

# CAKE & COCKHORSE



BANBURY HISTORICAL SOCIETY

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# BANBURY HISTORICAL SOCIETY

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Details about the Society's activities and  
publications can be found on the inside back cover

# CAKE & COCKHORSE

The Magazine of the Banbury Historical Society. Issued three times a year.

Volume 7	Number 2	Spring 1977
J. S. W. Gibson	Trouble over Sheep Pens	35
	Little-Known Banbury	49
	A Crisis of Affairs	50
	Mrs Delaney and Wroxton	55
O. Chaplin	A Forgotten Cause	57
Book Reviews	John Kalabergo of Banbury	60
	Forgotten Railways : Chilterns and Cotswolds	61

Local history used to be something of a Cinderella; now it is in the very forefront of historical studies and it is recognized that for adequate treatment the subject demands full professional equipment.

We may take a modest pride in the fact that, despite its rather deceptively frivolous name, our Journal has earned a widespread high regard for the sound scholarship and for the value of its products.

An example is the article by Mr Jeremy Gibson in the present number on the Trouble over Sheep Pens which flared up in the later part of the 17th century. Mr. Gibson presents a learned, meticulously documented, illuminating and withal most entertaining account of a significant episode in Banbury's history about which hitherto little has been known. Here we have that authentic detail which makes real history. The article has considerable more general value, while for Banbury itself we have a contribution of major importance to our knowledge of the topography of the town and one which adds much to its social and economic history. As a finale, we have an exciting relation of local feuding, the street violence, and the "blood-sheds and affrays", as the Corporation Accounts calls them, which were of frequent occurrence when men habitually carried lethal weapons.

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**Our Cover** shows the building described on p. 49 as a 'modern fabric ... resembling a theatre ... more commodious than Gothic piles ... but destitute of solemn gloom.'

## SOCIETY NEWS

**Local History Annual Conference.** Members are especially encouraged to attend the Conference, which is being held this year at Broughton Castle. Details are given on p. 64.

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**Talks, Demonstrations and Films.** Members may be interested in the following series of talks, demonstrations, and films which have been organized for Saturday mornings, 11 am to 12 noon, at the Globe Room, Banbury Museum. Admission free.

- Apr. 30 Demonstration by Kidlington Lace Makers
- May 7 Film : Twenty Four Square Miles
- May 14 Demonstration : Making Banbury Cakes
- May 21 To be announced
- May 28 Mrs S. Gosling, title to be announced.

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**Annual General Meeting.** This will be held this year on June 18th at Heythrop House, by kind permission of the National Westminster Staff College. The Staff College is kindly providing catering facilities and the Committee feel it would be a good idea to take advantage of the offer and have a buffet supper after the AGM, which would this year replace the Annual Dinner. The price will be about £3. Details will be circulated with the Summer issue of the magazine.

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**Rogues and Vagabonds.** In 1631 Henry Halhead, Mayor of Banbury, reporting to the Privy Council, 'and as for rogues and vagabonds, we are little troubled with them, they like their entertainment so ill'. How times have changed was shown at Broughton Castle on Sunday 31st October 1976, when present-day "Rogues and Vagabonds" provided an entertainment which undoubtedly pleased their audience 'so well'. This was a second tremendously successful fund raising evening organized by the Society and we are once again greatly indebted to Leo McKern for suggesting the event, making it possible, and entertaining us so well with Polly James, Edward Fox, and Michael Meyer. We must also express our thanks to Michael Elliott, who directed this production, and the Royal Exchange Theatre, Manchester, for permission to stage it. The generosity of our President and Lady Saye and Sele for again making the castle available is very much appreciated. We should also like to thank Keith Postlethwaite for arranging lighting and Derek Jones for the extremely popular mulled wine.

It seems some 'rogue or vagabond' made off with 45p or otherwise we should have made exactly £300 profit.

## TROUBLE OVER SHEEP PENS

Much of what we nowadays know as Banbury High Street was in Tudor and Stuart times called Sheep Street. The very good reason for this was that within men's memories the sheep market had always been held there. It was an established practice for the householders in the street to set out sheep pens in front of their houses on market days, and the rent they received from these was an important part of their livelihood and of the value of their houses.

Early in 1656 the Corporation, under the lead of the then Mayor, Aholiab West, and two of the Justices, Nathaniel Wheately and William Allen, decided, rather arbitrarily, that the sheep market should be moved from Sheep Street to another location in the town, a waste piece of ground. The ostensible reason for this was that Sheep Street was narrow and the market and sheep pens caused inconvenience. Perhaps a more influential reason was that such a move would enable the Corporation to lease out market rights and obtain a greater income than that available from the Sheep Street market, where householders had customary rights.

In any event, the Corporation's ruling not surprisingly provoked opposition from those whose livelihood was thus being eroded: a near riot ensued, and the outcome was two lawsuits, the first at Oxford Assizes and the second in the Exchequer. The witnesses' depositions for the latter survive in the Public Record Office, and form the basis of this article.

The Corporation byelaws of 1564 confirmed what was evidently an existing right of householders in Sheep Street "where shepe pennes shall be sett; namely from the est syde of of Mast' Hartlett yate where Thom's Necoll now or late dwellyde eestward and frome the est corn' of Bartyl Ekelfeld housse westward"; they regulated the price of pens: no man was to "take for the lynghth of an hurdell nott ou' & aboue jd." (except on fair days and Corpus Christi Day when they could charge 4d.); whilst strangers bringing sheep to sell must use these pens "(if any be empty)".

In 1657, to the question "What profits does the Corporation get from cattle stallage?" the replies included an estimate of £40 per annum, and statements that a toll of 8d per score of sheep sold in the sheep market, "except it be freemen", was received, and that this toll was rented out to Thomas Coles and John Jarvis or Jervis for twenty marks. Evidence was also given on the cost of making oneself "free of the Borough . . . some more and some lesse accordinge as they can agree . . ." Philip Cave, a brasier who was one of the churchwardens in 1656, paid the Mayor "for his freedom £10 besides £10 more which he gave to the company whereof he was made free." Edward Weston, a former Serjeant at Mace, deposed that £14 or thereabouts was received for piccage and stallage, and during the six or seven years he served "there were severall men made free of the Borough, some paid 50s., some £5 and some £8 . . . for their severall freedoms, and noe stranger can come to inhabit within the Borough but must compound

with the Mayor... " John Kinge, who was a servant of the Corporation employed in weighing wool in the wool market, had been heard to declare he had paid the Chamberlain for the Corporation £18 for last year's profits. Other evidence on the Corporation's income is amongst some damaged depositions which refer to £50 for the wool toll, renting of the toll of "Bease and hogges" for £14, and the keeping of a toll book for horses by a servant of Mr Pym, a former town clerk.

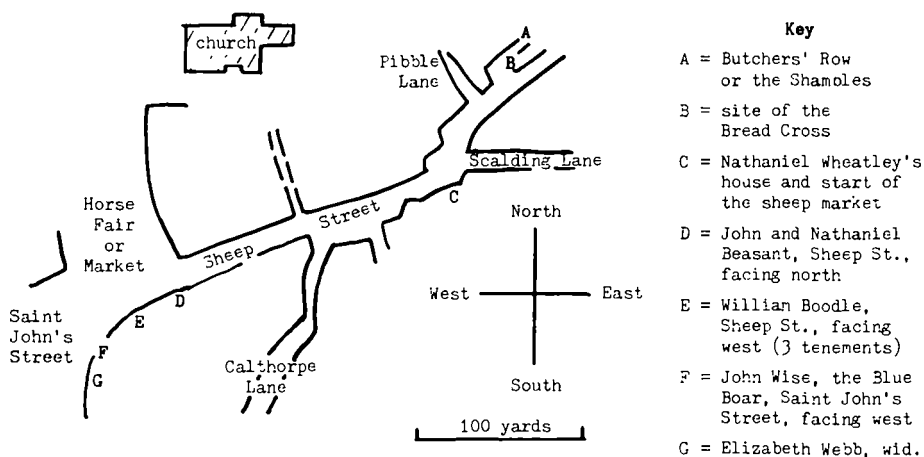
Of more direct relevance, perhaps, was a lease dated 8 January 3 James I (1606/7), between John Gyll, gent., and John Knyght, which presumably referred to the profits from the sheep pens. It had been witnessed by one Edward Wisedome, and his son-in-law William Thorpe deposed that he recognised the signature, whilst a local attorney, Barnabas Horseman, confirmed its authenticity. Another important lease was that to Organ Nicholls als Nix, one of the defendants, to which was attached "the common seal of the Borough bearing the impression of the Sunne and Sheild...". This conferred the right or benefit "of setting a pen by the wall of his house" and taking the profit thereof, the rent being £3 for the house" and £3 more for the sheep grounds". This rent was payable to the Churchwardens in trust for the poor, and George Anesley, the other churchwarden, deposed that he had received "of Robert Wise by appointment of Organ Nicholls £3 wanting 2s. 4d. for Taxes which £3 was for half a year's rent for a messuage in Sheep Street which Organ Nicholls held by lesse" of the Corporation "and that the money is employed for the use of the poor, save only ten shillings, which Mr Nathaniell Wheatly demanded to bestowe upon ten poor widows according to the donor's will." This is identifiable with Henry Halhead's charity, which allowed for 20s. per annum to be paid to the poor out of a tenement in Sheep Street.

Sheep Street itself ran from the present junction of the modern High Street with South Bar (i.e. by the Cross), eastwards to approximately the point at which Butchers' Row turns off to the north. It had alternative names - Guler Street in medieval times, in the early 17th century Bo(w)lting Street and Breadcross Street. This last was because, as Dr Harvey has shown, the Bread Cross stood at the junction of Butchers Row with the main street. On a map of 1694 this part is marked as Sheep Street, and the eastwards continuation is called "Lyon Street", a name not met elsewhere. The Lion Inn existed in the 16th and 17th centuries - used by the Corporation for their dinners, and stayed at by the Quaker Ann Audland in 1655. It seems accepted that it was the same as the later Red Lion, demolished in 1930 to make way for Woolworths. The western end of the High Street continued to be known as Sheep Street until 1835.

As for the location of the sheep market itself, the lawsuit has two explicit descriptions. The first is by Simon Unitt, "from the house of one Keinton now in the tenure of John Wise knowne by the signe of the blewe Boare all along on both sides as far as the house of Mr Nathaniell Wheatly neere the end of Scaldinge Lane..."; the other, by George Chamberlayne,

that it began "att the howse now in the occupation of Nathaniel Beasant and endeth att the house late in the occupation of Samuel Reynolds."

In July 1653 a survey had been made of former Crown property in Banbury (and elsewhere), and this gives the names of a number of householders in Sheep Street and nearby, providing invaluable corroborative evidence. Whilst the north-western corner of Sheep or High Street with the Horsefair is a definite right-angle, the opposite south-western junction of the street with South Bar (then called St. John's Street) is a gentle curve, with no obvious point at which one street ends and the other starts. There is no reason to believe it was otherwise in the 17th century. This will explain the apparent anomaly whereby the 1653 survey, which lists John Wise's house, places it in St. John's Street, not in Sheep Street, facing west with his neighbour Elizabeth Webb, widow, on the south. However Wise's house is itself described as bounding on the south the first property listed in Sheep Street: this was three tenements in the possession of William Boodle, gent., which also faced west. The houses must have been on the curve where the two streets meet. This supposition is doubly supported: a deed of 1668 actually describes Boodle's property as being on the south side of Sheep Street; and the survey, after these tenements, next lists a Sheep Street house (with the implication that it was next door) facing north (and with its neighbour on the east), being in possession of one John Beasant. This John died in 1655, and was father of Nathaniel who would have been there the following year. With such close neighbours it can be seen how apparently differing limits to the market were in much the same place. If further confirmation is needed that the sheep market extended to St. John's Street, it is given by the Corporation Accounts: a



rental of 1616/7 refers to a house in St. John's Street whose inhabitant paid 3d for sheep pens.

Two of those mentioned in the 1656 lawsuit as having put sheep-pens outside their houses in Sheep Street, William and Edward Weston, are listed in the survey as living on the north of the street; and another deponent, the constable Andrew Harvey, lived on the south. The sheep market itself ended at Nathaniel Wheatley's house "neere the end of Scalding Lane" (the modern George Street). This house too is listed in the survey, with Sheep Street to the north, and "his own land east" - something quite possible if the lane was little developed.

Dr Harvey, in articles on the sites of the crosses, has suggested that the sheep market was further east in the street. His reasons for this hypothesis are, first, that in 1469 the sheep market was opposite the end of Pibble Lane (the present Church Lane) - but this is only a few yards from the end of Scalding Lane, and in almost two centuries the end of the market could easily have shifted that amount. Alternatively Nathaniel Wheatley's house might have been on the north-east side of the Scalding Lane junction, and thus opposite Pibble Lane. Unfortunately it has not been possible to identify the alternative end of the market, "the house late in the occupation of Samuell Reynolds", which presumably was not Crown property. Secondly, he depends on the assumption that because the survey includes three Sheep Street houses facing west, that description could only apply to houses lying immediately north of the entrance to George Street or Scalding Lane. That this is not so has been shown - moreover Simon Unitt's description of the bounds of the sheep market would be nonsense if Wise's house as well as Wheatley's was so close to Scalding Lane.

The whole of Sheep Street was not given over to the sheep market, so it is perfectly possible that the street itself went as far as the Shambles (Butchers Row) or even further. Timothy Harris deposed that "there were several other places in or near the said (Sheep) street where seldom any sheep pens are set which is commonly called the sheepe streete of a larger breadth or wideness. . . "

The houses in Sheep Street were described as "of good accommodation and repute for entertainment and people inhabit there that may be trusted to lay up chapmen's money that come to buy and sell. . . "; whilst another grasier deposed "there is convenient shelter both for Chapmen and their Cattell in wet dirty and tempestuous weather and for shade in hot and parchinge weather; the said Markett Place adjoining to the Howses, then in case they sell their sheepe there is very convenient backsides of whom they take their pennes to put their sheep in untill they can despatch other marketts and be at leasure to take their money; and there are howses that have very convenient accommodation for men both for dyett and otherwise to supply their wants. . . "

Views on the width and convenience of the street as a market inevitably conflicted. Supporters of the Mayor were out to exaggerate its



inconvenience. One testified to this "because of the narrowness of the place between the pennis, the broadest being 17 ft., in other places 15 ft, 14 ft and 12 ft." Greater credence might be given to this if the deponent was not John Hawes, one of the Sergeants at Mace. Likewise it was a Constable, William Wheatly, who claimed "the pennis . . . have been sett within these 12 or 14 years last past nearer the highway than formerly . . . people cannot safely passe if they meete a loaded Cart between the pennis"; whilst his fellow constable Andrew Harvey claimed "two loaded horses cannot passe together neither can they passe meeting one another." John Ball, a Banbury bookseller, concurred not merely "because of the narrowness of the passage" but more understandably because of the "Durtiness of the place". Richard Halhead, an Alderman who had already supported the defendants and was clearly reluctant to depose on behalf of the Mayor, stated "he dares not say anything to the Inconvenience of the Sheepe markett [in Sheep Street] but the highway in the middle of the street between the pens is very bad and fitt to be amended" - which cannot have helped the Mayor's case much! William Taylor, of Williamscoth, found "the passage between the pennis is very strait for horses and Carts to meete". William Goodwin of Hornton deposed "that two cartes loaded with hey straw or furze cannot meet and pass . . .". John Jarvis, with somewhat of a vested interest in the market's removal, as he was renting the toll of the new market, also deposed "that Carts loaded horsemen and Carriages cannot conveniently passe . . .". Timothy Harris, the town clerk, strikes a typically modern note with a claim that as "howses are situate on both sides of the place where the sheep stood [this] might annoy not only the inhabitants but passengers going to and fro by reason of the Excreament<sup>ts</sup> and smell of the said sheep . . ."

However against these, mainly partial, views, there was a chorus of dissent on the part of the defendants, as to the excellence of the facilities in Sheep Street, "well and sufficiently paved", and the ease of passage on market days. Of these deponents, the most venerable undoubtedly was Richard Redman of Calthorpe, who claimed to be aged 102 - as he did not die until February 1664/5 he may well have been Banbury's oldest-ever inhabitant! He was in fact called by both sides, but had little to say, in spite of having known Banbury for eighty years, that was not common knowledge. Others had "seen great droves of Cattell severall times passe along Sheep Street when the sheep pens have been set up", and "had seen a loaded cart pass along Sheet Street when the sheep pens have been placed on both sides of the street and at the same time a woman ride on horseback by the cart side"; while Robert Winge of Bodicote considered that "Sheep Street is easier to pass in when the pens are set up than Parsons Lane where there are no stalls". Samuel Tustian had "measured Sheep Street between penne and penne in the middle as 44 ft. "; (so had Thomas Shephard of Calthorpe); "nor can there be better passage when the sheep pens are not set up than when they are in regard the sheep ground lyeth so high towards the houses

whch if it should be levelled or abated would proove very p<sup>e</sup>judiciall [sic] to the very foundacon of the severall howses there." It is significant that Simon Unitt "heard Edward Welchman one of the principal Burgesses saye at the time when the workmen were digginge downe the ground in the Sheepe Street that the sheepe ground in the Sheep Street was theirs and they would have it right or wrong". Evidently after the ban the Corporation set about widening and levelling the street. Evidence was incidentally given that not only did three of the defendants, Thomas Goodwin, John Yates and Organ Nicholls, repair "the ground before their doors where the sheep pens stood" but that this was customary with all inhabitants of Banbury who "do repair the streets before their doors at their own charge". Robert Long, a silk-weaver living in Parsons Lane, testified that he and his neighbour Thomas Crook did so, and "hath from tyme to tyme paied leavyes towards the reparations of the high ways in Banbury". As we have seen, Parsons Lane boasted no market, but it was customary for other householders elsewhere in the town to "have on fair days pitched and placed standings and stalls before their houses for chapmen (to wit) Pedlers, butchers, shoemakers, etc."

There is some interesting evidence too of the distance men came and went to market. Richard Walker, a gentleman of Ti(d)mington in Worcestershire (near Shipston-on-Stour) had 500 sheep in pens at Banbury market; others he had visited included Stratford-upon-Avon, Evesham, Worcester, and of course Shipston. John Hollyer, a Deddington shepherd, was familiar with Daventry, "Bissiter", Chipping Norton and Woodstock; Thomas Gaudorne, an Adderbury shepherd, had in addition visited Burford, Winslow (Bucks.) and Evesham.

This then was the background to the decision taken by the Mayor and Corporation, on 22 Feb 1655/6, ordering the removal of the sheep market from Sheep Street. The place where it was to be established instead was claimed to be more convenient and larger. Timothy Harris (who had been complaining about the smell) described it as "a void and waste piece of ground whereupon there is little or no usual passage and is a great distance from any p<sup>s</sup>ons howse". This was seen as a distinct disadvantage by most of the users: "the place the Mayor would remove it to hath no shelter and part of it is not paved"; "being not paved but myery and dirty and without shelter"; "... unfitt and inconvenient it being dirty and mireie that sheepe in the winter tyme by reason of the lowness of the ground will stand up to the hocks in dirt and men almost up to the knees, and it is altogether void of shelter ... and is fitt for nothing but to keepe ducks and Geese upon as formerly it hath done." Henry Wise, of Bodicote, who had appreciated the houses of good repute in Sheep Street, complained that "the place appointed by the Mayor being inhabited with poor people for the most part chapmen have nowhere to lay up their money; and the pens stand so openly and so far remote from houses that ... if a sheep gett out of the pens they are not easily got again if not quite lost".

It was also claimed that "the people resorting thither [were] dealt with at cheaper rates for the standing of their sheep". The Corporation had let the new ground, formerly unproductive waste, to Samuel Reynolds for £30 per annum. Thomas Coles deposed that "he living with Samuel Reynolds and formerly having sett pennis for him where the sheep market was formerly kept, and now setting pennis for Reignolds and himself [in the new place] he doth sett the same sheepe and att easier Rates by 8d. in the score"; and John Jarvis claimed the sheep pens "are sett by him at easier and cheaper Rates than formerly . . . 4d. in the score" - but then it was them that were running the new market! Robert Austin of Hook Norton was prepared to give conditional approval "if it be not preiudicial to the inhabitants of the old Sheep markett"; while William Goodwin got to the nub of the matter, whilst admitting that at the new place pens were "att cheaper rates . . . but whether they will continue Cheaper this depn<sup>t</sup>. knoweth not."

Just where this ground was is uncertain. However, from the description of it as "dirty and mireie . . . by reason of the lowness of the ground", fit only for ducks and geese, "remote from houses", and inhabited by poor people, a site towards the Cherwell or the Mill Stream suggests itself. That it could have been on part of the Horse Fair, as proposed by Dr Harvey, seems highly unlikely - supported as it is by his suggestion that the 19th century Sheep Street might be so named because it led to this new site. True it is that Horse Fair was used as a sheep market in the 19th century, and it would be very interesting to know when it was so established; but the important main road could never have been described in such disparaging terms. Leland a century earlier had called it a "fair street": it was bordered by church and vicarage, and, not many years later, the town's leading tavern, the Three Tuns. Nor, as one of the highest parts of the town, could it suffer from "lowness of ground".

Be that as it may, the Mayor and Corporation were determined to enforce their will on the users of the sheep market. The order was first published openly in the sheep market on 17 April 1656, and at the next two market days. There was no disturbance at this publication - but for several market days thereafter "the defendants John Yates, William Weston and Nathaniel Beasant did set up sheep pens where no sheep pens are to be set, and John Nicholls otherwise Nix had sheep in pens several Market days". In fact the Sheep Street householders continued doing just what they'd always done!

At this Aholiab West, the Mayor, clearly lost his temper and determined to stop this disobedience by force. A fortnight after the first publication of the order, he collected around him the two serjeants-at-mace, Samuel French and John Hawes; two Justices, Nathaniel Wheatley and William Allen; "several other Aldermen attending", including John Webb; the Town Clerk, Timothy Harris; and the Constables, William Wheatley and Andrew Harvey. Accompanied by these supporters, he descended in wrath on the Sheep Street stallholders, "furiously more like a Captaine of

a Company of Souldiers than a Mayor of a Corporation". When West "commanded John Yates to take in his pennes, he replied yt was his right and he would keepe it as longe as he could . . ." at which the Mayor was seen "to goe out of the usuall highway up to Yates, he settinge on his sheepe penne close to his house wall in a peaceable manner", "and in a violent manner tooke him by the arme and pulled him off his pen"; and afterwards it was seen that Yates' coat was "torne in the place where Aholiab West laid hold on him". West then "did laye holde on the sheepe penne and by force pulled the same from John Yates and throwe the same flatt downe and Mr. Webbe did stampe upon the sheepe Racke and did endeavour to have broken it but could not but make it cracke". John Hawes, the serjeant-at-mace, deposed that Yates and West "struggling together about the throwing downe of his penn the said Yates did pull [the] Maiors Cloake off his backe", but Thomas Claridge, a Neithrop tanner, contradicted this: "Aholiab West striving to pull down the sheep pen thereby his cloak slipt down . . . it not being buttoned as he conceiveth, and John Yates did not pull off the cloak or offer any violence". Francis Weston gives another account: "Mr West haveing untyed the sheepe penne at the end next the highway did also untye the upper end of the pen next the house, and John Yates comeing from his doore towards Mr West and asking him if he would violently take his goods from him Aholiab West thereupon very violently thrust John Yates from him, who went away towards the door of his house . . . and was a good way distant when the cloake fell off . . . Thomas Williams servant to John Yates endeavouring to hold the end of the sheepe penne that Mr West pulled down, Mr West and Mr Wheatly sent Thomas Williams to prison by Samuell French one of the Serieants at Mace and Mr Wheatley charged this depnt<sup>t</sup>. to assist French in haveing Williams to prison . . . and Williams was carryed to prison alonge the streete bare headed." From Timothy Harris's deposition it seems that Yates himself was also committed "to the Common Goal of the Borough . . . and continues undischarged till this day", whilst another who was imprisoned for defending the pens was John Pedley.

Meanwhile the owners of the sheep were being threatened. To Richard Walker the Mayer came "in a very violent manner, he having taken sheep pens of John Yates and having 300 sheep in them, and William Wheatley told his son that unless he would take his hands off the sheep pens he would cut off his hand with a hatchett, which he had then in his hand"; whilst Henry Wise "having taken a sheep pen of Organ Nicolls and having sheep in it and one William Holloway having done the like Aholiab West, then Mayor, threatened them both and told them that unless they would remove their sheep to the place the Mayor [and Corporation] had appointed he would take his course at law against him."

But now there was further trouble: William Weston, another of the stallholders, on the publishing or proclaiming of the order "came forth of his house with his sword drawn out a little way" - another described it as "about Twoe handfull" - "and his pistoll att his girdle", and "said he would

defend the standing of his penns", whereupon "the Maior comanded one of the Constables [Andrew Harvey] to take away his sword and thereupon he that was Commanded went to him and told him that he did not doe well to stand there in such manner and soe the said Weston delivered upp his sword" and "went backe againe into his howse and shutt the doore after him." The sequel was dramatic: "psently afterwards there was out of the said howse a pistoll or gunn shott off out off the windowe which shott did noe hurt and also there were stones thrown over the defendent Weston's house one of which hitt Mr William Stoakes on the hatt and another hitt Mr Nathaniel Hill on the foote or heele." Then yet another stallholder, Nathaniel Beasant "came also forth of his house with his sword drawne in his hand" or, as another described it, "with his sword and pistoll in his hand and said that if any man there did come uppon his grownd he should either have his sword or pistoll in his gutts." With commendable valour, William Wheatly, "being the constable charging him to keepe the peace and pressinge him backe he delivered the said sword to this depn<sup>t</sup>."

This seems to have been the end of a confrontation which clearly might have turned out very unpleasantly, with tempers running high all round. That efforts were subsequently made to reach an amicable settlement is shown by the evidence of a Neithrop yeoman, Robert Youick, that he "a yeare and a halfe since was present in company of Mr Nathaniell Wheatly, one of the Justices of the Borough, and Mr Daniel Eyre, one of the defendants, desired there might be a friendly end made of the difference", with arbitrators chosen by both sides "to end the difference without suit in a friendly way, whereupon Mr Wheatly replied that they had byn affronted with swords and pistols but if you (speakinge to Mr Eyre) desire to have it tryed with swords and pistols we will bring ours and you bring yours and soe we will maintaine our right." Richard Halhead, an Alderman, furthermore deposed that "the defendant Daniel Eyre being at his house att supper, and his brother Thomas Halhead one of the Aldermen before any suit began, did declare that if the Mayor" and Corporation would chose a lawyer the matter might be settled peaceably.

But it was not to be. Lawsuits there were - to our great benefit indeed, for without them there would be no record. From the evidence - taken (for the Exchequer case) on Monday 4 January 1657/8 at the Unicorn Inn, built ten years earlier - one's sympathies are with the deprived stallholders. Inconvenient though Sheep Street must have been in many ways, the alternative seems to have offered few advantages, and the Corporation no compensation. As Thomas Torshill, a Wardington yeoman, put it "At present the pens belong to several people and are let at reasonable and cheap rates, but at the new place it would all be in one man's hand, and could be set at unreasonable rates . . ." - and the suspicion is that this would have happened.

The first round went to the stallholders. John Richards the elder of Neithrop, yeoman, "was present at Oxford Assizes and heard the trial of

the cause between John Yates and John Webbe in a plea of trespass and at the trial the right of setting out sheep pens in Sheep Street was long debated with many witnesses (including this depnt.) and the charters were shown to the jury and the jury brought a verdict for John Yates and the right of setting out pens in Sheep Street". And Yates was awarded damages of five pounds.

The outcome of the Exchequer case is unknown, but it looks as if, as so often is the case, the Corporation got its way - eventually if not immediately. The Corporation account book records a lease for sheep pens, granted in 1674 to John Coles; and in 1693/4 "£5 due from John Coale for his half year's rent due for the sheep ground." It was John Coles' father Thomas who had rented the sheep toll from the Corporation in 1656.

### Dramatis Personae

(Depnt. = Deponent; Defdt. = Defendant)

Allen, William	Justice of the Peace; one of the Mayor's party
An(esi)ley, George	Depnt.; of Banbury, gent., aged 56; churchwarden
Austin, Robert	Depnt.; of Hook Norton, gen., aged 27
Ball, John	Depnt.; of Banbury, bookseller, aged 40
Beasant, Nathaniel	Defdt.; of Sheep Street, Banbury; bapt. 27 April 1628, son of John (who was bur. 23 October 1655)
Butler, Thomas	Depnt.; of Deddington, esquire, aged 36; described as 'Major'; purchased the rent on Crown properties of £6.13s.4d. (1553/4 charter, Beesley, p.221) on 29 Sept 1650
Calcott, Richard	Depnt., of Neithrop, yeoman, aged 60
Callowe, Thomas	Depnt.; of Hardwick in the parish of Tysoe, Warw., gent., aged 77; had known Banbury 60 years
Candy, Hugh	Defdt.
Cave/Caue, Philip	Depnt.; of Banbury, brasier, aged 58; churchwarden
Chamberlayne, George	Depnt.; of Wardington, esquire, aged 40
Claridge, Thomas	Depnt.; of Neithrop, tanner, aged 30; had lived within a bowshot of Banbury several years
Coles, Thomas	Depnt.; of Banbury, aged 40; rented sheep toll with John Jarvis; lived with Samuel Reynolds
Croker, Richard	Set stalls and standings before his house (not necessarily for sheep)
Crook, Thomas	Lived in Parsons Lane, near or next to Robert Long
Cure, William	A sheep stallholder
Elkington, George	Depnt.; of Deddington, innholder, aged 67; born and bred in Sheep Street, Banbury, and lived there at least 30 years, in the house in which John Yates now dwelleth; his father, who lived to at least 80, lived there for 40 years and brought up seven children
Eyre, Daniel	Defdt.; gent

French, Samuel	Depnt.; of Banbury, Sergeant-at-Mace, aged 37
Gaudorne, Thomas	Depnt.; of Adderbury, shepherd, aged 55; had known Banbury 30 years
Giles, Edward	Depnt., of "Cooton", Oxon., yeoman, aged 40; had known Banbury market 20 years
Gill/Gyll, John	Gent. dec'd.; signatory on deed, 1606
Goode, William	Householder (in Sheep Street ?) who put out pens
Goodwin/Goodwyn, Thomas	Defdt.; gent.; repaired ground before his house
Goodwin, William	Depnt.; of Hornton, gen., aged 58; had known Banbury sheep market 40 years
Halhead, Richard	Depnt.; of Banbury, gent., Alderman, woollen-draper, aged 55; born and bred in Banbury; his father had a house in Sheep Street and his uncle before him; brother of Thomas Halhead, Alderman; great-grandson of Henry Halhead
Harris, Timothy	Depnt.; of Banbury, gent., aged 33; town clerk
Harvey, Andrew	Depnt.; of Banbury, tanner, aged 40; constable; lived in Sheep Street
Harvey, Thomas	Defdt.
Hawes, John	Depnt.; Sergeant-at-Mace, aged 43
Hawkins, William	"Mr."; householder in Sheep Street with standings or stalls; d. 1656
Hawkins, "Mrs."	Widow; householder putting out pens
Hill, Nathaniel	"Mr."; one of the Mayor's party
Holloway, William	Rented a sheep-pen from Organ Nicholls
Hollyer, John	Depnt.; of Deddington, shepherd, aged 60
Horseman, Barnabas	Depnt.; of Banbury, gent., aged 38
Humphreys, Thomas	Depnt.; of Banbury, mason, aged 30
Jackman, Josiah	Depnt.; of Banbury, mercer, aged 38
Jarvis/Jervis, John	Depnt.; of Banbury, husbandman, aged 50; rented sheep toll with Thomas Coles
Keinton, ---	Owned house at junction of Sheep Street and St. John's Street known as the Blue Boar, in the occupation of John Wise
Kenning, Martin	Depnt.; of Banbury, freemason, aged 50 (there appears to have been another Martin Kenning, also a depnt.)
Kinge, John	Servant of the Mayor and Corporation for weighing wool
Knyght, John	Signatory of deed, 1606
Long, Robert	Depnt.; of Banbury, silkweaver, aged 40; lived in Parsons Lane, near or next to Thomas Crook
Maull, William	Depnt.; of Milton in the parish of Adderbury, gent., aged 84; had known Banbury for 70 years

Maunder, George      Householder putting out pens  
 Nicholls als Nixe, John Defdt. ; had sheep in pens  
 Nicholls als Nix, Organ Defdt. ; leased house in Sheep Street from Corpora-  
    tion; let sheep pens  
 Nutt, John              Depnt. ; of Deddington, mercer, aged 42; had known  
    Banbury market for 30 years, and had heard his  
    father (a very aged man) say it was very ancient;  
    Major Butler had offered sell him the rent on former  
    Crown properties  
 Pargiter, Robert      Depnt. ; of Greatworth, Nhants., gent., aged 56  
 Pedley, John            Imprisoned for defending pens  
 Penn, John              Depnt. ; of Bodicote, yeoman, aged 66; had known  
    Banbury for 50 years  
 Perrin, William        Depnt. ; of Banbury, saddler, aged 44  
 Piner, Widow          Stallholder  
 Pym, Mr ---            Former Town Clerk  
 Redman, Richard      Depnt. ; of Calthorpe, yeoman, aged 102; had known  
    Banbury 80 years; bur. 4 Feb 1664/5  
 Reynolds/Reighnolds,  
    Samuel              Rented new sheep ground for £30; formerly lived in  
    Sheep Street  
 Richards, John        "the elder"; depnt. ; of Neithrop, yeoman, aged 80;  
    had known Banbury 70 years and lived there all his  
    life.  
 Sheapheard, Thomas    Depnt. ; of Calthorpe, maltster, aged 54; had used  
    Banbury market as a chapman for 40 years and had  
    known John Yates 30 years  
 Smith, Henry            "Mr."; Justice of the Peace; householder who put  
    out pens. He was Mayor in 1664-5, and when his  
    accounts were presented on 25 January 1666/7 they  
    included "17s. more by which he was out of purse for  
    the sheep pen business"  
 Steward, James        Depnt. ; of Banbury, aged 40; had known the market  
    for 28 years, and had lived in Banbury for 12 or 13  
    years  
 Sto(a)kes, William    "Mr.", Burgess, later Alderman; one of the Mayor's  
    party  
 Taylor, William        Depnt. ; of Williamscott, Oxon., gen., aged 28  
 Thorpe, William        Depnt. ; of Neithrop, gen., aged 70; had known Ban-  
    bury for 40 years; married the daughter of John  
    Wisedome  
 Torshill, Thomas      Depnt. ; of Waddington, yeoman, aged 34  
 Tustian, Samuel        Depnt. ; of Banbury, joiner, aged 36



Unitt, Simon	Depnt.; of Banbury, gent., aged 80; had lived in Banbury for 45 years, and known householders putting out pens for 60 years
Walker, Richard	Depnt.; of Ti(d)mington, Worcs., gent., aged 52; had known Banbury 40 years and John Yates 27 years; accompanied to market by son
Webb(e), John	Alderman; one of the Mayor's party; defdt. in case at Oxford Assizes
Welchman, Edward	A principal Burgess
West, Aholiab	Mayor of Banbury in 1655-6 (Note. His name does not appear as Mayor for this year in previously published lists, but evidence from the Corporation Accounts, not previously available, confirms that he was Mayor)
Weston, Edward	Depnt.; of Banbury, yeoman, aged 47; former Sergeant-at-Mace for 6 or 7 years; a stallholder and resident of Sheep Street
Weston, Francis	Depnt.; of Banbury, shoemaker, aged 37
Weston, William	Defdt.; lived in Sheep Street and put out pens
Wheat(e)ly, Nathaniel	Justice of the Peace; one of the Mayor's party; probably lived in Sheep Street near Scalding Lane (there was another Nathaniel Wheatley, born 1631)
Wheatly, William	Depnt.; of Banbury, saddler, aged 33; constable
Williams/Wills, Thomas	Defdt.; servant to John Yates
Williams, Thomas	Depnt.; of Banbury, tailor, aged 21
Winge, Robert	Depnt.; of Bodicote, yeoman, aged 60; had known Banbury 40 years
Winter, Ralph	Depnt.; of Shutford, yeoman, aged 54; had known Banbury market for 40 years
Wise, Henry	Depnt.; of Bodicote, yeoman, aged 42; rented a sheep-pen from Organ Nicholls
Wise, John	Occupied a house in the sheep market at the junction of Sheep Street and St. John's Street known as the Blue Boar
Wise, Robert	Defdt.; set up pens outside his house
Wise, Thomas	Depnt.; of Warwick, gent., aged 28
Wisedome, Edward	Witness to deed, 1606; buried 17 July 1636; father-in-law of William Thorpe
Yates, John	Defdt.; set up pens outside his house in Sheep Street; plaintiff at Oxford Assizes against John Webb
Youick, Robert	Depnt.; of Neithrop, yeoman, aged 60

### Sources

The depositions in the Exchequer case on which this article is based are in

the Public Record Office, E/134/1657-8/H 23; the case is quoted by P.D.A. Harvey, first in his articles "Where Was Banbury Cross?" in *Oxoniensia*, xxxi (1966), p. 96, and "Where Were Banbury's Crosses?" in *C & C.H.*, iii, 10 (Winter, 1967), pp. 190-1, and subsequently in *V.C.H. x* (Banbury Hundred), p. 59. It was referred to earlier by E.R.C. Brinkworth in "Old Banbury", p. 30 (2nd edn.).

The forthcoming edition of Tudor and Stuart Corporation Records will include extracts from the case, and also an abstract of the Parliamentary Survey of former Crown Property in Banbury, taken in 1653: P.R.O., E. 317/8 Oxon., ff. 3-6; Beesley, "History of Banbury", pp. 447-8, omits the names of occupants and detailed locations.

The quotation from the Corporation byelaws of 1564 is also taken from Beesley, pp. 231-2; and evidence of the continuation of the name of Sheep Street until 1835 (p. 274).

The 1694 map of Banbury from the Risley collection in the Bodleian Library (MS. D. D. Risley, C. III) was printed in *C & C.H.* vi, 5 (Spring 1976), p. 87. The deed of 1668 referring to property at the junction of Sheep Street and St. John's Street, formerly belonging to William Boodle, is also in the Bodleian, MS. Charters Oxon. 3582.

Dates of baptisms and burials are from Banbury Parish Registers, Parts 1 and 2, B.H.S., vols. 7 and 9.

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The ancestors of our newly-joined member Dr Paul Bayliss (1 Thorn Road, Bramhall, Stockport SK7 1HG) were bakers in Mollington. Dr. Bayliss's gt. gt. grandparents George Bayliss and Mary Frost were married there in 1845 and born there respectively in 1823 and 1827. George's parents were John (b. 1800) and Mary and grandparents George and Elizabeth; and Mary Frost was daughter of Samuel and Elizabeth. Dr Bayliss would welcome more information or correspondence with others interested in Mollington families.

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Mr James S. Warren, of Janefield, Netherley, Kincardineshire AB3 2QL, would be glad to hear from any member who has information about his ancestors William and Rachel Franklin, who were living in South Newton at the turn of the 18th Century. They baptised their children there, starting with Mary on the 22nd March 1792 and ending with Dorcas on the 26th October 1806. Their son William became a tailor in Banbury and died there aged 82.

## A LITTLE-KNOWN DESCRIPTION OF EARLY 19TH CENTURY BANBURY

The account of Banbury which follows is drawn from William Mavor, 'A Tour in Wales and through Several Counties of England, including both the Universities, performed in the summer of 1805', which was published in London in 1806. It contains nothing of startling importance, but it does confirm the reputation for dirtiness which the town had at that period, before the appointment of a Paving and Lighting Commission, and the strength of Nonconformity at the time. For the paper-making activities of the Cobb family see A. H. Shorter, 'Paper Making in the British Isles', 1971, pp. 100, 244, and 'Victoria History of Oxfordshire', vol. ix p. 96, and vol. x p. 45. The family's paper mills were at North Newington.

B. T.

p. 162.

2 August 1805.

Arrived at Banbury to dinner. This is a large and populous borough town, returning one member to the Imperial Parliament, and carrying on a very considerable trade in the manufacture of shags and webbing for horse girths. It had formerly a castle of which scarcely a vestige remains.

The church is a modern fabric and in its style of architecture resembles a theatre. It is probably more commodious than the Gothic piles but is destitute of that solemn gloom which appears to be suited to a place of religious worship. The situation of Banbury is low; and though it exhibits a bustle of business, and is peopled by many respectable individuals, there is something forbidding in its general aspect, owing to the narrowness and dirtiness of the streets.

Messrs. Cobb, the inventors of the coloured patent paper, have their mills in this vicinity. Their discovery has been eminently successful, and has tended very much to embellish our libraries and book cases at a comparatively small expense.

It should further be remarked that Banbury has long been famous for cakes and ale; which a wag turned into cakes and zeal, alluding to the number of Dissenters who have always nestled here.

15th, December, 1792.

TO THE  
Worshipful the MAYOR  
of BANBURY.

SIR,

WE request you will appoint a Meeting of the INHABITANTS of BANBURY, and its NEIGHBOURHOOD; to give them an opportunity of publicly declaring their Sentiments on the present Crisis of affairs in this Country, and testifying their Loyalty to their KING, and regard for the Constitution, as now established.

<i>Oliver Aplin,</i>		<i>Joseph Snow,</i>
<i>Charles Wyatt,</i>		<i>James Golby,</i>
<i>William Judd,</i>		<i>Timothy Cobb,</i>
<i>Thomas Cobb,</i>		<i>Richard Heydon,</i>
<i>Richard Bignell,</i>		<i>William Walford,</i>
<i>Richard Benjamin Bignell.</i>		

---

In consequence of the above Requisition, I appoint a Meeting for Monday the 24th, day of December Instant, at the *White-Lion* in *Banbury*, at Eleven o'Clock in the Forenoon.

*John Pain, Mayor.*

---

CHEENEY, PRINTER.

## **Notes on the Leaflet requesting the Mayor of Banbury to call a Public Meeting, December 1792**

Our life member Mrs. Sarah Markham has sent us a photograph of the printed notice reproduced opposite, which should interest readers. It is an item amongst the large archive she inherited a few years ago from her father, the late Dr. Thomas Loveday of Williamscote, himself a member of the Society. Members may recall a visit to his charming home in the early years of the Society. The notes which follow have been prepared by Mr J. S. W. Gibson.

The "Crisis of affairs" was an outcome of the French Revolution, which had by now reached an extreme stage (Louis XVI was guillotined only the next month). The French had recently proclaimed that they would give assistance to any nation that rose for its liberty - and were actively intriguing with revolutionaries in this country. Other aggressive action had already brought about virtually a state of war, which was in fact declared in February.

Not surprisingly the signatories were all men of substance and importance in Banbury, those with most to lose from civil unrest. Five were bankers (the Cobbs at the Old Bank; Bignell, Heydon and Wyatt at the New Bank); three were lawyers (Aplin, Bignell and Walford); three were weaving manufacturers (Snow of shag, or plush, the Cobbs of girths); two were carriers (Judd and Golby). Six were related by marriage at least (Aplin, the Bignells, Heydon, Walford and Wyatt). Several were members of the Corporation and were at some time Mayor, or close relatives were (Aplin, Judd, Walford, Wyatt), or Town Clerk (Walford); or of the Vestry (Aplin, Bignell, Golby, Snow, Walford). They came from both political parties (Walford and Wyatt supported the North interest, Judd opposed it), and nonconformity (the Cobbs) as well as the established church. The only surprising signatory is Richard Benjamin Bignell, the son of Richard Bignell, who was only 20 at the time.

The Mayor, John Pain, the second of three generations of his name who served as Mayor in the 18th century, was in his fifth and last term of office. He was a timber-merchant and would be the equivalent of the modern-day local building contractor - whose participation in local government affairs remains a commonplace to this day.

A likely, if eventual, outcome of this meeting was the formation of a Military Association for home defence. Two companies of infantry were formed at Banbury, with Richard Bignell as Major Commandant, and William Walford as one of the Captains, whilst a cavalry troop was commanded by Captain Cobb. In 1798 a meeting of the inhabitants of Banbury subscribed £502 for the defence of the country.

The name of the printer, familiar still in Banbury, was the first John Cheney, from his premises in "the upper end of Red Lion Street".

**John Pain, Mayor** (1738-1799). The second of three generations of John Pain's who served a Mayor in the 18th century. Son of John, maltster (d.1773), a carpenter turned timber-merchant, Mayor in 1774, 1780, 1784/5 (when he was one of the Vestry agreeing "the Church is as safe as St. Paul's Church in London"), and in 1789/90 (when he agreed that the Church should be demolished), 1792/3 was his final term of office. His sons John and Joseph were Mayor several times, whilst his son James was in 1816 not only a Trustee for the rebuilding of the church tower but also a partner in Banbury's largest firm of contractors to whom the job was awarded!

**Oliver Aplin** (b.1754). Son of Benjamin Aplin (Mayor, 1771; d.1773) and brother of Christopher Aplin (Mayor, 1783). Like his father, an attorney-at-law. With John Pain he voted for the retention of the church in 1785 and for its demolition in 1790. In 1802 a son of Francis Eyre of Warkworth Castle wrote that his father's "fine agent Mr Aplin has absconded . . . and has left a wife and 9 children in Banbury." Married Mary, sister of Richard Heydon, below.

**Richard Heydon** (1755-1838). Son of Elisha Heydon, mercer (d.1781). Mercer and draper, and a founder of Bignell, Heydon and Wyatt's Banbury New Bank (subsequently Tawneys, then Gilletts), in 1784. Married Elizabeth Wyatt, probably sister of Charles Wyatt, below.

**Charles Wyatt** (1758-1821). Son of Charles Wyatt, mercer (Mayor, 1761; d.1782). Draper, and founder of the New Bank with Heydon and Richard Bignell (see below), and a partner until 1819. Mayor, 1791, 1800, 1807 and 1818. A supporter of the North family, for whose candidate he voted in 1806 and 1808. Brother-in-law of William Walford, below. One of his sons, Charles Francis Wyatt, became Rector of Broughton. His two daughters lived at Linden House, on the corner of West and South Bars, before Dr Pemberton, whose family is still recalled in Banbury.

**William Walford**. Town Clerk and later Alderman, Mayor in 1799, 1805. He or his son, also William Walford, who succeeded him as Town Clerk, was brother-in-law of Charles Wyatt, above. A member of the Vestry which approved the demolition of the church, and a North supporter in 1806 and 1808. Captain of one of the companies in the Banbury Military Association.

**Richard Bignell** (d.1795). Solicitor, and a founder, with Heydon and Wyatt, of the New Bank. Married Elizabeth, sister of Oliver Aplin. The member of the Vestry in 1789 and 1790 who was to apply to Parliament for the necessary legislation to replace the church. Father of Richard Benjamin Bignell (below). Major Commandant in the Banbury Military Association.

**Richard Benjamin Bignell** (b.1771). Eldest son of Richard Bignell (above). Probably a 'money scrivener'. Living in Banbury until at least 1806. A

subscriber to Beesley's History, when he was living at Thame, but died before its publication (c.1841).

**Thomas Cobb** (d.1821). 'Garter-weaver', or manufacturer of girths, of Calthorpe, and founder of Banbury Old Bank with his brother Timothy (see below). A Nonconformist, and thus debarred from active participation in the government of the borough, though he was one of the 'inhabitants' who in 1785 signed the resolution that the church was safe. He (or Timothy Cobb) was Captain of the Cavalry Troop in the Banbury Military Association.

**Timothy Cobb**. Probably brother of Thomas Cobb (above), and founder with him of the Banbury Old Bank. His children were baptised at Banbury Church, although he too had Nonconformist leanings. His son Timothy Rhodes Cobb, also a banker, took a leading part in Banbury life.

**William Judd**. The leading Banbury Carrier, who in the late 18th century was permitted to demolish the gate at South Bar to facilitate the passage of his waggons, on condition he erected an obelisk to mark the spot, the origin of the name of the present Monument Street. Mayor in 1798, 1804 and 1811. He opposed the North interest in 1806 and 1808.

**Joseph Snow** (d.1806). Shag (or plush) manufacturer. In 1787 his business was prospering enough to make the building of a "warehouse in his garden adjoining his house" necessary. One of the Vestry approving the demolition of the church. At his second marriage in 1790 Oliver Aplin was a witness.

**James Golby**. Described variously as a gardener (1779), victualler (1787) and coal-merchant (1796). A member of the Vestry who approved the retention of the church in 1785. In 1792 he acquired the site of the castle. By 1817 he was an inn-keeper and coach proprietor, and as a carrier had replaced Judd in the London and Birmingham carrying trade - his waggons "used to load to a great height and were drawn by six or eight horses", and apparently North Bar "was pulled down by one of them".

**John Cheney** (1733-1808). "Cheney, Printer" - the first John Cheney, who had set up as a printer at the Unicorn Inn in 1767, but in 1788 removed to premises in "the upper end of Red Lion Street" (now High Street, near the junction with George Street).

### **Main Sources**

History of Banbury, Alfred Beesley, 1841 (particularly pp. 533-35, 541-42).

History of Banbury, William Potts, 1958 (particularly p.184).

Banbury Baptism and Burial Register, 1723-1812 (unpublished MS).

Banbury Marriage Register, Part 2, 1724-1790 (B.H.S.vol.3, 1961).

Borough of Banbury, 1554-1954 (with list of Mayors), E.R.C. Brinkworth, 1954.

Gilletts: Bankers at Banbury and Oxford, Audrey M. Taylor, 1964.

Shoemaker's Window, George Herbert, ed. C.S. Cheney and B.S. Trinder, B.H.S.10, 1971.  
Cake & Cockhorse, V, 4, (Autumn 1972), 'The Building and Furnishing of St. Mary's Church', N. Cooper; III, 9 (Autumn, 1967) 'Cheney and Sons: Two Centuries of Printing in Banbury', C.R. Cheney.

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Mrs A. Pamela Keegan, of Monkey Tree House, Creampot Lane, Cropredy, has for some years been working on the transcription of monumental inscriptions in Cropredy churchyard, and tying them in with parish registers, wills and other documents. Is there anyone else in the area who would like to help her? She says "a fellow stone-sketcher would help enormously". She is also anxious to know the meaning of symbols carved on 17th and 18th century stones, e.g., why do they carve pears or roses, etc.; and what is individual and rare to Cropredy? Mrs Keegan will be one of those welcoming the Historical Society to Cropredy for the Village Meeting in May.

This cheerful cherub is not in fact in Hanwell but in South Newington churchyard.





**MRS DELANY AND WROXTON, 1772.**

Those who were fortunate enough to hear Mrs Ruth Hayden's fascinating and beautifully illustrated talk on the delightful and talented Mrs Delany will, with others, be interested to see this correspondence of hers with Francis, 1st Earl of Guilford (father of Lord North, the Prime Minister). The writing of "bread and butter letters" was an art of a more leisured age, of which future generations are likely to be deprived by the waste-paper-basket and the telephone.

Bodleian Library. North MSS. d. 14

[f. 191] 5 August 1772

Bullstrode

Mrs Delany and the Ds<sup>s</sup>. Dowager of Portland present their Comp<sup>ts</sup>. to Lord Guilford and if it will be agreeable to his Lordship they propose waiting on him at Wroxton on Tuesday the 18th instant. They propose setting out on Monday from Bullstrode lying that night at Woodstock and to be at Wroxton by dinner the next day. The Ds<sup>s</sup>. of Portland begs to know which is the best Inn at Woodstock.

[f. 209] 23 August 1772

Bulstrode

My Lord,

No post going out yesterday from hence, I could not pay my devoirs to Wroxton, where they are so much due, till today, but Gratitude for the kind favours, and honour, I received there, has not fail'd one moment; and this morning has added to my obligations by your Lordship's letter and enquiry; and I have had the malignant Effects of Gnats bite so amply made up to me, by so kind an attention, that I bear the little venomous animal no ill will - loosing 8 ounces of bad blood and a Pottice of white bread and silk have made me almost well, tho not quite as alert as my cōtemporary Lady S. and S.: I can walk about the house with a becoming gravity and hope soon to mend my Pace. The absence of the sun on the road was very favourable to our journey tho not to the Ds<sup>s</sup>. of Portland's seeing Blenheim which I don't find with all its surprizing improvements and Grandeur stands in any manner of competition with Wroxton: I thought it most prudent to stay quietly at the Inn.

I think the verdure of Bulstrode improved by the sprinkling it has received and now it rains as hard as it can pour. I most sincerely wish your Lordship a long and happy enjoyment of your charming Wroxton, w<sup>ch</sup>. must ever be a blooming Beauty, with the advantage of receiving New charms from Age; may it give you as much satisfaction as your guests always receive there. I cannot help regretting my inability of wandring thro every inviting path, and resting under the shade of every favorite tree; but I am thankfull for having been permitted to enjoy so much. I am with a true sense of your Lordship's goodness to me and with the highest respect,

My Lord,  
Yours Lordship's  
most Obliged and most  
Obed<sup>t</sup>. hum<sup>ble</sup>. Serv<sup>t</sup>.

M. DELANY

[P.S.] If Lord and Lady North are at Wroxton may I beg leave to present my best compliments.

I think I should congratulate Lord North on his late acquisition, I believe so agreeable and as honourable to him as that he received so lately, and I rejoyce in all his advantages.

**Notes.** "Lady S. and S. " must have been Christobella, the previously twice-widowed wife of Richard, 6th and last Viscount Saye and Sele. Although 21 years older than her husband, and already in 1772 aged 77, she survived him by 8 years, to die in 1789 aged 94. "She tasted the good things of this world and enjoyed them long . . . she dressed, even at the close of life, more like a girl of 18 than a woman of 90. Her favourite amusement was dancing, and she indulged in it almost to the last week of her life." (Gents. Mag.)

The postscript must refer in part to Lord North's being made a Knight of the Garter on 18th June 1772.

J. S. W. G.

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Mr. W. J. F. Fenton, of 82 Hersham Road, Walton-on-Thames, Surrey KT12 5NU, is trying to solve a genealogical problem relating to the BUT(T)LER family of Banbury in the 18th century. This family had a long association with the trade of "slat(t)er", sometimes spelt "slattier". Can anyone explain exactly what a "slat(t)er" did? Did he quarry slate, cut slate or fix slate to houses? Did he have anything to do with slate at all? Is anything known from Banbury history about slat(t)ers and their trade; and where they might have been employed during the period 1730 to 1750 and possibly earlier? The family seem to have been quite mobile. John Butler, born c. 1744-5, was married in Chipping Norton in 1769, with his two eldest children baptised at Banbury, the next two at Wroxton, and the final two again at Banbury (one whilst in Calthorpe).

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## A FORGOTTEN CAUSE

It was the Lord's Day, April 26 1818 and the village of Bodicote was agog. This was the day that the new Baptist Chapel would be opened and people would be coming from near and far. It was substantially built of faced Ashlar stone from the Cobb Mansion at Adderbury which had recently been demolished and now in the quiet lane that would come to be known as Chapel Lane a large number of villagers and visitors would gather. It was a time to rejoice because the building could accommodate about 500 persons and due to local generosity would be open free of debt.

In the morning Rev. William Shenstone from London preached and his text was - "And he shall bring forward the top stone amid shouts of Grace Grace to it". This expressed the excitement of the occasion and all would be conscious of it. Sharing the service was Rev. William Read of Castle Hill Baptist Chapel Warwick and perhaps the links were forged that day with Rev. Evan Herbert pastor of Bodicote Chapel which would lead him into the pastorate of Castle Hill two years later. But all this was in the future and the opening day had more in store. In the afternoon Rev. Shenstone preached on Ecclesiastes 3.5 "A time to cast away stones and a time to gather stones together." There was much nodding of agreement with this as many of those present would have had a share in the demolishing, carting, facing and re-erecting that had taken place. In the quiet of the evening Mr. Holmes of Wantage preached on Isaiah 60.7 "All the flocks of Kedar shall be gathered to you, the rams of Nebaioth shall minister to you; they shall come up with acceptance on my alter and I will glorify my house." This was a fitting climax for the day and gave it the right emphasis. Again there would be much nodding of agreement for they would all realise that the glory should be to God and the day was one of thankfulness to Him. They would know that "except the Lord build the house, they labour in vain who build it." So it was not a nine day wonder. The work went on for many years. James Nutt, curate of Bodicote, himself an effective clergyman and a man of the people, stressed the strength of Bodicote Nonconformity and during his ministry the chapel had three services on Sundays.

Perhaps its greatest period was during the ministry of Reverend J. Bloodsworth who ministered and lived in the village in the early eighteen thirties.

The Chapel has been described as a handsome building of three storeys, but it is difficult to visualise how this could be. The writer remembers his grandmother referring to the gallery which was in the chapel and it was where the younger element of the congregation liked to be as it was the only building in the village which has this asset. I have a photograph which hardly indicates that there were three storeys. The glass negative was given to the writer by Mr Eddie Southam who was and is, a valued member of the Banbury Baptist Church. It was probably taken around the

turn of the Century when the cause had gone into decline and was sold in 1902 and demolished a few years later.

The congregation was only 50 at the time of the religious census in 1851 but the conclusions in Victoria County History hardly seem to be warranted. There is no reason to believe that the congregation was drawn from surrounding villages and the vicar's report in 1854, that there were only four Baptists in the parish is mistaken. Perhaps the 1851 Census which recorded it as Baptist and Independent led him to conclude that the emphasis was more on Independents rather than Baptist principles. The writer of this article is a descendant of the Caisbrook family and at least 15 members of the family were connected with the chapel at this time and his great Grandparents were married by Joseph Parker at the Independent Chapel in Banbury. The reference in VCH to the effect that in 1866 the Baptist meeting house was only occasionally opened and having ceased to be used regularly was sold in 1902 must surely be inaccurate. Emily Green (nee Caisbrook), who was born in 1870, together with her sisters Clara and Agnes, were members of the Chapel choir as young folk and the whole family which was a large one, attended. This is hardly a picture of a dying cause. Emily Green lived until 1947. She was blind for the last 20 years of her life and one of her pleasures was to listen to the B. B. C. Hymn Singing programme on Sunday evening and join in with a clear and true contralto voice.



Clara Caisbrook

Why did the Chapel close and how are we to assess its usefulness? To answer this question one must look at the basic beliefs of the chapel folk. These beliefs can be summed up briefly as Evangelical Calvinism. Calvinism has had a long and honourable history and has had a profound effect but it is a characteristic feature that where the evangelical fervour dies down there is an aridity and formalism that creeps in. The fervour was there in the earlier days but it needed renewing. Then one day in the early 1880 the Salvation Army appeared in Banbury. Rotten eggs and fruit were thrown at the Army when they first came to town and their progress was slow but called for much courage and dedication. The heart of Clara Caisbrook a young teenage member of Bodicote Baptist Chapel was captured. Here was a warmth and fervour which had been lost at Bodicote.

There came the never to be forgotten day when the General came to town and the Banbury Citadel was opened. He drove along the High Street in an open landau. The year was 1890. He had just published his epoch making book "Darkest England and the Way Out", and in it was a chapter dealing with neglected and delinquent children and youths. He said "I also propose at the earliest opportunity to give the subject of the industrial training of boys a fair trial and, if successful, follow it on with a similar one for girls . . . . . turn out thoroughly good and capable members of the community." Little did she know it as she watched the events in Banbury High Street on that day but Clara Caisbrook was to become the only woman officer sent directly by General William Booth to Australia. Her greatest work was a pioneer work with the Bayswater Youth Training Centre and Boys Home and she was described in reports of her work as an officer with grit and gumption. In 1929 she was speaking at the 46th Anniversary of the West Maitland Corps and she collapsed and died on the platform. As Captain Caisbrook, she had opened the Hall at West Maitland.

How does one measure the work and influence of a Chapel? Did Bodicote Baptist Chapel begin in fervour and then falter and come to an end at the turn of the Century, or did its work go on, albeit under the name of the Bayswater Youth Training Centre and Boys Home in Australia and many another continuing witness? Certainly present day descendants of its members like to think so, and in their own way continue it themselves.

O. Chaplin

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The most recent issue of **Warwickshire History** (Summer 1976), the always excellent magazine of the Warwickshire Local History Society, contains quite a bit of interest to historians of Banbury.

In particular the section on accessions to the Warwick County Record Office shows deposits of canal records by the British Water Board, relating amongst others to the Oxford Canal; a solicitor's deposit included an unusual inclosure map of Radway, 1756, which shows details of Sander-son Miller's landscaping on his estate below Edgehill (the Winter 1969 issue of C & C.H. was devoted to Miller, and offprints are still available); and Colonel M.H. Warriner has deposited Warriner family papers, including those relating George Warriner, who farmed at Bloxham Grove.

An article on 'Wills and Inventories of Warwickshire Clergy, 1660-1720', by James Salter, throws light on the social status of the clergy at this time, including John Allington, vicar of Leamington Hastings, whose family had Banbury connections. Stephen Porter writes on 'Fires in Stratford-upon-Avon in the 16th and 17th Centuries', which makes interesting comparison with the similar conditions in Banbury which contributed towards the catastrophic fire of 1628.

**Warwickshire History** is issued twice a year, single copies 50p, available from Mrs B.M. Davies, 6 Church Street, Warwick.

**John Kalabergo of Banbury**, by E. R. Lester. 100 pp. plus reproduction of Rusher's Banbury List and Directory for 1851. Illus. Privately published. 1975. £2. (available from Banbury Museum and bookshops).

The murder of John Kalabergo in January 1852 for which his nephew was hanged the following spring was the most celebrated criminal case in Oxfordshire in the last century. It is an event of which most people with any interest at all in local history have vaguely heard, and to have a book which examines the case in some detail is very welcome.

Mr. Lester's work is based on a wide range of sources and he deserves congratulation for the energy with which he has sought out obscure documents which vividly illuminate the events surrounding the case, and, incidentally, give many fascinating insights into the ordinary day-to-day life of Victorian Banbury. In form his book is something between an historical novel and an essay in local history. Unfortunately it succeeds neither as one nor the other. The leaden style makes it a difficult book to read. The verb-less sentence which concludes the synopsis is all too typical of the standard of writing which follows. As a work of scholarship it fails because there is absolutely no distinction between what is based on evidence from sources, and what is the author's own, perfectly legitimate, imaginative reconstruction. We are told in the Foreword that "the majority of the conversations are factual", but some clearly are not, and the book would have been much more useful if we had been told which. A conversation is described between John Kalabergo and William Bennett, landlord of the Angel, but this Mr. Bennett was not, as is claimed, the Mr. Bennett who was a prominent Liberal for whom Kalabergo voted in an election in November 1851. Mr. Bennett the Liberal councillor was Edward Tomes Bennett, grocer, of Cornhill, who **was** re-elected in 1851. There are other errors of continuity which those with a mind to it will enjoy seeking out. Nevertheless the accounts of how a jeweller carried on his trade, and of the sorts of people who were travelling towards Banbury on a January day in 1852 are very illuminating.

There is so much that is intriguing about the Kalabergo case itself that one is grateful for this book whatever its faults. The involvement in the case of Bernhard Samuelson, who was able to speak to William Kalabergo in fluent Italian is fascinating, as is the appearance as William Kalabergo's defence counsel of a lawyer who several times contemplated standing as parliamentary candidate for Banbury. The murder clearly exposed tensions between borough and county jurisdictions in the Banbury area. Perhaps the most important question of all about the Kalabergo murder is why it became such a *cause celebre*. This is not considered in the book, but anyone who is tempted to try to find an answer to it will have reason to thank Mr. Lester for the rich array of detail he has uncovered.

B. S. T.

**Forgotten Railways: Chilterns and Cotswolds**, by R. Davies and M.D. Grant. 256 pp. Illus. David and Charles. 1975. £4.95.

The most esoteric means of travelling by rail from Banbury to London must surely have been by a route which terminated at neither Paddington nor Marylebone, nor even at Euston, but in the platforms at Baker Street which now receive nothing more exciting than commuter trains from Watford and Uxbridge. Between 1910 and 1936 it was possible to take a Bletchley train from Banbury (Merton Street) to Verney Junction, and there to change into one of the Metropolitan Railways two Pullman cars 'Mayflower' and 'Galatea' for a journey to the capital by way of Grandborough Road, Quainton Road, Aylesbury and Wendover. It is one of the most useful features of this book that it brings to light such lost treasures of railway history.

The purpose of this series is to recall memories of closed railways while they are still reasonably fresh. The descriptions of the various routes are not exhaustive accounts of their histories, but sketches which emphasise those aspects which the authors judge to have been particularly interesting. Each volume has a gazetteer which will be helpful to the reader who wishes to explore surviving remains. While there is some overlap of purpose with the same publisher's 'Regional History of the Railways of Great Britain', the concept of this series is generally a valid one, and as the remains of closed railways become with the passage of time less obviously explicable features of the landscape, its usefulness will increase.

Many of the railways between the Chilterns and the Cotswolds have been rather neglected by historians and the short but accurate accounts of such routes as the Northampton and Banbury Junction Railway, the Banbury and Cheltenham Direct Railway, and the Buckinghamshire Railway between Banbury and Verney Junction are welcome. The exclusion of the Woodstock, Shipston-on-Stour and Newport Pagnell branches is a little puzzling. A whole chapter is devoted to the Great Central main line and its branch from Culworth Junction to Banbury North, and the book concludes with a description of the rise and fall, as a railway centre, of Woodford Halse.

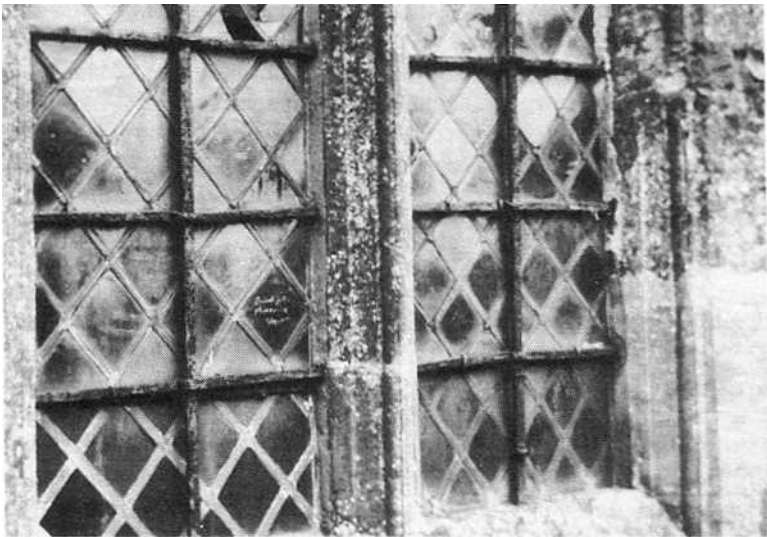
Whether the book succeeds in its attempt to 'recapture the spirit of the railway era' is doubtful. To bring alive the ethos of any past form of transport requires not just accurate scholarship but writing of a high standard, and, regrettably, this work abounds with slipshod sentences, words imprecisely used, and very tired metaphors. The best writing about railways, Hamilton Ellis on a boyhood journey in the 1920s, by night, from Kings Cross to the West Highlands, for example, can create an impression of what it was like to live as well as what it was like to travel at a particular point in time. A comparison which is suggested by the last chapter of this book is with a description in George Behrend's "Gone with Regret" of the first peacetime journey in 1945 of the Newcastle-Swansea through train, and of the "Banbury feeling", a sense of coming home which a Great Western man experienced when he saw the lower quadrant signals at

Banbury North, the pannier tanks in the marshalling yards and a station pilot with a copper capped chimney and a brass safety valve cover. Behrends brings to life the frontier atmosphere of the GCR/GWR connection, and sensitively conveys his own sense of profound relief as he travelled home at the end of Hitler's War. Messrs. Davies and Grant try hard, but they never come near to this standard of excellence. Their book will nevertheless be useful to the historian concerned with transport, and anyone with a more general interest in local history will find in it much that is interesting.

B. S. T.

### **Glaziers Signatures**

I put this photograph here to illustrate an interesting practice. One of the south aisle windows of St Peter ad Vincula in South Newington carries the signatures, scratched on the quarrels, of several of the glaziers who worked on the church in the 18th and 19th centuries: Hadven (?), Gilks, Joseph Hobday, Francis Balys, Reuben Hall (from Bloxham, twice), and Walter Wise (from Bloxham, 1866). Another window had such signatures but the glass was broken a year or two ago by vandals. It would be interesting to know how common was this practice. Would any of our members like to check on their local parish churches and send in a report?





UNIVERSITY OF OXFORD : DEPARTMENT FOR EXTERNAL STUDIES  
**THE DEVELOPMENT OF BANBURY IN THE 19TH CENTURY**

A weekend school at The Teachers' Centre, 51 The Green, Banbury,  
Friday 15 and Saturday 16 April, 1977 .

Tutor: Barrie Trinder, B.A.

The mid-19th century was one of the most prosperous periods in Banbury's history, and many of the present buildings and streets of the town date from that period. The object of this course is to examine the changes which occurred between 1830 and 1870, as factories, warehouses and railway stations were built as the local economy expanded, public buildings and churches were erected to express the town's civic pride and piety, and houses and cottages were constructed in large numbers to accommodate its growing population.

Banbury is a particularly good centre in which to study the growth of 19th century market towns in general. Housing in its crowded central area was still largely shaped by medieval patterns of building. In the suburbs can be found a wide variety of housing patterns: early fold developments, speculators' terraces, and land society estates. Large areas were developed as the pleasure grounds of substantial houses were sold off. The difficulties caused by the complexity of parish boundaries in Banbury illustrate a major problem in 19th century local government. As elsewhere, the physical development of Banbury was deeply influenced by local social divisions, but since the documentary records of Victorian Banbury are so rich, this can be illustrated more fully than in other towns.

PROGRAMME

Friday, 15 April

7.30-9.30 pm Introduction: Shops, workshops and factories.  
The economy of Victorian Banbury.

Saturday 16 April

9.30 am Patterns of housing in Banbury, 1830-1870.  
11.00 am Coffee  
11.15 am Field Trip (i)  
1.00 pm Lunch (not provided)  
2.00 pm Field Trip (ii)  
4.30 pm Tea  
4.45-6.30 pm Concluding discussion.

Fee: £3.00

Anyone wishing to attend should contact the Director, Oxford University Department for External Studies, Rewley House, Wellington Square, Oxford as soon as possible.

OXFORDSHIRE RURAL COMMUNITY COUNCIL  
Hadow House, 20 Beaumont Street, Oxford, OX1 2NQ. Tele: Oxford 4315.

**LOCAL HISTORY ANNUAL CONFERENCE**

Saturday, 7th May, 1977

at Broughton Castle

**PROGRAMME**

(Outline)

**Morning**

Those attending the Conference are invited to follow the new "town trail" of Banbury. This includes many sites of historical and architectural interest. No formal tour has been organised, but guide pamphlets of the trail can be collected from Banbury Museum, Marlborough Road during the morning.

**Afternoon**

Chairman: To be appointed

2.00 p. m. Welcome by the Chairman.

2.15 p. m. Jeremy Gibson - talk about Banbury Historical Society, now celebrating its 20th anniversary.

2.45 p. m. David Fiennes - talk about the history of Broughton Castle.

3.15 p. m. Tour of Broughton Castle.

4.45 p. m. Refreshments.

5.15 p. m. John Higgs - talk about the S. C. L. H.

5.45 p. m. Chairman's closing remarks.

6.00 p. m. End of Conference.

**Exhibition**

There will be an exhibition organised by Banbury Historical Society.

**Refreshments**

Refreshments will be available in the Conference Hall. The cost of the refreshments is included in the Conference fee (50p).

'Twenty Four Square Miles', a film about Deddington-Bloxham-Hook Norton area in 1944 will be shown at Banbury Museum at 12 noon.

We hope many of our members will be able to attend the Conference, to which we are acting as hosts. Will anyone wishing to attend please inform Mr J. Hardwicke at the above address by 29th April at the latest, sending a cheque for the Conference fee made payable to the Oxfordshire Rural Community Council. They will then receive a copy of the full programme.

# BANBURY HISTORICAL SOCIETY

The Society was founded in 1957 to encourage interest in the history of the town of Banbury and neighbouring parts of Oxfordshire, Northamptonshire and Warwickshire.

The Magazine **Cake & Cockhorse** is issued to members three times a year. This includes illustrated articles based on original local historical research, as well as recording the Society's activities. Publications include **Old Banbury - a short popular history** by E. R. C. Brinkworth (2nd edition), **New Light on Banbury's Crosses, Roman Banburyshire, Banbury's Poor in 1850, Banbury Castle - a summary of excavations in 1972, The Building and Furnishing of St Mary's Church, Banbury, and Sanderson Miller of Radway and his work at Wroxton**, and a pamphlet **History of Banbury Cross**.

The Society also publishes records volumes. These have included **Clockmaking in Oxfordshire, 1400-1850; South Newington Churchwardens' Accounts 1553-1684; Banbury Marriage Register, 1558-1837 (3 parts) and Baptism and Burial Register, 1558-1723 (2 parts); A Victorian M. P. and his Constituents; The Correspondence of H. W. Tancred, 1841-1850; a new edition of Shoemaker's Window; Wigginton Constables' Books, 1691-1836; and Bodicote Parish Accounts, 1700-1822**. Part 2 of **Banbury Wills and Inventories, 1591-1650**, was published in June 1976, and Part 1 is well advanced.

Meetings are held during the autumn and winter, normally at 7 pm in the large Lecture Theatre, Banbury Upper School. Talks on general and local archaeological, historical and architectural subjects are given by invited lecturers. In the summer, excursions to local country houses and churches are arranged. Archaeological excavations and special exhibitions are arranged from time to time.

Membership of the society is open to all, no proposer or seconder being needed. The annual subscription is £3.00 including any records volumes published, or £1.50 if these are excluded. Junior membership is 50p.

Application forms can be obtained from the Hon. Membership Secretary.

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