] Scotland, however, lacks any in-depth published study of its Conservative party at this time.[8]

There were Scottish elements at all levels and in all parts of the party, but this was perhaps less pronounced in parliament, an avowedly British and imperial institution. As such, the electoral component of the Scottish Conservative party was the most distinctly 'Scottish', as its functions necessarily took place almost exclusively within a Scotland which possessed its own laws, institutions, and culture. This distinctiveness extended to the character of the electoral system. Distinctive types of constituency, different electoral qualifications, and occasionally idiosyncratic polling customs all combined to make Scotland's political culture unique. The massive expansion of the electorate in Scotland after 1832, from 4,239 to 65,000, necessitated the creation of an extensive and complex electoral organisation within the Scottish Conservative party.[9]

While the formation and dissolution of governments was still principally contingent on manoeuvres at Westminster, within the context of 'parliamentary government', the Scottish Reform Act nevertheless increased the necessity of conducting electoral politics out of doors.[10] Local and, to a far lesser extent, central organisation was required to influence and win over the new electorate. Though the parliamentary and electoral organisation(s) which made up the Conservative party were both parts of the same overarching entity, they did not always operate harmoniously. Nor were they, by any means, equal in influencing the party's overall direction.[11] Between 1832 and 1847, when the Conservative party split over Corn-Law repeal, the nature of 'party' outside of Westminster was ambiguous and contested; the electoral side was considered by many contemporary UK party leaders to be a slightly disreputable means to an end. Nonetheless, many recognised that this machinery was crucial in terms of securing election victories, due to the particularly hostile ideological landscape in which the Scottish Conservatives operated.

The ideological dominance of Liberalism in Scotland throughout the period was mainly attributable to three national factors.[12] The first of these was the continuing appreciation of the role of the Whigs in passing the 1832 Reform Act. This was particularly enduring in Scotland, as unreformed electoral politics had been managed for generations by the particularly oligarchic and authoritarian Dundas interest, and the Scottish Tories had maintained a dogged resistance to reform prior to 1832.[13] The second factor was the distinctive slant of Scottish opinion in favour of tariff reform, especially in the burghs, where support for Free Trade enjoyed a position of near-hegemony throughout the 1830s and 1840s, leading up to the abolition of the Corn Laws. Moreover, the Scottish counties proved generally less receptive to protectionism than those in England, as Scotland's agricultural sector was less concentrated on arable production.[14] The final and most significant ideological factor operating in favour of, and then against, the Conservatives was the unique religious makeup of the Scottish electorate, particularly the newly enfranchised urban middle classes after 1832. A significant section of these were deeply Presbyterian members of the Established Church. In the mid to late 1830s, religious ideological factors favoured the party and helped to drive its recovery; particularly due to Peel's apparent willingness to co-operate with Church Evangelicals, and the appeal of church defence. Led by Thomas Chalmers, Evangelicals (also known as Non-Intrusionists) strongly pressed for the abolition of lay within the Church of Scotland, and looked to the Conservative party leadership for support in the late 1830s The Second Peel Ministry's hardening attitude towards the Evangelicals after 1839, however, ensured the alienation of a substantial and crucial section of the Scottish electorate.[15] This led to the Disruption of the Church of Scotland in 1843, in which the bulk of Evangelical Non-Intrusionists seceded from the Church. The party was widely blamed for this, further entrenching hostility to conservatism. Despite these formidable ideological obstacles, the Scottish Conservatives

flourished in the 1830s and early 1840s. They won only nineteen per cent of Scottish seats at the 1832 election, and had advanced to forty-one per cent in 1841.[16] This impressive electoral advance was not entirely driven by ideological entreaties. Instead, it was fuelled by diverse, persistent, and vigorous electoral activities, which markedly affected Scotland's political culture over a longer term.

Scottish Conservative Electoral Performance, 1832–1847

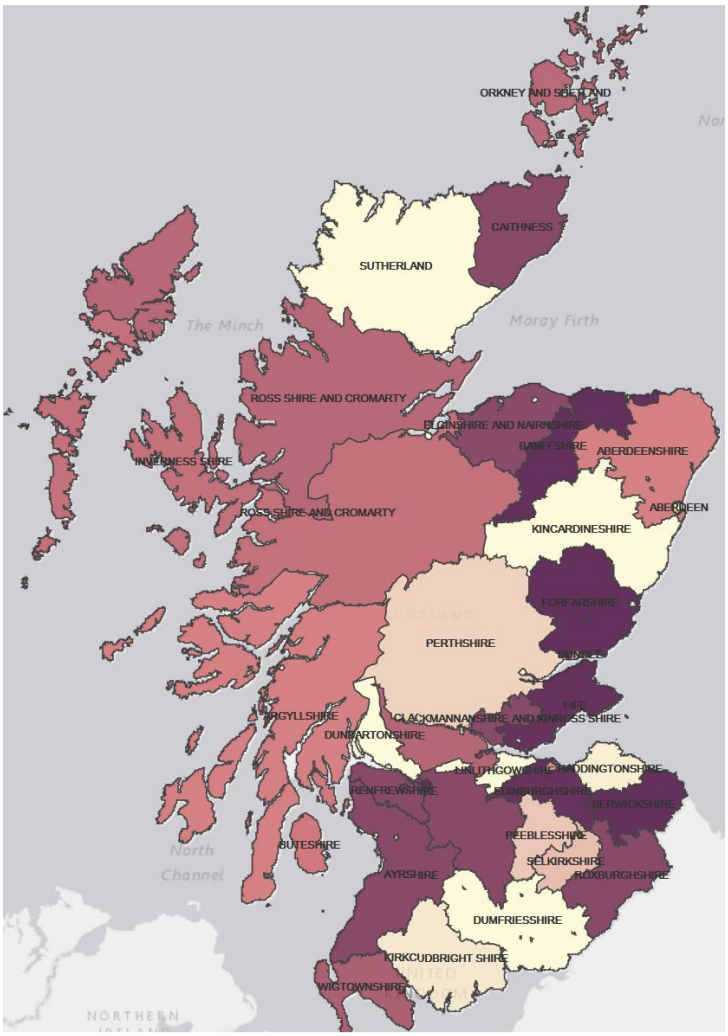
| Election | Conservative Seats | +/- | Percentage of Total Scottish Seats |
|---|---|---|---|
| 1832 | 10 | | 19 |
| 1835 | 15 | +5 | 28 |
| 1837 | 20 | +5 | 38 |
| 1841 | 22 | +2 | 41 |
| 1847 | 9[17] | -13 | 17 |

## I. ELECTIONEERING

Electioneering activities in Scotland, the most prominent of which were focused on canvassing, treating, and the nomination, were broadly comparable to other parts of the UK. Nevertheless, the relationship of Scottish parties to these customs and processes was very much determined by Scottish distinctiveness. Before 1832, Scotland's electoral landscape was by far the most oligarchic in the UK – electorates were miniscule, and voting qualifications were openly bought and sold. Personal canvassing, bribery, and the employment of patronage were thus commonplace

in the counties, while Scottish burghs were similar to closed English corporation boroughs, with self-selecting electorates and little or no popular electoral rituals. After 1832, the electorate expanded significantly, and rituals such as public nominations were seen in some constituencies for the very first time.[18] Distinctive features remained – average burgh and county electorate sizes remained smaller than in England, and the redistribution of seats saw the retention of massive but sparsely populated highland county seats, alongside non-contiguous and widely spread burgh district constituencies. Further, all but two of Scottish seats were single-member, contrasting with the many multi-member English constituencies. The Scottish Reform Act was intended to bring voter qualifications and registration procedures more into line with those now applied to England, though poor legislative drafting created significant anomalies north of the border. Finally, the new English restrictions on corrupt practices such as bribery and treating were applied to Scotland – though adherence to these was often treated as voluntary by parties in both countries.

Scottish County Constituencies, 1832–1868[19]




It has been asserted that the canvass was the 'defining institution' of county electoral politics, rather than the poll. Indeed, this was the main activity of both the candidate and his party loyalists in the run-up to elections, both in pursuing new votes and in reviving dormant ones.[20] As the success or failure of a canvass could often pre-empt a contest, both sides canvassed creatively and competitively. A symbolic act, it was the main site at which the parties interacted with the wider electorate on a personal level, bridging elite and popular politics.

In the Lowland counties, whether a personal canvass of each elector was undertaken depended on the size of the constituency in question – in the 1832 Berwickshire contest for instance, the Conservative candidate thought it his 'duty to take the earliest opportunity of waiting upon you in person'.[21] Indeed, a personal canvass was even undertaken in Scotland's largest city; in 1832 James Ewing and his committee embarked on an extensive personal canvass of Glasgow, claiming to have gained over 2,000 pledges by the December of that year.[22] Nevertheless, this required many collaborators. Ewing's effort may only have been possible because of his strong municipal links – many of his canvassers went on to stand as candidates for the Town Council.[23] Personal canvassing became less common as the nineteenth century progressed. During an 1840 by-election, the candidate for Perthshire, one of Scotland's most populous rural seats, pleaded in a handbill that it was 'impossible to accomplish a personal canvass of all the voters in so extensive a county'.[24] Nevertheless, a personal canvass was often expected by electors, especially in small seats. Of particular interest is the unique nature of Highland constituencies – they were geographically vast, but tended to have small and dispersed electorates. Despite this, MPs who sat for Highland seats, such as the Conservative member for Inverness-shire in 1852, Henry Baillie, were expected to personally visit electors.[25] Even the Highland burgh seats presented their representatives with similar problems – the non-contiguous Wick Burgh District, for instance, comprised the towns of Cromarty, Dingwall, Dornoch, Kirkwall, Tain and Wick. Canvassing these burghs involved traversing distances across land and sea of over 150 miles.[26]

Personal canvassing was perhaps more desirable in Scotland because the structure of the electoral system meant that it could be conducted with greater accuracy. In contrast to England's largely multi-member electoral landscape, Scotland's constituencies were almost all single member seats.[27] The ensuing straightforward party contests, without the possibility of

compromise, served to increase partisan feeling. Although Dyer has noted that the counties in particular were characterised by two-party rivalry, these amplified sentiments were not reflected in the rates of county and burgh contestation, which remained significantly lower than England's throughout the mid-nineteenth century.[28] The canvass agitated local passions and served to further disguise the heated nature of Scottish politics by ensuring that candidates could accurately predict the outcome of a poll. This was neatly illustrated by the Conservative party's efforts in double-member Glasgow. Despite a very costly series of defeats after 1832, the local party repeatedly went to poll. Partly, this was due to the successful election of Peel (followed by Sir James Graham) as Lord Rector of Glasgow University. Peel's warm reception at a landmark official dinner upon his election had suggested that Glasgow's (and Scotland's) commercial and religious middle class were receptive to Peel's brand of political and religious moderation.[29] In practical terms, they nursed hopes that divisions between established church whig and radical electors would garner enough split Glasgow votes in favour of their candidates.[30]

In the constituencies mentioned above and others, local Conservative parties frequently, quietly, and efficiently gauged their chances of success by engaging in thorough and extensive canvassing, and then withdrawing before a contest. Moreover, the generally smaller size of Scottish electorates and the single-member nature of seats meant that it was more practicable for candidates and agents to conduct more thoroughly-predictive canvasses. Voters more commonly expected canvassing to be carried out by the candidate or by a canvasser intimately known to the individual elector. The canvass was, therefore, in some ways more central to Scotland's electoral culture than it was elsewhere in the UK.

Apart from the canvass, one of the main party election activities was treating – that is to say, paying for drinks, meals, and other entertainments for voters, as part of a campaign of

'legitimate' influence.[31] Unlike in other parts of the United Kingdom, where larger electorates had been more common before 1832, this practice proved entirely novel in many Scottish constituencies, as there had previously been no need to treat the very small numbers of electors in any organised fashion. After Reform, it was immediately recognised as necessary by party agents, such as Patrick Wilson in Roxburghshire, who informed a fellow agent in November 1832 that 'it was the opinion of those, who took the deepest interest in the success of Lord John Scott that eating and drinking should be resorted to whenever it was thought expedient'. The Liberals, he claimed, had 'set us the example not only of giving public entertainments, but of having private parties to secure voters' in the county.[32] Nevertheless, it was the Conservatives who were generally more willing to entertain and treat Scottish electors throughout the period, with the expense of it often in excess of party expectations. In an 1846 by-election for the Falkirk Burgh District, the party's chief agent for the west of Scotland thought that 'the publican's bills are shameful,- and the amount in any one of their towns is large enough for the reasonable expense of an ordinary contest of a single seat'.[33] It was estimated in 1852 that even in the relatively small Dumfries Burghs, a Conservative challenge would cost at least £2000.[34] Comparably, in 1845 a Conservative campaign estimate in the very complex and populous county of Roxburghshire was also £2000, or £2500 at most.[35]

With the possible exception of burgh districts, which (when contested) seem to have been costlier to secure, the cost of elections was comparable to those in other parts of the UK.

Scottish Conservatives were similar to their English and Welsh counterparts in that they increased their popularity through lavish entertaining.[36] Given their disadvantaged position in terms of public opinion, it was necessary for them to make greater efforts in this area than the Liberals, and as the majority of the Scottish aristocracy was Conservative, they had greater means with which to do

so. Conservative spending on the 1837 Peeblesshire contest, for instance, added up to £5256.19.10.[37] While the overall costs of contestation in Scotland remained fairly consistent between the first and second Reform Acts, spending patterns changed over time, particularly as contested elections became more infrequent. They also gradually became more restrained in character. Though high transport costs were also a factor in elections elsewhere in the UK, the cost of transporting electors to the poll generally constituted a larger proportion of Scottish election spending; this was especially true in borders constituencies whose electorates contained a large number of outside voters, and in the geographically vast Highland seats. One Renfrewshire election agent complained in 1852 that 'the great extra expense at the election…[was] caused by the number of horses and carriages engaged and the number of agents required to bring the voters to the poll'.[38] In addition to their greater expectation of a personal canvass, Scottish electors may have more keenly anticipated party assistance in travelling to their closest polling place.

Although the political meeting did not overtake the canvass until after 1868, it nevertheless increased in importance as the century progressed, and was always an important aspect of party activity during election periods. After 1832, the hustings, particularly those which took place as part of the nomination, were a pivotal feature of Scottish elections, exhibiting many similarities to those which had taken place elsewhere in the UK. Some Scottish constituencies had experienced public nominations before 1832, but in others, including many of the previously closed oligarchic burghs, they were an entirely new phenomenon.[39] As even small English boroughs had experienced large and publicly attended nominations, post-1832 election practices represented a more jarring change for Scotland in this regard. Indeed, even many of the largest Scottish burghs had not previously held public nominations in the presence of electors and non-electors. For

instance, the nomination and election for Edinburgh took place within the council chambers before 1832, with candidates both nominated and elected exclusively by members of the Town Council.[40]

After this change, talent in public speaking became a much more useful skill for candidates to possess. This was especially true in a political culture which valued public oratory to a significant extent.[41] This was particularly the case because candidates might have to perform to a hostile audience, composed of electors and non-electors. This was, in Scotland, a challenge for the Conservative party in particular. Non-electors were far more likely to support non-Conservative candidates. Given their inability to express their sentiments in the polling booth, they did so boisterously during public occasions. If candidates were not good speakers, such as Hay Macdowall Grant in Banffshire, they often complained of being 'prevented, as I have already been, by popular clamour, from expressing at length my sentiments, on the Hustings – though my opponent was patiently listened to by myself and friends'.[42] It is notable that this type of candidate was particularly unsuccessful, suggesting that speeches by parliamentary candidates, especially nomination-day orations, did have an effect on electoral outcomes in Scotland. They were not, therefore, merely a venue for ritualised verbal (or, occasionally, physical) abuse. The novelty of the public nomination in many Scottish seats therefore had two main effects. First, Scottish electors and non-electors, already having experienced boisterous public meetings in other political contexts, very quickly adapted to the new state of affairs. They made the nomination a generally animated affair, bringing Scotland more in line with other parts of the UK. Second, many Scottish candidates, particularly Conservative ones, failed to adapt along with their new audience. As a result, their electioneering strategies showed a more marked preference for personal and individual activities, such as canvassing, which offered greater (though diminishing) opportunities to exercise the politics of influence.

Overall, the electioneering activities carried out by the Scottish Conservative party were wide-ranging, encompassing (among other things) canvassing, treating, transporting electors, and public speaking. Generally smaller electorates, a preponderance of single-member seats and non-contiguous burghs, and greater geographical dispersal of constituency electors led to specific tactical responses by the Scottish Conservatives. They placed particular emphasis on the canvass, more often withdrawing before polling to avoid unnecessary expenditure when a seat was thought unwinnable. The party treated electors more than their Liberal opponents, and later placed a proportionally greater emphasis on organising the transport of electors to the poll. However, in terms of public speaking, especially at the nomination, they failed to adapt to a more radically changed electoral culture. Scottish electors and non-electors quickly made the newly public political meetings lively and boisterous. Conservative candidates, particularly disliked by many non-electors, more often than not failed to please the crowd.

## II. REGISTRATION

Outside of election periods, Scottish parties, like their counterparts in the rest of the UK, needed to attend to the registration of voters. Annual voter registration, as in England, was an entirely new phenomenon after 1832 and was a difficult and lengthy process. Parties took the lead in registering sympathetic voters, as well as objecting to the inclusion of hostile ones on the electoral roll.[43] Registration work quickly became the domain of local party organisations, as opposed to candidates, magnates, or the almost non-existent central party apparatus. As revisions to the register were conducted annually, it became necessary for parties to undertake near-constant

activity, and by 1835, this had become one of the most important aspects of Scottish electoral politics in both counties and burghs.[44] Like in England and Wales, the need for registration activity provided the main impetus for the growth of local Conservative Associations across Scotland from 1835 onwards; attending to the register was to become their main function, and in some cases their sole function.[45] The registration courts across the UK were, in the words of prominent Scottish Conservative intellectual Archibald Alison, the 'great theatre of their exertions'.[46] As the sheriff who presided over the registration courts for Glasgow and Lanarkshire, Alison was also well aware that Scotland's distinctive legal framework rendered its national experience unique.

The Conservative party's leader in Scotland, the Duke of Buccleuch, was advised by a former Conservative MP in 1835 that the principal object of the Scottish party should be to 'choose a commercial agent in each county to attend to the registrations'.[47] While national figures such as Buccleuch were peripherally involved, registration activity was largely overseen at the individual constituency level.[48] In the Scottish counties at least, the Liberals were less active in this sphere. This was largely due to the cost of fighting court battles, combined with a lack of organisational capacity, a situation similar to that south of the border.[49] The strength of Conservative organisation meant that by 1839, matters were sufficiently coordinated that Sir James Graham was able to inform Francis Bonham of the state of the registers in sixteen seats across the south of Scotland. Many of these were constituencies in which the Conservative party's presence has been underestimated or overlooked – Glasgow, for instance, was described as 'Register much improved. Prospects good'.[50]

The Scottish Reform Act was partly intended to bring Scotland's electoral framework more closely into line with England's, and it did do so in many ways. Unintentionally though, it also preserved and even intensified one of the most distinctively Scottish parts of political culture.

According to Ferguson, the Act was marred by 'slipshod drafting', with some pivotal sections consisting of 'ill assorted nonsense'.[51] Francis Jeffrey, in drafting the Act, asserted that he intended that 'no shred or rag, no jot or tittle of the old system was to be left'.[52] He achieved this by wiping away over a century's worth of legal precedents and conventions on franchise qualifications, creating a legal vacuum in the years immediately after 1832. The peculiar legal complexities and ambiguities of Scottish registration meant that the party in Scotland was particularly reliant on lawyers, as registration criteria could vary wildly from county to county. Norman Gash has described registrations as 'a matter of local tactics that could only be effectively conducted by local men'.[53] This was disproportionately true of Scotland. John Hope, a registration lawyer for the Conservatives, wrote that 'Since the passing of the Reform Bill there never has been so much keenness displayed as in the Lothian Appeal Courts, as on the present occasion. No point could be decided without four speeches of Counsel', and that 'the ablest men will make mistakes when they are forced to give summary judgements upon an infinite variety of points'.[54]

Examples of how franchise ambiguities could create curious anomalies are widespread – in the Wigtown Burghs, for instance, a banker who spent only the weekends in Wigtown was denied a vote on the basis of impermanent residency, while the MP for the seat, who spent entire winters in London, was nevertheless admitted to the roll.[55] Before 1832, the sons of Scottish peers were not able to vote or stand for the Commons in Scottish seats, but were able to in English ones. The Act rectified this by allowing them to vote and stand, but neglected to state whether they were subject to the same property qualifications as the rest of the population.[56] Thus, some of the sons of peers, most of whom were very supportive of the link between property and the franchise, attempted to enrol themselves as voters in constituencies where they held no property – a sort of universal franchise for the courtesy-titled. Lord Elcho was one of the longest-serving MPs of the

nineteenth century, and a prominent opponent of further franchise expansion in the eighteen-sixties.[57] In 1835, however, he applied for inclusion on the electoral role (without sufficient property) in Fife, Midlothian, and Peebles-shire. The first two counties rejected him outright, but Peebles-shire admitted him onto the roll on appeal. One particularly enterprising academic, the Professor of Chemistry at the University of Aberdeen, unsuccessfully claimed the right to vote on the basis of his occupancy of 'the chemical lecture room, practical classroom, and laboratory in Marischal College'.[58]

The varied decisions on these cases were not always, however, the result of impartial deliberation. Party politics infected the very machinery of registration, an area which previous scholarship on Scottish registration has neglected. Decisions were made by local sheriffs, who were often very partisan in their decisions, and as early as 1832, 'the Whig and Radical press teemed with the abuse of the Tory sheriffs and the Tory registration courts accusing them in no measured terms of partiality to their own party'.[59] The majority of the Scottish bar, from which sheriffs were drawn, was Conservative, as were the majority of sheriffs already in place.[60] As such, the party enjoyed an inbuilt institutional advantage in registration battles during the eighteen-thirties and eighteen-forties. In an attempt to combat this, John Cay published the first book on Scottish registration law towards the end of the eighteen-thirties. Cay was the Whig sheriff of Linlithgowshire, had made many registration decisions which greatly displeased the Conservatives. This was derided by the Conservative registration lawyer John Hope as an attempt to 'persecute the community with a Dictionary of decisions'.[61] Hope's derision reflected the fact that it was not in the Conservatives' interest to consolidate or provide clarity to registration law, as they benefitted disproportionately from ambiguities across different local areas. Moreover, it was also extremely lucrative work for lawyers like Hope. Indeed, before Archibald Alison was

appointed Sheriff of Lanarkshire, his retaining fee for revising the Aberdeenshire registers on behalf of the Conservative interest was 200 guineas.[62]

The publication of Cay's registration guides from 1837 onwards reflected an attempt to introduce an increasing level of consistency across legal jurisdictions following the legal chaos of the eighteen-thirties. However, sheriffs remained influential in determining the outcome of registration battles up to 1868, as they retained significant leeway in deciding individual cases, within a more slowly evolving legal framework. This framework gave rise to a steady stream of multi-volume legal tomes.[63] It is notable that the second book on this topic was penned by the Conservative Archibald Swinton, and focused mainly on decisions made by fellow Conservative Archibald Alison in the Glasgow courts.[64] It was therefore probably intended to be a rival partisan legal guide to counter the Whiggish Cay's book. After he was appointed Sheriff of Lanarkshire in 1834, Alison was swamped from the 12 August to 15 October each year when the registers were under revision. He claimed in his memoir that before party activity had died down in the eighteen-fifties, there were sometimes 6,000 claims and 4,000 objections per annum in Glasgow alone, along with 3,000 claims in the other constituencies of his jurisdiction.[65] The electorate of these counties and burghs only amounted to around 10,000 in 1832, suggesting that Alison was exaggerating – nevertheless, it does give an indication of the industrial scale of registration activity.

By 1840, Conservative efficiency in the registration courts was reflected in the increasing accuracy of the party's predictions. Out of the thirty Scottish counties, its chief agent correctly predicted the results of twenty-five in 1835, twenty-six in 1837, and twenty-eight in 1840, for the 1841 election.[66] In combination with vigorous electioneering activities, the notable resurgence of the party from its pitiful state in 1832 owed a great deal to registration activity. The limits of this,

however, were illustrated by their experience in the Haddington Burghs. The Conservative victory there in 1837 was largely due to registration activity, putting them nine votes ahead of the opposition. This wafer-thin majority was, however, achieved at a ruinous registration cost of over £10,000.[67] Gaining burgh district seats by this method was prohibitively expensive. Moreover, rural landowners had fewer connections and interests in the burghs, and therefore had less incentive to fund such activity. The party's focus on registration therefore largely restricted them to the counties – a viable strategy as these comprised the frank majority of Scottish seats, but nonetheless self-limiting in the long term.

Nevertheless, the limited activities of Conservatives in cities such as Aberdeen and Glasgow, though electorally unrewarding, had a similar effect on urban electorates.[68] Indeed, when they did stand in urban seats between 1832 and 1868, they received less than one-third of the vote on only thirteen occasions out of several hundred contests.[69] If there had not been a Conservative 'other' in these places, the residents of urban Scotland would have had less incentive to adopt self-consciously 'Liberal' identities on a local level. New voters after 1832 constituted the 'catalyst for political change', and these voters in Scotland were, in a very large number of cases, enfranchised due to, or in spite of, Conservative registration efforts.[70] Significantly, while these efforts had become less vigorous by the late eighteen-forties, they had already politicised large numbers of Scottish electors (and would-be electors). Registration activity prior to 1847, therefore, was crucial in terms of establishing the partisan tone that defined Scottish political culture up to 1868, and arguably beyond.

## III. THE CREATION OF FICTITIOUS VOTERS

Apart from registering those who were 'legitimately' qualified, the Scottish Reform Act, unsurprisingly, created significant opportunities for the creation of voters who were not. These were known as 'fictitious' or 'faggot' voters, and were particularly numerous in counties. The importance of vote-making was recognised by the party in addition to legitimate registration activity, in seats where this was not quite enough to guarantee success. When discussing the county of Linlithgow in 1835, John Hope wrote that:

> the experience of the last few years, has shewn and more especially the result of the recent registrations in England, has shewn that the Conservative interest can be best and cheapest and most effectively supported by attending to the registration courts and making votes.[71]

Having spent most of the previous half-century creating parchment votes to bolster the oligarchic Dundas interest in Scotland, the party was uniquely positioned to take full and early advantage of the opportunities presented by voter creation. [72]

The most effective means of vote-making was through the acquisition of medium to large-sized estates. Doing so, however, required a very large capital outlay. This method appears to have been more widespread in the Scottish Lowlands, as there is little evidence of large-scale political purchases in the Highlands, perhaps due to the unique character of land ownership in that region. William Ogilvie, a Borders proprietor and Buccleuch's chamberlain, was considering the purchase in 1845 of what was considered 'a small property in the neighbourhood of Melrose for about

£2000, which would qualify 8 or 10'.[73] To the local gentry, such sums required for even a 'small' property were steep. Properties could also be used to multiply votes through the creation of joint tenancies. In 1835, Hope again observed that, in the Haddingtonshire constituency, there were ample opportunities 'for strengthening the conservative interest by the conjoining of tenants – by proprietors giving votes to their sons and brothers'.[74] Furthermore, tenants of Conservative proprietors across Scotland were strongly pressured to identify potentially supportive joint tenants when their leases were up for renewal.[75]

By far the most controversial method of vote-making was the manufacture of so-called 'fictitious votes'. While other methods relied on the creation of £50 leases of nineteen-years duration, tracts of land could also be split up into £10 so-called 'liferent' leases of fifty-seven years duration. [76] Both leases qualified their holders for the rural franchise. As such, landowners could theoretically divide up their holdings into numerous £10 portions in order to create votes. The rents were paid by those who, though nominally possessors of a property, might never work on their land, or indeed, ever set eyes on it. The geographical spread of liferenters, like the purchase of estates, was uneven – they were far more prevalent outside the Highlands. There were, however, instances of the practice by Conservatives in constituencies which were consistently and securely Liberal, such as Forfarshire.[77] This suggests that at least some vote-creation was speculative, carried out in the hope that there would also be wider ideological shifts in the allegiance of constituency electorates. The majority of outside liferent voters were residents of the main cities, thus able to travel with relative ease to a county in case of a poll. According to party agent David Hume,

> Nearly the whole of what are called fictitious votes…in this county are created in favour of residenters in Edinburgh…the same observation applies to the county of Lanark & perhaps Renfrew – the greater proportion of votes made in these counties being held by residenters in Glasgow or Paisley.[78]

Hence, the most concentrated numbers of fictitious voters were located in south-eastern Scotland, particularly in the counties of Linlithgow, Edinburgh, Selkirk, Peebles, and Roxburgh.[79] A parliamentary select committee revealed in 1837 that both Conservatives and Liberals were complicit in the practice, and equally enthusiastic about it. Liberals, however, were less active in this regard because they had fewer allied landowners and less plentiful funding.[80]

While the registration and defence of manufactured votes in the courts was a matter for the local party machinery, vote-making was not. Landowners were needed to 'provide the necessary funds to meet the expenses, it being apparent that the ordinary subscription to the registration fund would be quite inadequate'.[81] Given the symbiotic relationship between vote-making and landownership, it is unsurprising that, when combined with the financial outlay needed, it was the more prominent landowners who undertook such activities. The importance and necessity of these activities served to bolster landowner authority over the party machinery. This partially explains why the Scottish Conservative party was even more landowner-dominated than its English counterpart. Vote-making, though more frequent in counties, was not confined to them, as the definition of the £10 householder franchise in burghs as set out in the Scottish Reform Act was also 'riddled with ambiguities'.[82] Generally speaking, costs prohibited the Conservative party from focusing on this activity in the burghs. For instance, Conservative peers in the Haddington Burghs, including Lord Lothian and Buccleuch, had made eighty votes in Jedburgh. They did so, however,

at a cost of £7,600.[83] While the Liberals were more active in terms of urban vote-making, their inbuilt ideological dominance in urban areas rendered truly systematic activity unnecessary.

There were two principal downsides to vote-making. First, the practice of creating votes on estates could impact on their long-term profitability. To take one instance, the Dalgleish estate in Selkirkshire was bought by Buccleuch in the eighteen-thirties, and served to qualify fifty-six liferenters. It is worth noting also that the total county electorate in the 1835 election was 423, meaning that the Dalgleish liferenters alone made up over ten per cent of the Selkirkshire electorate.[84] By 1861, its rental income was inadequate, but it was thought impossible to reform its running 'owing to the peculiarly fractured legal ownership of the estate'. Each and every liferenter had a say in the running of the estate and there was not, in the opinion of the factor, the 'slightest chance of getting their unanimous consent'. [85] By 1840, even the extremely wealthy Buccleuch seems to have tired of the great expense of vote-making, complaining that 'I cannot go on doing it, the burden has become too great'.[86] Second, after the splits in the Conservative party over the Disruption and repeal of the Corn-Laws, landowners found that, at least in problematic constituencies, the voters they had made were no longer entirely dependable. Given the disproportionate number of grander Scottish magnates who followed Peel on Free Trade and consequent devastation wrought on many constituency organisations after 1846, this disconnect was particularly damaging, as those enfranchised through vote-making were far more likely to be Protectionists. The case of the Selkirk Inn, owned by Buccleuch, is indicative; the liferenters all wished 'to get quit of their votes' because they were 'all red hot Protectionists'.[87] It was thought that they would likely vote for a Protectionist candidate at the first opportunity, against Buccleuch's wishes. This tallies with Eastwood's more general assessment of English political

influence, that 'the manner in which authority was negotiated was … both carefully contrived and potentially fragile'.[88]

Despite these drawbacks, such issues did not have an appreciable effect on the representation of Selkirkshire, which continued to return Conservative members to Westminster until its abolition in 1868 – there, as in many other seats, a truce between warring Conservative factions operated during 1847.[89] The manufacture of votes continued there on a smaller *ad hoc* basis, and in other seats where a safe majority was to be maintained. Local Selkirkshire solicitors were in fact still purchasing properties on which to make votes in 1862.[90] Yet, by 1865 one of Buccleuch's solicitors wrote that 'I do not think vote making in any county can now keep pace with the natural increase of the constituencies'.[91] While he may have overstated his case, it was nevertheless true that the organic and gradual increase of electorates had rendered vote-making less effective by the eighteen-sixties.

Significantly, despite their own activities in this area, the Scottish Liberals were particularly successful in impressing upon the public mind the notion that vote-making was a Conservative practice.[92] The party occasionally tried to negate this, by avoiding large-scale and conspicuous vote-creation and instead adopting a superficially piecemeal approach.[93] These efforts were, however, in vain. Vote-making helped the party to recover ground in the eighteen-thirties, though only in conjunction with election-period and registration activities.[94] Vote-making did also sustain some Conservative seats in the medium-term, after their comparative advantage in election-period and registration activities had diminished by the early 1850s. However, on balance, the declining effectiveness of the tactic, and the all-round criticism it attracted up to 1885 and beyond, permanently stained the party's reputation in Scotland, already sullied from opposing Reform in 1832.[95] Party figures believed that they could at least maintain their position in the counties through

such means. But this meant that there was less motivation to develop policies and ideological appeals. With the bad publicity stemming from it, it also removed their ability to do so, meaning that tactics of declining effectiveness remained at the centre of the Scottish Conservative electoral strategy into the later nineteenth century.

## IV. INFLUENCE OVER ELECTORS

The vast majority of Scottish Conservative seats were in the counties. As such, the party paid close attention to exerting influence over the rural tenantry. This was a crucial voting bloc, as the largest single body of new electors in 1832 were tenant farmers – an analysis of Scottish county electors in 1832 has estimated that fifty-two per cent were farmers, most of whom were tenants.[96] Initially, it was thought that Scottish tenants would voluntarily follow their landlords' political wishes without much need for cajoling. However, it quickly became clear that the tenantry could by no means be taken for granted. Sir Robert Peel himself was informed by a Perthshire Conservative in 1836 that 'the Scotch are too proud of their reasoning powers to follow when their understanding is not directly or indirectly complimented'.[97] Though I. G. C. Hutchison has suggested that deference 'played its share in explaining voting patterns' in Scotland, the share in question was minimal, and it was not an unequivocal deference.[98] Rather, it was a specific type of 'legitimate' deference which 'arose naturally from wealth, public service, and a persistent presence'.[99] Unlike its English counterpart, the Scottish Reform Act did not include a provision for the printing and distribution of pollbooks. As such, quantitative analytical techniques are largely inapplicable to Scotland as very few of those that were printed have survived.[100] Other surviving evidence

nevertheless indicates that deference in Scotland was negligible. This may well have been exacerbated by the single-member nature of seats, which meant that electors could not split their votes, mollifying their landlord with one vote and making a free choice with the other.

However, it was patently the case that many tenants cast their ballot for Conservative candidates in accordance with the wishes of their landlords. This had little to do with deference; rather, party activists and landowners employed a variety of techniques in order to influence electors.[101] New voters were in many cases apathetic; one local county agent thought that 'many of them care little or nothing about it and will only come at the insistence of their landlords or other friends of ours who have influence over them, & from finding that it is their interest to vote for us'.[102] Magnates exercised considerable authority, then, through the use of informal influence. The numerous memoranda on the state of Scottish representation compiled for the Duke of Buccleuch makes repeated reference to influence in the first decade after Reform; in 1834, for instance, it was reported that Lanarkshire would be contestable 'with the Duke of Hamilton's approbation. This, with the support of Lord Douglas, would carry the county'.[103] Even to party leaders, however, it was not always clear as to who exactly possessed local influence, and in what quantity. Although it could be a powerful factor, influence was opaque, and, moreover, was subject to significant change over time.[104]

The ambiguous nature of influence was particularly evident in burgh districts, where the limited influence which did exist was usually exercised by Liberal proprietors. While influence lingered in even the populous Scottish counties, it very rapidly declined in the districts as the nineteenth century progressed; in Ayr District, like many others, little remained by 1853.[105] In the single burghs, this was even more pronounced. Aberdeen, for instance, was the subject of a battle in the eighteen-thirties between the allies of the Conservative Hadden family and the Whig

Blaikies. [106] This family conflict was, however, supplanted by more open political rivalries after the 1841 election. Exerting positive influence was less about deference and more about careful negotiation and nuanced persuasion. While a landowner might state that his tenants were 'heartily welcome to choose for themselves, and will give me no offence whatever by voting differently from their landlord and friend', informal ties of friendship and formal ties of economic interest played a definite role in winning over electors.[107]

Though many contemporaries believed that bribery was more prevalent after 1832, they also thought that it was exceedingly uncommon in Scotland. The scant work carried out on this topic has suggested that there were only 'rare instances'.[108] Indeed, the only reference in the party papers of Scottish Conservatives alluding to the practice is in a letter from an unknown writer to Sir Francis Drummond in 1835, asking that 'some friend should come over to Cupar on Monday with power to use…£500 for influencing certain votes here, here & on the Coast'. However, the writer went on to state that he knew it was the candidate's 'fixed intention to keep himself clear of any pecuniary involvements of the nature I allude to'.[109] It seems likely that such activities were carried out by local agents on a small scale, and with the tacit consent (or at least wilful ignorance) of their party employers. In many cases, however, financial incentives of a less explicitly criminal nature were offered to electors. A great deal of day to day county economic activity depended on the custom of larger and smaller landowners, most of whom were Conservative. Exclusive dealing with those of similar political affiliations was not confined to tradesmen; to take one example, one 'highly educated' Selkirkshire farmer, Walter Tod, was suggested as the perfect candidate to rearrange Buccleuch's library, especially as he had 'never hesitated to lend the party his personal influence which was thought to be powerful'. The level of influence which some electors might have over their fellow voters also affected their potential reward – for instance, significant

compensation was at the same time promised to a 'Mr Simpson of Caulderhope', as he was the 'best canvasser…in the county'. [110]

Patronage not only brought in votes, it also helped to maintain the cohesion of those who worked overtly for the party. In this regard, there seems to have been little distinction between those who worked for the party in influencing voters, and those who influenced voters in return for party favours. Before the rise of the professional party agent, paid agents were usually local solicitors hired on an *ad hoc* basis. Though many non-solicitors like Simpson of Caulderhope were not employed in the professional sense as agents, both their function and their impact were comparable. Archibald Alison had encouraged this in his famous 1835 article on Conservative registrations in *Blackwood's Edinburgh Magazine*, where he argued that the party's salvation lay not in professional canvassers, but in the 'friends, neighbours and equals' of the new electorate. [111] Separation of the professional party agent and non-professional canvasser is difficult; estate managers, for instance, often doubled as political agents, and were also qualified solicitors, and might also hold local municipal office. This was especially true of the Highlands, which possessed a very sparse professional class. This meant that the local middle class and gentry were more likely to perform multiple overlapping roles. One particularly notable example of this was Thomas Mackenzie of Applecross, landowner and MP for Ross-shire and Cromarty. He spoke at the nomination, at political meetings, conducted personal canvasses, and was also a solicitor. Moreover, he fought cases in the local registration courts for the party. He thus had the singular experience of arguing in the registration courts over who qualified to vote in parliamentary elections, in which he himself was the incumbent candidate. [112]

Liberals often condemned their opponents for, what they claimed were, widespread employment of sharp practices by Conservative landowners in coercing their tenants, by

threatening them with eviction or the non-renewal of leases.[113] It would appear that this did happen on occasion in different parts of Scotland, such as in Ross-shire, where Mackenzie of Applecross deprived a Mr. Maclennan 'of [his] Letter Fearn lands for his having voted for Seaforth', the Liberal candidate.[114] Similarly, when Lord Morton's Edinburghshire tenants voted against his wishes, he promised to 'lose no opportunity of purging the estate', but acknowledged that, of the tenants whose leases were not up for renewal, his only option was to make them

> pay up every farthing of rent and arrear the day it becomes due. Unluckily however my conservative tenants are those who do not pay their rents…I am afraid that the only hold I have on them is of that description.[115]

Though he would have liked to coerce his tenants, his opportunities for doing so were limited. Coercion of this sort was used to varying degrees by many Conservative landowners, but it was by no means universal, and the opportunities for doing so were very restricted. On balance, negative press coverage more than cancelled out any advantages gained through various types of coercion.[116]

Interestingly, rather than intimidation by Conservatives, a more common feature of Scottish political culture was the intimidation of Conservatives. While the sparse existing scholarship has suggested that Scottish elections were 'sober, almost solemn occasions', there has been no comprehensive study of this.[117] Though elections were not generally riotous, low-level disturbances were not uncommon. Moreover, isolated incidents, often outside of election periods or during long canvasses, could also be political in nature. In Roxburghshire, for instance, there was a nationally famous spate of election violence running throughout the eighteen-thirties, with

a regularity that made it almost customary in certain parts of the constituency. This was also accompanied by smaller, everyday incidents, such as when the Conservative candidate, Francis Scott, was 'followed by the boys & pelted with mud'.[118] Electors' requests that the Conservative party not advertise their allegiance appear repeatedly in party records, such as Haddingtonshire in 1835, where electors requested that their vote should not be made public until the last minute.[119] In that case, their votes were made public on polling day, but in many aborted contests the need to do so never arose. As the prevailing mood in many parts of Scotland, especially among the unenfranchised, favoured the Liberals and radicals, this is admittedly not surprising. Party-compiled voter lists in Scotland across the period abound with examples of those thought to have been browbeaten by Liberals and radicals, with entries similar to 'Voted tho' intimidated' not uncommon.[120] Intimidation of Conservative electors took place across counties, burgh districts, and single burghs, such as in Greenock (Renfrewshire) in 1852, where the Conservative candidate terminated his contest halfway through polling, citing 'the system of intimidation which has been pursued towards my supporters…[which] has completely paralysed the party who supported me'.[121] It is therefore not surprising that in an 1876 report on the state of the Scottish party, the secret ballot was mentioned more than once as a potential boon to Conservative fortunes.[122] Due to a variety of ideological factors, the party was particularly despised in Scotland by non-electors, to a greater degree than their counterparts south of the border. As such, intimidation by their Liberal opponents was a prominent feature of the Scottish Conservative experience. This may well have masked the true extent of Conservative support in a country whose *public* political culture was boisterously Liberal.

While intimidation may have been cited by some electors as an excuse to avoid voting with their landlords, this was not exclusively the case. Further, it also likely had the effect of

discouraging apathetic or lukewarm electors who would otherwise have voted for the party. Conservatives were doubly disadvantaged by this, as their own attempts at intimidation were ineffective and commonly denounced, while Liberal intimidation was more effective and comparatively un-noted by the press. Despite this, the Scottish Conservatives were adept at employing various types of influence, including patronage, coercion, and bribery, in order to win over the rural tenantry. Their need to rely more heavily on these tactics, however, suggests that the bounds of 'legitimate' deference in Scotland were perhaps more restricted than elsewhere in the UK.

## V. CONCLUSION

In the eighteen-thirties and, to a lesser extent, eighteen-forties, the Scottish Conservative party displayed a remarkable vigour and talent for innovation that in many cases outshone their more numerous Liberal opponents. Their electioneering tactics were, for the most part, very effective in combating their disadvantaged ideological position, and were carefully adapted to Scotland's distinctive and radically transformed electoral landscape. Organised and successful efforts in the registration courts and in the creation of fictitious votes also reflected their ability to exploit Scotland's altered political culture to their advantage. Finally, their judicious use of influence, in various forms, helped the party to recover ground in the post-reform decade. In reaching into so many different areas of everyday life, these activities had the effect of making Scotland more politicised, as a rising proportion of electors and non-electors developed more rigidly partisan

allegiances. As a result, ever-increasing numbers of people were brought into the political sphere, making politics more public and more popular.

This talent and vigour was not, however, comprehensive. Their public speakers were generally lacklustre, their registration and vote-making tactics were increasingly condemned by the press, and their attempts to personally influence electors were hampered by the widespread intimidation of potential Conservative voters. The party thus gradually retreated from the activities which had brought them into close and personal contact with the electorate and wider society. This retreat occurred as the 'sites' at which the elite and popular connected moved away from the physical, as public orations and personal canvasses gradually gave way to policy appeals and the printed word.[123] As such, the space between the 'formal' politics of the Scottish Conservatives and the 'informal' political world of electors and non-electors widened as the period progressed.[124] Nonetheless, the party played a vital and influential role in shaping Scotland's politics during a crucially formative period. Scotland was indeed more 'distant and whiggish' than England. However, it was far more distant than it was whiggish. Scotland's political culture was notably distinctive, but this distinctiveness owed a great deal to conservative forces and to the activities of the Scottish Conservative party.

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[1] N. Gash, 'F.R. Bonham: Conservative "political Secretary", 1832–47', *Eng. Hist. Rev.*, lxiii (1948), 502–22, at p. 513.

[2] More generally, the four nations in the nineteenth century might be viewed as 'unified but not uniform'. See K. Robbins, 'An imperial and multinational polity: the 'scene from the centre', 1832–1922', in *Uniting the Kingdom? The Making of British History*, ed. Alexander Grant, Keith Stringer (London, 1995), pp. 244–54, at p. 253.

[3] The most recent work to tackle the difficult task of examining this across the whole United Kingdom is A. Hawkins, *Victorian Political Culture: 'Habits of Heart and Mind'* (Oxford, 2015).

[4] See, for instance, N. Gash, *Politics in the Age of Peel: A Study in the Technique of Parliamentary Representation, 1830–50* (1st edn., 1953; 2nd edn., Hassocks, 1977); J. Vernon, *Politics and the People: a study in English political culture, c.1815–1867* (Cambridge, 1993); P. Salmon, *Electoral Reform at Work: Local Politics and National Parties, 1832–1841* (Woodbridge, 2003).

[5] See, for instance, K.T. Hoppen, *Elections, Politics, and Society in Ireland, 1832–1885* (Oxford, 1984); M. Cragoe, *Culture, Politics, and National Identity in Wales 1832–1886* (Oxford, 2004).

[6] I.G.C. Hutchison, *A Political History of Scotland 1832–1924: Parties, Elections, Issues* (Edinburgh, 1986). See also M. Fry, *Patronage and Principle: A Political History of Modern Scotland* (Aberdeen, 1987); M. Dyer, *Men of Property and Intelligence: The Scottish Electoral System prior to 1884* (Aberdeen, 1996); G. Pentland, *Radicalism, Reform and National Identity in Scotland 1820–1833* (Woodbridge, 2008).

[7] R. Stewart, *The Foundation of the Conservative Party, 1830–1867* (1978); N. Gash, 'The organization of the Conservative Party, 1832–1846, part I: the parliamentary organization', *Parliamentary Hist.*, i (1982), 137–59; N. Gash, 'The organization of the Conservative Party, 1832–1846, part II: the electoral organization', *Parliamentary Hist.*, ii (1983), 131–52; A. Shields, *The Irish Conservative Party, 1852–1868: land, politics and religion* (Dublin, 2007); M. Cragoe, 'The great reform act and the modernization of British politics: The impact of Conservative Associations, 1835–1841', *Jour. British Stud.*, xlvii (2008), 581–603.

[8] The development of the Scottish Liberals has benefitted from in-depth scholarly study after the Disruption, and a shorter piece has touched upon Conservative electoral performance after the 1847 Corn Law split. See G.F. Millar, 'The Liberal party in Scotland, 1843–1868: electoral politics and party development' (unpublished University of

Glasgow Ph.D. thesis, 1994); G.F. Millar, 'The Conservative split in the Scottish counties, 1846–1857', *Scot. Hist. Rev.*, lxxx (2001), 221–50. Late-Victorian Scottish Conservatism is examined in D. Urwin, 'The development of the Conservative party organisation in Scotland until 1912', *Scot. Hist. Rev.*, xliv (1965), 89–111, and B.L. Crapster, 'Scotland and the Conservative party in 1876', *Jour. Mod. Hist.*, xxix (1957), 355–60.

[9] W. Ferguson, 'The reform act (Scotland) of 1832: intention and effect', *Scot. Hist. Rev.*, xlv (1966), 105–14, at p. 105.

[10] A. Hawkins, '"Parliamentary Government" and victorian political parties, c. 1830–c. 1880', *Eng. Hist. Rev.*, civ (1989), 282–305, at p. 640.

[11] Gash, 'electoral organization', 131; T.A. Jenkins, 'The whips in the early victorian House of Commons', *Parliamentary Hist.*, xix (2000), 259–86, at p. 286.

[12] Dyer, *Property and Intelligence*, pp. 50–51 contains a concise summary of these, though he suggests tariff reform to be the most salient factor, rather than religious issues.

[13] See Pentland, *Reform and National Identity*.

[14] Hutchison, p. 86.

[15] See G.I.T. Machin, *Politics and the Churches in Great Britain, 1832–1868* (Oxford, 1977).

[16] Hutchison, p. 3.

[17] This figure comprises the nine Protectionist Conservatives who did not follow Peel on Free Trade. Of the remaining Conservative MPs who became Peelites, many retained their seats. This was the result of *de facto* truces between local conservative factions seeking to prevent Liberal gains.

[18] Ferguson, p. 105.

[19] This map is based on data provided through http://www.VisionofBritain.org.uk and uses historical material which is copyright of the Great Britain Historical GIS Project and the University of Portsmouth.

[20] D. Eastwood, 'Contesting the politics of deference: the rural electorate, 1820–60', in *Party, State and Society: Electoral Behaviour in Britain since 1820*, ed. J. Lawrence and M. Taylor (Aldershot, 1997), pp. 27–50, at p. 30; J. Fergusson, "Making Interest' in Scottish County Elections', *Scot. Hist. Rev.*, xxvi (1947), 119–33, at p. 129.

[21] National Records of Scotland (hereafter N.R.S.), Home of Wedderburn papers, GD267/14/16/3, Alexander Maitland, 'To the Electors of the County of Berwick', 8 June 1832.

[22] J.F. McCaffrey, 'Political Issues and Developments', in *Glasgow. Volume II, 1820–1912*, ed. W.H. Fraser and I. Maver (Manchester, 1996), pp. 186–226, at p. 190.

[23] I. Sweeney, 'The Municipal Administration of Glasgow, 1833–1912: Public Service and the Scottish Civic Identity', (unpublished University of Strathclyde Ph.D. thesis, 1990), 48.

[24] N.R.S., Abercairney papers, GD24/1/1068/4, Henry Home Drummond, 'To the Independent Electors of the County of Perth', 22 Feb. 1840.

[25] Bodleian Library, MS. Hughenden dep. 117/2 fos. 99–100, Henry Baillie to Benjamin Disraeli, 23 Aug. 1852.

[26] G. Pentland, 'By-Elections and the Peculiarities of Scottish Politics, 1832–1900', in *By-Elections in British Politics, 1832–1914*, ed. T.G. Otte and P. Readman (Woodbridge, 2013), pp. 273–93, at p. 278.

[27] Edinburgh and Glasgow were the only double-member Scottish constituencies.

[28] Dyer, *Property and Intelligence*, pp. 51–61.

[29] See, for instance, British Library (hereafter Brit. Libr.), Peel papers, Additional MS. 40422 fos. 160–1, D.K. Sandford to Peel, 15 Nov. 1836.

[30] McCaffrey, 'Political Issues and Developments', pp. 193–5. Up until 1842, it was also thought that religious divisions might bring split voters into the Conservative camp.

[31] Hawkins, *Victorian Political Culture*, p. 161.

[32] N.R.S., Buccleuch papers, GD224/1126/220, Patrick Wilson to John Gibson, 27 Nov. 1832.

[33] Nottingham University Library, Newcastle papers, Ne C 4662/2, Robert Lamond to G.E.H. Vernon, 24 June 1846. Falkirk Burgh District comprised towns in Stirlingshire, Lanarkshire and Linlithgowshire.

[34] N.R.S., Buccleuch papers, GD224/582/3, William Maxwell to Duke of Buccleuch, 11 Apr. 1852. Dumfries Burgh District comprised towns in Dumfriesshire and Kirkcudbrightshire.

[35] N.R.S., Buccleuch papers, GD224/581/5, Lord Polwarth to Buccleuch, 20 Dec. 1845.

[36] M. Cragoe, *National Identity in Wales*, pp. 134–135.

[37] N.R.S., Sprott papers, GD504/6/22/1, Peeblesshire election expenses, 1837.

[38] N.R.S., Eglinton papers, GD3/5/1347/62, J.D. Boswell to Charles Dalrymple, 18 Aug. 1852.

[39] *Scotsman*, 22 Dec. 1832, p. 3.

[40] *Memoirs of Adam Black*, ed. A. Nicholson (Edinburgh, 1885), p. 77.

[41] G. Kitson-Clark, 'The Romantic Element, 1830 to 1850', in *Studies in Social History: A Tribute to G.M. Trevelyan*, ed. J.H. Plumb (1955), pp. 209–39, at p. 220; J.S. Meisel, *Public Speech and the Culture of Public Life in the Age of Gladstone*, (New York, 2001), pp. 225–8.

[42] N.R.S., Abercromby of Forglen papers, GD185/31/49, H. Macdowall Grant, 'To the electors of Banffshire', 17 July 1852.

[43] Salmon, pp. 27–41.

[44] Dyer, *Property and Intelligence*, p. 40.

[45] M. Cragoe, 'Conservative Associations', 585; Gash, 'electoral organization', 142.

[46] A. Alison, 'Conservative Associations', *Blackwood's Edinburgh Magazine*, xxxviii (1835), 1–15, at p. 9.

[47] Salmon, p. 52; N.R.S., Buccleuch papers, GD224/582/9/5, W.R.K. Douglas to Buccleuch, 9 Apr. 1835.

[48] Other national figures, such as Lord Aberdeen, positively refused to involve themselves in election-related business.

[49] Salmon, p. 76.

[50] Brit. Libr., Peel papers, Additional MS. 40616 fos. 69–72, Sir James Graham to Francis Bonham, 5 Sept. 1839.

[51] Ferguson, p. 109.

[52] Ferguson, p. 105.

[53] Gash, 'electoral organization', p. 147.

[54] N.R.S., D. and J.H. Campbell papers, GD253/185/1/12, John Hope W.S., 'Appeal Monstrosities', 1835.

[55] Dyer, *Property and Intelligence*, pp. 33–4.

[56] Ferguson, p. 107.

[57] N.C. Soldon, 'Douglas, Francis Wemyss-Charteris-, eighth earl of Wemyss and sixth earl of March (1818–1914)', *Oxford Dictionary of National Biography*, (Oxford, 2004) http://www.oxforddnb.com/view/article/36833 [accessed 16 March 2017].

[58] J. Cay, *An Analysis of the Scottish Reform Act, with the Decisions of the Courts of Appeal* (2 vols, Edinburgh, 1837–40), i. pp. 28–9, 472.

[59] N.R.S., D. and J.H. Campbell papers, GD253/185/1/10, John Hope W.S., 'Impartiality with a Vengeance', 1835.

[60] Williams, p. 9.

[61] N.R.S., D. and J.H. Campbell papers, GD253/185/1/23, John Hope W.S., to (?), [1836–7].

[62] A. Alison, *Some account of my life and writings: an autobiography by the late Sir Archibald Alison*, ed. Lady J.R. Alison (2 vols, Edinburgh, 1883), i. p. 311.

[63] The last of these to be published before the second Reform Act(s) was J.B. Nicholson, *A Practical Treatise on the Law of Parliamentary Elections in Scotland*, (2 vols, Edinburgh, 1865).

[64] A.C. Swinton, *Digest of Decisions in the Registration Appeal Court at Glasgow, in the years 1835 and 1843, with Notes of Decisions in Other Districts* (Edinburgh, 1844).

[65] Alison, *life and writings*, ii. p. 85.

[66] *Papers on Scottish Electoral Politics, 1832–1854*, ed. J.I. Brash, (Edinburgh, 1974), p. lxi.

[67] *British Parliamentary Election Results, 1832–85*, ed. F.W.S. Craig (1977), p. 549; Dyer, *Property and Intelligence*, p. 58. Haddington Burgh District comprised towns in Haddingtonshire, Berwickshire, and Roxburghshire.

[68] See Dyer, *Property and Intelligence*, pp. 69–88; McCaffrey, 'Political Issues and Developments'.

[69] See Craig.

[70] Salmon, p. 78.

[71] N.R.S., D. and J.H. Campbell papers, GD253/185/1/18, John Hope W.S. to William Baillie, [Nov. or Dec.] 1835.

[72] Brash, *Scottish Electoral Politics*, p. xlvi.

[73] N.R.S., Buccleuch papers, GD224/491/11, William Ogilvie to Buccleuch, 29 Dec. 1845.

[74] N.R.S., Hope of Luffness papers, GD364/1/160, John Hope to Sir Alexander Hope, 13 March 1835.

[75] Dyer, *Property and Intelligence*, p. 39.

[76] Brash, *Scottish Electoral Politics*, p. x.

[77] Hutchison, p. 4.

[78] N.R.S., Hope of Luffness papers, GD364/1/047, David Hume to George Hope, 6 May 1839.

[79] Brash, *Scottish Electoral Politics*, p. xlii; Dyer, *Property and Intelligence*, p. 41.

[80] *The First Report of the Select Committee on Fictitious Votes in Scotland* (Parl. Papers 1835 [590], XIV).

[81] N.R.S., Clerk of Penicuik papers, GD18/3380, 'Note of Expenses', 1841.

[82] Ferguson, p. 113.

[83] Dyer, *Property and Intelligence*, p. 58.

[84] Craig, p. 604.

[85] N.R.S., Buccleuch papers, GD224/1031/45, Memorandum by William Ogilvie, 9 Sept. 1861.

[86] N.R.S., Buccleuch papers, GD224/511/10/13, Buccleuch to Donald Horne, 28 Dec. 1840.

[87] Brash, *Scottish Electoral Politics*, p. lvi; N.R.S., Buccleuch papers, GD224/582/7/4, William Ogilvie to Buccleuch, 1 Oct. 1847.

[88] Eastwood, p. 33.

[89] Craig, p. 604.

[90] N.R.S., Strathearn and Blair papers, GD314/70, William Rutherford to W.S. Wauchope, 8 Aug. 1862.

[91] N.R.S., Buccleuch papers, GD224/1033/1/10, John Hope to Buccleuch, 13 Sept. 1865.

[92] See, for instance, *Caledonian Mercury*, 20 Aug. 1836, p. 3; *Scotsman*, 25 Nov 1868, p. 6

[93] See, for instance, N.R.S., Buccleuch papers, GD224/581/15, Horne to Buccleuch, 9 Jan. 1840.

[94] Hutchison, p. 4.

[95] Liberal accusations of vote-making played a prominent role in Gladstone's Midlothian campaign, despite both sides having actively engaged in the practice. See D. Brooks, 'Gladstone and Midlothian: The Background to the First Campaign', *Scot. Hist. Rev.*, lxiv (1985), 42–67.

[96] J.I. Brash, 'The new Scottish county electors in 1832: an occupational analysis', *Parliamentary Hist.*, xi (1996), 120–39, at pp. 122, 127.

[97] Brit. Libr., Peel papers, Additional MS. 40412 fos. 281–4, D. Morrison, to Sir Robert Peel, 31 Jan. 1836.

[98] Hutchison, p. 6.

[99] Eastwood, p. 42.

[100] Brash, 'occupational analysis', 123. Surviving pollbooks for the 1852 election and the unusual double-member nature of the Edinburgh constituency have, however, permitted analysis to be undertaken on its urban electorate. See Graeme Morton, *Unionist Nationalism: Governing Urban Scotland, 1830–1860* (East Linton, 1999).

[101] This included through judicious use of patronage; the Conservative (then Tory) party in particular had been skilled at using patronage to manage voters before 1832, when electorates had been far smaller. See R.M. Sunter, *Patronage and Politics in Scotland, 1707–1832* (Edinburgh, 1986).

[102] N.R.S., Buccleuch papers, GD224/581/5, James Blackwood to Buccleuch, 11 Sept. 1845.

[103] N.R.S., Buccleuch papers, GD224/582/2/21, Horne, 'Memorandum of the State of the Scotch Representation', Nov. 1834.

[104] This is similar to the practice of 'legitimate' political influence in England, as discussed in A.J. Heesom, ''Legitimate' "versus" 'Illegitimate' Influences: Aristocratic Electioneering in Mid-Victorian Britain', *Parliamentary Hist*., vii (1988), 282–305.

[105] M. Dyer, ''Mere Detail and Machinery': The Great Reform Act and the Effects of Redistribution on Scottish Representation, 1832–68', *Scot. Hist. Rev*., lxii (1983), 17–34, at p. 29.

[106] Dyer, *Property and Intelligence*, p. 71.

[107] N.R.S., Clerk of Penicuik papers, GD18/3350, Alexander Young to Sir George Clerk, 30 Dec. 1834.

[108] K.T. Hoppen, 'Roads to democracy: electioneering and corruption in nineteenth-century England and Ireland', *History*, lxxxi (1996), 553–71, at pp. 558–9; Fergusson, p. 130.

[109] N.R.S., Drummond of Hawthornden papers, GD230/580/12, (?) to Sir Francis Drummond, 10 Jan. 1835.

[110] N.R.S., Buccleuch papers, GD224/582/2/18, Alexander Pringle, Memorandum on 'Melrose & Selkirk tradesman', 1832.

[111] Alison, 'Conservative Associations', p. 12.

[112] N.R.S., Seaforth papers, GD46/4/14/18, E.D. Sandford to J. Stewart Mackenzie, 26 Aug. 1835.

[113] See, for instance, *Scotsman*, 1 Sept. 1832, p. 2; *Caledonian Mercury*, 9 June 1838, p. 2.

[114] N.R.S., Seaforth papers, GD46/4/154, H.I. Cameron to J. Stewart Mackenzie, 17 March 1835.

[115] N.R.S., Buccleuch papers, GD224/526/1/80–1, Lord Morton to Buccleuch, 17 Aug. 1837.

[116] See, for instance, *Scotsman*, 19 Sept. 1838, p. 3, and *Caledonian Mercury*, 21 Aug. 1837, p. 3.

[117] *Charles R. Dod Electoral facts from 1832–1853, impartially stated, constituting a complete political gazetteer*, ed. H.J. Hanham (Brighton, 1972), p. xxi.

[118] Hutchison, *Political History of Scotland*, p. 7; National Library of Scotland, Minto papers, MS. 11751 fos. 9–16, George Elliot to Lord Minto, 11 Feb. 1837.

[119] N.R.S., Hope of Luffness papers, GD364/1/156, Lord Ramsay to Sir Alexander Hope, 20 Dec 1834.

[120] See, for instance, N.R.S., Hope of Luffness papers, GD364/1/165, Dunbar [Haddingtonshire] district list of non-voters, 5 Aug. 1847.

[121] J. Donald, *Past Parliamentary Elections in Greenock* (Greenock, 1933), p. 32.

[122] Crapster, 'Scotland and the Conservative Party', p. 357.

[123] Vernon, p. 131.

[124] J. Lawrence, *Speaking for the People: Party, Language and Popular Politics in England, 1867–1914* (Cambridge, 1998), p. 61.