



Cheltenham Local History Society Journal 10 ¹⁹⁹³₁₉₉₄

Articles and other contributions appropriate to the Society's interests are welcome, for possible publication in the Journal, and should be submitted to the Hon. editor:

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Political Controversies and the Election of 1847

ADRIAN COURTENAY

AN ARTICLE that appeared in an earlier number of this *Journal* recounted the somewhat acrimonious and frenzied activity that followed not one but two election petitions in the years 1847 and 1848. Here I describe the political controversy that was raging at the time of the first of those elections.

1847 began with two very differing issues dividing the inhabitants of Cheltenham: first was the rival claims of two railway companies to build a line connecting Cheltenham with Oxford and London; a second issue arose from the state of the town's public health. With regard to the former, a local company backed by Brunel and the Great Western Railway favoured the use of a broad gauge track, whilst the Midland Railway proposed Stephenson's narrow gauge. The details of the debate need not concern us here save for the fact that the *Free Press* in its coverage of events offered the following revealing comment, giving an idea of what some contemporaries thought the town's continuing self-image should be:

'If Cheltenham was exclusively a commercial place, this argument (i.e. narrow gauge to Euston Square Terminus) would doubtless have considerable weight, but as many of our fashionable visitors are from the 'West End' much may on that account be urged on the other side (i.e. broad gauge) on behalf of the Paddington terminus'. (1)

Eventually the broad gauge prevailed and Cheltenham found itself with a railway system connecting it to Bath, Bristol, Birmingham, Swindon and London. The battle had not been easy for either company, since one of the main opponents to the scheme had been no less than the Revd. Francis Close whose opposition was based on the opinion that a deep railway cutting in the town would drain off all the water, a suggestion the *Free Press* was pleased to announce as 'uninformed, slap-dash and irrelevant, for Close was no man of science and should not, as such, offer his opinion on such matters'! (2)

The railway controversy did not in itself have much of a direct effect on the election that year, unlike the other current concern of the town which was its state of health. Nationally, following two severe cholera epidemics, there had been growing concern for the state of public health in Britain's towns. Much of the work in initiating the issue had been spearheaded by the indefatigable Edwin Chadwick. Naturally this debate had been picked up in Cheltenham which, though in general a fairly healthy town trading off its image as a spa resort

for the sick, still had certain quarters in need of much improvement. (3)

As a reformer in favour of the proposed Public Health Bill, Cheltenham's sitting MP, Craven Berkeley, had made a speech in which he supported government policy and spoke in favour of the need for new sanitary measures to be introduced into towns, albeit resulting in higher rates for householders. In part of this speech he was reported to have said that Cheltenham had more deaths from miasma than any town of the same size in England. The impact and potential damage of this supposed remark were not lost on a town which had established its fame as 'the Queen of Watering Places'. (4)

Immediately the local opposition press produced evidence to show that in fact the town had a much lower mortality rate than comparable places like Brighton and Bath. Most of the town's deaths, it was claimed, could be ascribed to the high influx of invalids who came because of its reputation as a healthy town - and then subsequently died there! Craven Berkeley tried desperately to explain that his remark had never mentioned miasma or fever and that he had given the figures merely to bring about further public health benefits for all towns. However, the damage had been done and the Tory opposition made great issue out of the harm Berkeley's remark was alleged to have caused the town.

Cheltenham Tories could claim the moral ascendancy still further by pointing to Berkeley's failure to support the recent Prostitution Bill. Berkeley's argument was that the Bill was a blatant piece of class legislation and that in punishing the unfortunate women who often turned to prostitution in order to feed their families, the government was doing nothing against those who organised and benefited from the trade. Such an argument failed to convince the Revd. Close and his fellow high-minded Evangelicals who already saw the Berkeleys as moral reprobates, for it was an open fact that Lord Segrave (Craven's brother and patron) both housed his mistress and kennelled his hounds in Cheltenham.

Despite losing the 1847 election nationally, in Cheltenham at least the Tories could take heart in Berkeley's pre-election stumbles. They had been able to produce a competent candidate of their own to fight the contest in the shape of Sir Willoughby Jones. Although he claimed to be a local man, Jones' family actually came from Norfolk, where he himself had been a JP. The effects of the recent split in Tory ranks over the

repeal of the Corn Laws did not seem evident in Cheltenham despite the appearance of a second Tory (presumably Peelite) candidate. Captain Edmund Carrington Smith stood on a platform of repeal of the malt and window taxes and reform of public health in the town but made little impact, polling only four votes.

Undeniably Willoughby Jones was the town's official Tory candidate. With the firm support of two key figures, the previous Tory candidate and lord of the manor James Agg-Gardner and the untiring Revd. Francis Close, he managed to put up a spirited attack against Berkeley and the Liberals.

His speeches, however, seem noticeably devoid of any detailed policy but do contain what are by any standards marvellous examples of campaign rhetoric, echoed in some more recent examples of the genre:

'I consider England and all her colonies should be as one empire, and that London should be her great capital, and that we should be able to say, on our empire the sun never sets...Yes gentlemen, it is by the diffusion of education, it is by looking after the welfare of our population, it is by improving their dwellings, it is by draining their streets, it is by driving away fever, it is by helping the physical and moral welfare of the people that this country must maintain its position as Queen of the Seas'. (5)

The patriotic tone of such a speech with its accent on the twin themes of Empire and public welfare was reminiscent of Disraeli's Young England movement, which in turn eventually became the focus of a new Conservatism in the second half of the century. This twinned theme had an obvious advantage for Tories in Cheltenham: the stirring appeal to Empire would encourage its military residents, but the emerging working class, a few of whom had the vote, were also a force that needed to be wooed, in this case by promises of better standards of living. Whilst it was not possible to break the loyalty the commercial middle classes had for Liberalism and Berkeley, Sir Willoughby Jones and the Tories made every effort to include in their speeches promises to attend to the physical comfort of the labouring population.

Having said this, it is hard to measure where exactly Berkeley's traditional support in the town dwindled. Pre-election meetings of both Cheltenham's Chartists and non-conformists ended with them pledging their firm support to Berkeley, moreover, with Berkeley's support for the secret ballot, even the most radical of his opponents, the *Free Press*, had come over to supporting his candidature.

When voting took place, however, in a close result Berkeley polled only 907 votes to Willoughby Jones' 1015. Immediately the *Free Press* called the result a disgrace and stated that the Liberal party need not speculate upon the causes



Craven Berkeley in 1852

which combined to produce its defeat, for they were too plainly 'misrepresentation, corruption, misfortune, intimidation and treachery'. The Liberal party agent, James Boodle, made representations to bring a case against the Tories for bribery during the election. The process was a slow one for it was not until December that the House of Commons voted on whether the Cheltenham petition would go to a select committee, voting 134 to 125 that it should. It was not until May the following year that the case was heard. It finally decided that the election was to be declared void and a new one would be held. My earlier article describes some of the evidence that was presented by both parties during this inquiry.

Having dominated the seat since 1832, the Berkeleys had been given an obvious political warning in 1847 of which they needed to take heed. The struggle for Cheltenham's votes was now of a kind that the Berkeley name alone would not command victory. In 1832 when new boroughs were being created by the Reform Act, one contemporary had claimed that Cheltenham should not have the right to return an MP as it was purely made up of 'the petty interests of the keepers of circulating libraries and vendors of orange and lemonade'. The debate of various issues prior to the 1847 election might suggest that Cheltenham's voters were becoming more politically literate in both local and national issues. If the family's

influence were to remain predominant, the Berkeleys would need to adopt more of what historians refer to as the 'politics of mutual advantage.' Their former contribution to the town in terms of their patronage of the theatre, the races, hunts and balls was of increasingly limited interest to a growing number of Cheltenham's voters. As such, after 1847 it was no longer possible to describe Cheltenham simply in terms of a pocket borough but of one in transition. How successfully the Berkeleys adapted to this challenge is a subject I discuss elsewhere.

(For a description of the contested elections and the petitions of 1847-8 see my article in

Cheltenham Local History Journal Number 4 1986; for a more detailed and broader survey of Cheltenham's political development in the first half of the nineteenth century see my M.Phil Thesis, 'Parliamentary Representation in Cheltenham 1832-48' Open University 1991.)

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3. CPL, 'Report by Edward Cresy to the General Board of Health...an enquiry into the sanitary conditions of Cheltenham' (1849).
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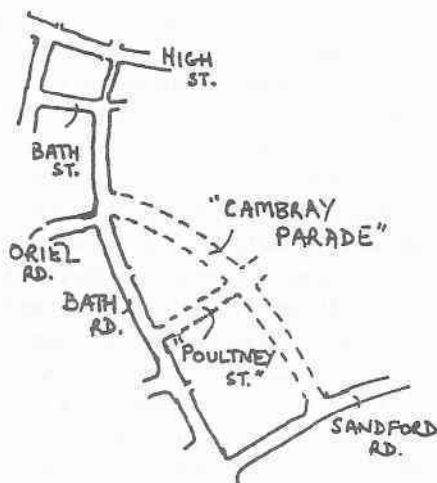
Cheltenham Streets that never were

JAMES HODSDON

NOT ALL plans come to fruition; it was ever thus. A systematic look at the growth of Cheltenham shows many examples of building developments that did not match their promoters' expectations. Even the most famous speculative venture, the Pittville estate, did not develop exactly according to the projected layout: the differences may easily be seen by comparing Griffith's 1826 plan of Pittville with today's map. But while most of Pitt's vision was eventually realised, the hopes of others were less completely fulfilled. The early 19th century, when the town was expanding at a great rate, offers some of the more interesting specimens. While some speculations survive in partial form, others failed altogether, though leading a ghostly 'existence' on optimistic maps for decades. The following examples demonstrate such instances and the slight traces they may have left.

CAMBRAY PARADE AND POULTNEY TERRACE

This grand scheme is shown in detail on Griffith's 1825 map, though no hint appears on the Post Office map of 1820. It would have given a long crescent-like parade, exceeding Lansdown Crescent in length, from a point opposite Thompson's Montpellier Baths in the Bath Road (the road and end houses would have taken up all the frontage from the Chelt to present Sandford Street), curving majestically south to join Sandford Road where the College Road junction now lies. A cross road Poultney Street, clearly meant to foster associations with Bath was planned approximately



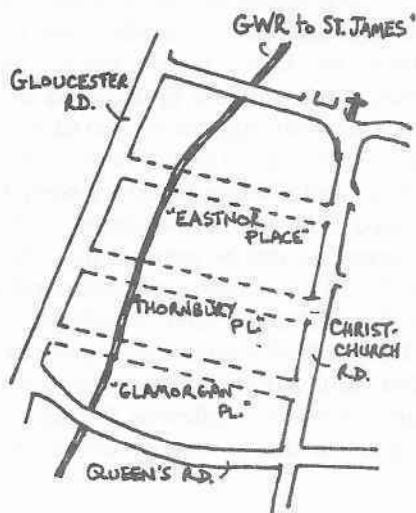
along the line now occupied by St Luke's Road, and would have connected Bath Road with the middle of this impressive parade. No building seems ever to have taken place, but an undeveloped track, marked by trees on one side and more or less matching the projected parade, is shown on a c1840 map. There is no hint of this on the 1820 map, and it seems therefore possible that it was indeed a layout of the planned crescent. Some confirmation can be seen on the Old Town survey, made 1855-7, which shows, just north of the new St Luke's Church, then in relatively open ground a few yards of a gently curving line of small trees. This, and a few yards of fence or some other boundary feature, following the same curve, look very much as if they indicate where Cambray

Parade was to have been. Any other remains must have disappeared either earlier with the cutting in 1842 of what became College Road, or with the residential development of the St Luke's area, beginning in the 1850s.

Does St Luke's Road preserve the layout line of the Poultney Terrace cross road? Probably not; St Luke's Road is narrower than the 1825 map suggests the Terrace would have been, and is apparently not quite on the same line. It is more likely to have developed from an anonymous early 19th century lane no different from others off this stretch of the Bath Road, some of which eventually gained names (Sandford Street, Belmore Place) and others which failed to develop.

THE CHRIST CHURCH ESTATE

The Christ Church Estate would have been what we might today call an in-fill development. Merrett's map of 1834 shows clearly both the actual and intended extent of the Lansdown area, closely coinciding with what we can see today. Shortly afterwards, probably at about the time of the erection of Christ Church (1837-40), and perhaps hoping to borrow some of the Lansdown glory, plans were laid for a further estate immediately to the west of Lansdown, in the block formed by the present Christchurch, Malvern, Gloucester and Lansdown Roads. This was to be the Christ Church Estate, and if a c1840 version of Griffith's map is to be believed, it was to consist largely of semi-detached villas, arranged along three cross roads running from Christchurch Road to Gloucester Road. Further villas would have lined Christchurch Road, and terraces would have filled the frontage on the Gloucester Road. On this map, which names the estate, the roads are called Eastnor Place, Thornbury Place, and Glamorgan Place. The promoter and exact date of this scheme have yet to be identified, but the plain grid pattern and the names suggest a different hand from the Lansdown Estate's.



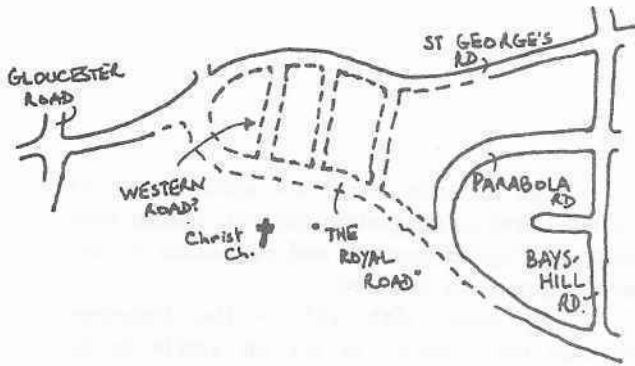
I doubt whether any of these roads ever really got off the drawing board; both the 1855-7 Old Town Survey and the 1884-5 OS show undisturbed fields to the east of the railway, and it does not appear that Eldorado Road, a later (c1896) development on the same land, follows any previously laid line. Only one hint of a possible opening for one of these projected roads survives: on the Old Town Survey, a short stretch of otherwise unexplained roadway branches off the Gloucester Road north of Queen's Road. It is cut off abruptly by the GWR spur line to St James's Station, so presumably predates it. Direct measured comparison is not possible, but what appears to be the same opening can be detected on the 1884-5 OS map, between Malvern view Villas and Garfield Villas - that is between present nos. 206 and 212. In 1844, this was an unbuilt gap, just wide enough to take a road, and corresponding as nearly as can be judged to the western end of Glamorgan Place. The gap is now filled by a c1890 detached villa, now 208-210 Gloucester Road. Railway works and disturbed ground prevent any identification of possible openings for the other two roads further north along Gloucester Road.

The Christ Church estate plan, an 1830's venture which surely could not have survived as a serious proposition after the railway came in 1847, nevertheless persists on maps as late as 1864.

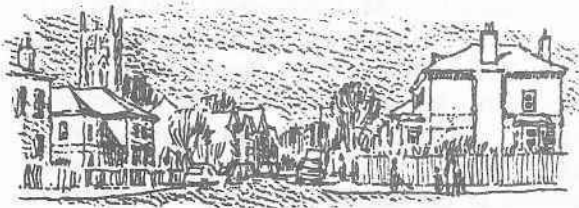


THE WESTERN END OF THE BAYSHILL ESTATE ROAD, THE ROYAL ROAD ETC

Not far away from Christ Church, and also shown on an 1840 map and the 1864 survey is the unrealised western appendix of the Bayshill Estate. This, part of Baker and Shellard's original plan for the estate published in 1837, was to have been an almost symmetrical loop northwest from Parabola Road round into St George's Road, with three cross roads. The lower arm of this loop was to be called The Royal Road (thus on c1840 map). As in the Christ Church case above, this neat plan was to be spoiled forever by the arrival of the railway, and the line of the Royal Road survives only in Queen's Parade and part of Overton Road. The only other relic of this scheme that preserves the intended line appears to be Western Road, though

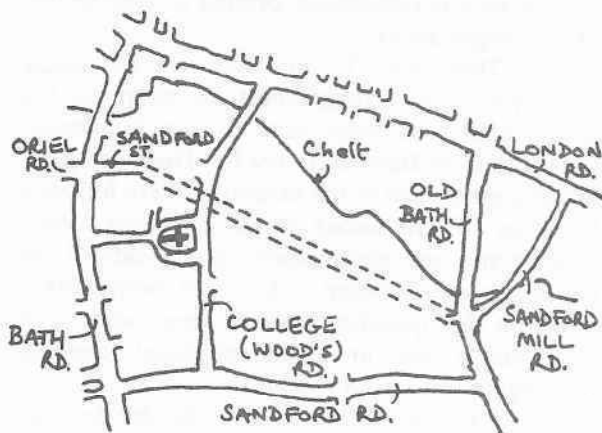


the inaccuracy of the earlier maps makes it difficult to confirm this absolutely. The line of Western Road is laid out on the 1855-7 Old Town Survey, but is forlorn, undeveloped and anonymous, further evidence of the very slow growth of the Bayshill Estate generally. There is no sign of any other parts of the appendix on this Survey. I believe Western Road to have been so named because it was the westernmost of the planned three parallel cross roads, though an alternative influence from the adjacent GWR cannot be ruled out.

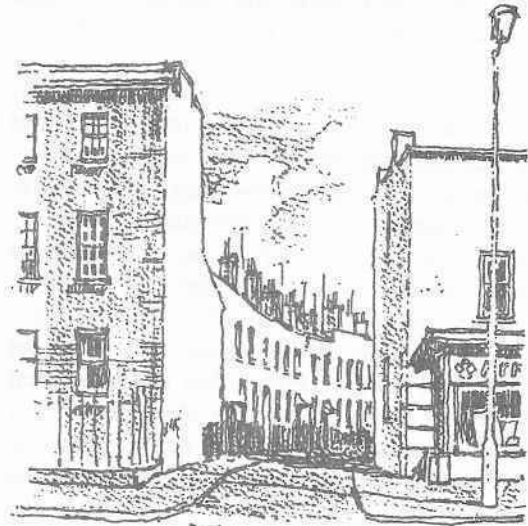


THE BATH ROAD TO LONDON ROAD LINK

Let us go back to the Cambray Parade area, but move on a couple of decades from the birth of that plan, to consider a quite different proposal, more akin to a buy-pass or relief road. College Road started life as Sir Matthew Wood's Road, after the Sandford landowner who laid it out as a speculative venture in 1842. But the expected builders of villas failed to materialise. Wood died



(see Rowe's Illustrated Guide, p74), and no building is apparent even by the time of the 1864 map. Little wonder then that the second and larger part of Wood's scheme never became reality. This was to have been a 'cross road . . . commencing in continuation of a narrow street facing Oriel Terrace' - most likely Sandford Street, still narrow today. This cross road was then to have continued east, parallel with the High Street across the Old Bath Road, opening into the London Road some distance above Oxford Place (*Examiner*, 19 Oct 1842 p3). The route appears on a c1860 map as



'Proposed New [Road]', but was not deemed worth including on the more careful 1864 plan. Wood must have envisaged some collaboration with Charles Cooke Higgs, the creator of Sandford Mill Road (1839 - see *Charlton Kings Local History Bulletin* 21,p11), for the eastern end of Wood's Cross Road appears identical with Sandford Mill Road. As well as providing sites for villas, this new road would have afforded readier access to Bath Road and on into Imperial Square, for the final section of bath Road north of Bath Street had not yet been opened up.

Doubtless other roads were projected in the 19th century, but these are the most enduring; if nothing else, they should serve to remind us that non-OS maps can often contain an element of wishful thinking. A glance at many more recent local maps, showing a Prestbury by-pass carefully hatched in, shows that the same trait persists today!

SOURCES

Maps and other documents as quoted, all in Cheltenham Reference Library, save for the Old Town Survey, which was kindly made available by the Borough Engineer's Office.

Sketch maps, drawn by the author, are not to scale

'cannon to right of them...'

PETER SMITH

MR DAVIS, proprietor of the Queen's Hotel and a Town Commissioner, was a man of character and, quite a colourful character. He was also a principal figure in the saga of the two Russian guns which, mounted on plinths, stood outside the Queen's until they went for scrap during the Second World War. Sadly, only one plinth now remains, inscribed with the names of those Cheltenham men who fell in the Crimean War.

Mr Davis must have been greatly interested to read in the editorial columns of the *Examiner* dated 8th April, 1857 that Colchester had successfully applied to Lord Panmure for two of the captured Russian guns lying at Woolwich. The writer suggested that Cheltenham should do the same: 'Three or four of the captured cannons 'parked' outside the Queen's Hotel or Imperial Club would be a memorial of our townsmen's share in the dangers of the campaign of which we should all feel proud.' He further suggested that Cheltenham College might also like to apply for two guns 'to stand outside the noble structure, sentinel over the proposed Crimean memorial within.'

Later in the month reports from the Town Commissioners showed that Capt. Berkeley, Cheltenham's M.P., had made a successful application for guns. When it was queried 'Who should pay the expenses?' Mr Davis said he would pay the carriage and if the town would not mount them he would and the guns should be his.

For May 13 we read 'among Cheltenham arrivals we note receipt by Mr Davis of two Russian guns presented to the town by Lord Panmure. These illustrious strangers were brought down by North Western and Midland Railway and are now lying in the outbuildings of the Queen's Hotel awaiting further orders. The guns are of iron and weigh about 2½ tons - handsomely ornamented with the Russian crown and eagle these formidable looking weapons are less likely to do mischief when mounted peacefully, as they will be, in front of the Queens', than showing their formidable teeth, as once they did, on the ramparts of Sebastopol.'

By May 20th a Sebastopol Gun Committee had been formed and Mr Davis had to explain to them that he, and a Dr. Brookes, had asked Capt. Berkeley to approach Lord Panmure, instead of waiting for an official approach and request by the town. The explanation was accepted and after the meeting 'several gentlemen adjourned to see the guns - guns when viewed in their disabled state

are enough to strike terror and excite within us feelings of proud congratulation that, against such weapons, English courage and endurance should have so gloriously endured.'

By Sept. 30th 1857 - the *Examiner* criticised the *Looker On* for an article in its columns about the Russian guns and said 'we think it better if everyone, instead of fanning the flames of discontent, would unite in expediting the mounting of the guns.'

During October and November the committee looked at drawings for the gun mounts, turned down an agreed site adjoining Hodges Nurseries and finally decided upon the Queen's site, though in December a belated letter to the *Examiner* suggested ground near Lypiatt Terrace would be ideal for the guns.

On May 12th 1858 one year after arrival of the guns the Town Commissioners produced a letter from the War Office quoting a letter they had received from Mr Davis asking what was he to do with the guns and was he at liberty to sell them as old iron to pay for the storage? 'Mr Davis jumped to his feet and declared the letter a forgery - a fraud and if it was a joke it was a disgrace to the town.' He offered £50 reward for exposure of the culprit and after further protests about this unhappy affair said if the guns were not demanded within a month he would mount them on his own lawn. Before the meeting closed the vice-chairman rose and suggested perhaps shyly, that the guns might be mounted outside the new police station ... to which Mr Harford offered 'and which way would you turn the muzzles?'

On June 9th, 1858 it was reported that a Capt. Hugh Morgan of Pittville Lawn had confessed to forging the letter to the War Office. The *Examiner* directed its verbal guns at the captain and its supplement printed a reproduction of the forged letter.

Then June 16 and 30th at last, these issues published arrangements for mounting the guns which had been sent to the Gloucester foundry of Mr Butt to be ready. Descriptions of the ornamentation of the mountings were followed by a list of the names to be inscribed: eleven officers and one midshipman on one side of the plinth, as can be read today, and twelve other ranks on the opposite, again as seen today. But interestingly there are three additional names to the original list in the *Examiner*.

5th July 1858 was the big day for the mounting of the guns, and it was reported with a

whole page in the issue dated 7th July. A grand procession of troops and bands, all flanked by banners, escorted Admiral Sir Maurice Berkeley and other dignitaries. There were the High bailiff and the High Constables, representatives of four different Oddfellow Lodges, the fire brigade, the town crier, and most important the two Russian guns, each drawn by six grey horses and accompanied by three Crimean heroes.

At the head of the procession was a large blue banner with a rather pathetic patriotic verse - the first two lines are enough -

'Behold the conquered trophies come
With music sweet and kettle drum.'

Having made its way to Prestbury Park, the procession witnessed several charges fired from one of the guns. Unfortunately the horses, being unused to gunfire, performed the most unusual antics.

The procession then returned to the Queen's for several patriotic speeches and of course there were thanks to Mr Davis for the expense that he had incurred towards mounting the guns.

One nice little touch: the owner of Prestbury Park, Mr Sheepway, stood with a charity box at the entrance to the Park and all the donations he gave to the General Hospital.

It was not until 8th November, 1859, over 12 months later, that an appeal was made in the *Examiner* for subscriptions to help defray the expenses incurred by Mr Davis.

However, the story was not yet complete,

for we read on 8th February, 1860, 'Lighting the Russian guns: At a meeting of the Commissioners Mr Sweeting amidst great merriment unrolled a document as long as the board-room table with 300 names asking the Board to light the guns. Having compared this to the monstrous Chartist petition which took a dozen men to carry into the Commons, he expressed doubts whether legally the Board could pay for the lighting - in fact he looked upon the lamps as being the property of Mr Davis. Mr Gunstone then pointed out that although the lamps would consume twice the quantity of gas as normal street lighting, the gas company would light them at the normal rate. (Cries of Hear, Hear) he considered light was much needed at the top of the Promenade for after nightfall it was the resort of all sorts of bad characters (Hear, Hear) Then Mr Lingwood spoke. He thought the guns had been placed in the worst position in the town and that they had been decked out in such a way as to spoil our beautiful Promenade 'and now to put up these childish things - these lamps - these flowers - these wreaths' interruption by Dr Robinson 'These are the wreaths of victory, Mr Lingwood' (Hear - Hear) Mr Lingwood - 'I consider instead of being a victory the Russian War was a blot upon our escutcheon.'

Dr Robinson - 'I am sorry to hear any Englishman say so.' And then Mr Davis spoke - 'I

Capt Morgan's forged letter

*The Right Hon^{ble}:
The Secretary of State
for War. War Office
London*

*for
I take the liberty of addressing you
respecting 2 Sebastopol guns now laying
in my stables.
About 2 years ago some parties
asked the then secretary at War for some
Sebastopol guns to form a trophy with
Lord Panmore gave them 2 guns and
the Vision Improvement Commissioners
gave them a fight for the trophy but
they have not funds to carry out their*

*Design and so the guns are left in my
stables and are likely to remain there
as our party have no longer the purpose of
the late Lord Fitzharding to fall back on.*

*Now will you be so kind as to inform me
what I am to do with these guns - will you
order them to be taken away and the expenses of
their storage to be paid to me or am I at
liberty to sell them as old iron to pay the same
An answer at your earliest convenience
will much oblige your obedient servant.*

*J. W. Davis
Queen's Hotel
Cheltenham 8th April 1858.*

should like Mr Lingwood (and others who sneered at these Russian trophies) to hear the comments of visitors who looked at them from the windows of the Queens. And I could tell them that never a special train came to Cheltenham but hundreds of visitors came to the Promenade to admire the guns. I could assure Mr Lingwood that if he had no feeling of patriotism in his heart that there were other Englishmen that had'. (Hear - Hear)

Since completing my notes on the Russian guns I discovered in the reference library that Graham Slater had written a paper entitled Notes relating to the Crimean cannon in the Promenade 1858-1942 (Reference 63/947073). This gives an excellent description of how Cheltenham obtained and mounted the cannons and includes an account of the proceedings in 1942 leading to the disposal of them for scrap metal, and the retention of the one plinth.

In October 1993 members of the Gloucestershire Business Breakfast Club, supported by the Mayor, Councillor Robert Wilson, launched a scheme to install a replica of the Sebastopol cannon on the plinth outside the Queen's Hotel. Funding was to be by private subscription. According to the *Gloucestershire Echo* the cannon would be 'fired' during the summer months as a tourist attraction.

As the plinth is a war memorial to local men who fell in the Crimean war I do wonder whether this kind of restoration is a good thing and what the town really wants. Of course many people will applaud the scheme and forget what an

attraction it will be for our vandals. Do we really want to turn the clock back? Do we want mock gunnery? I think we should be sensitive to any innovations in this area of the town. Cannons are hardly objects of beauty. Old picture postcards of Cheltenham show the original cannons mounted on their plinths and in the *Graphic* dated 30th November, 1940 they can be seen with a 3.7 anti-aircraft gun between them. Recently I obtained a photograph of the Sebastopol cannon that stands in the grounds of the Chelmsford and Essex museum. A 'formidable' weapon indeed.

Am I prejudiced when my wish is for the plinth to remain as it has now been for over 50 years, for it be decked with flowers and each November to have its wreath laid by the Old Comrades Association? However, if the majority of townspeople really want to support the scheme, then so be it.

There is a postscript to this little tale. I asked the Local Studies Department of Colchester Library if they knew what happened to their guns. They thought it more likely that it was Chelmsford that had the guns, as histories mentioned a Sebastopol cannon displayed outside its Shire Hall from 1858 to 1917. The gun was moved to Oaklands Park after some apprentices apparently had succeeded in firing it down Chelmsford High Street!

I wonder which way the FORMIDABLE TEETH OF THAT SEBASTOPOL GUN are pointing: TOWARDS, COLCHESTER, OR CHELTENHAM?

House and Hotel: the Belle Vue

LINDA WARWICK

THE HICKS family have had long connections with Gloucestershire. Michael and Baptist Hicks were two of the sons of Robert Hicks of London. The elder, Michael, an eminent lawyer, became Secretary to Lord Burleigh and was knighted in 1612. He purchased Witcombe Manor in Gloucestershire, which is still owned by his descendants today. Baptist Hicks was knighted in 1620, and created Viscount Campden in 1628. He purchased the Rectory of Cheltenham, and was M.P. for Tewkesbury three times. (1) William Hicks, born in 1754, was the eldest son of Sir Howe Hicks, 6th Bt., of Witcombe Manor. William, whose first wife died in childbirth, married for a second time in 1793, and he and his wife, formerly Anne Rachael Chute 'seem to have

lived at Bath immediately after their marriage for their only child, Ann Rachel, was born there in 1794. After that they lived in Cheltenham... in a house called 'Belle Vue', on the London Road. The house had a considerable garden and the ground in front of it went down to the willow-fringed stream, the Chelt, and then rose gradually towards Leckhampton Hill ... over which ran the road to Witcombe'. (2)

Today there is a 'Belle Vue House' on the corner of College Rd and London Rd that is south of the High St. Although Mrs Hicks Beach's description of the house seems to place it north of the High St - the ground in front of it runs down to the Chelt - by using contemporary sources we can be certain that the present Belle Vue House

wasn't the site owned by William Hicks. Shenton's *Directory* for 1800 says: 'As Cheltenham has but one principal street ... the publisher has begun at the top of the street on the north side ... NORTH SIDE, from London, William Hicks, Esq, Mrs Dunscombe Shopkeeper, Old Swan Inn etc.' (3) and the 1806 *Enclosure Map* and *Mitchell's Town Map* of the same year confirm William Hick's possession of a parcel of land at the north-east of the town. (4)

Confirmation of the exact date of William Hicks' arrival in Cheltenham is difficult to establish as unfortunately the Land Tax Assessment documents for Cheltenham are either missing or incomplete.

The first complete documents are for 1782, and William Hicks is not mentioned. The next complete set are for the 1810; here in the document headed 'A land tax assessment of 4 shillings in the pound' we find: Sir Wm Hicks (landlord), Ja Barret (Tenant), 12s 2d. For the same year, in the document headed 'An account of the several items of land tax redeemed in the Parish of Cheltenham' we find: Sir Wm Hicks, Contractor, Self & others, Occupier - 3s - Period of exoneration, 25th March 1799.

From 1810-1816, although several years' assessments are incomplete, when the relevant documents do survive we find the same information given. The 1817 Land Tax Assessment documents are complete, but neither William Hicks or his tenant James Barret are listed. The Hicks had left Cheltenham.

Sir Howe Hicks had died in 1801, and William inherited both the title and Witcombe Manor, but he kept on his house in Cheltenham and played a considerable part in the affairs of the growing town, becoming Senior Magistrate and Chairman of the Cheltenham Bench. In 1798 during the Napoleonic scare, he formed the Cheltenham Volunteer Infantry, and commanded them until they were disbanded in September 1802 after receiving special thanks from George III for their services. (5)

By 1816 William's daughter Ann was 22 years old. She was not only heiress of Witcombe but was also to inherit her uncle Thomas Chute's property of The Vyne in Hampshire. (6). Ann and her parents undoubtedly took part in the social events of the Cheltenham Season; certainly Ann had become acquainted with William Lambart Cromie, the only son of an Irish baronet, of whom Ann's parents disapproved. The *Cheltenham Chronicle* for February 29th, 1816, details the sensation caused by the young couple's elopement. They were married in Gretna Green, and again three weeks later on March 16th in Marylebone Church. The

story doesn't have a happy ending: Ann was abandoned on her honeymoon, in Paris, when her husband ran off with her maid; and Sir William undertook his only trip abroad in order to fetch her home. This episode explains the Hicks' disappearance from Cheltenham, for according to Mrs William Hicks Beach, Belle Vue was given up the following year. The Hicks' life was from then on confined to Witcombe and the society of their relations. Sir William clearly never forgave Ann - in his will dated 15th June 1883 (7) he left Witcombe to his grand-nephew, although his wife Ann and his daughter Ann Cromie were to live there for the duration of their lives, unless Ann Cromie were to be reunited with her husband, or marry another Irishman, in which case she was to forfeit Witcombe immediately. Sir William died at Witcombe aged 82 in 1834, and his wife in 1839. Lady Ann Cromie lived out the rest of her long life at Witcombe, still being listed as Lady of the Manor of Witcombe in the 1878 *Cheltenham & District Directory*.

Mrs Hicks Beach states that Belle Vue was given up the year after Ann Cromie's marriage i.e. 1817; and an unsourced typed sheet of information from Cheltenham Reference Library on the Belle Vue Hotel states that the mansion was sold in 1817 to become a hotel. The opening of a new hotel would have attracted a great deal of interest in Cheltenham; and would certainly have been advertised, and probably reported, in the local press, though the *Cheltenham Chronicle* for 1817 has no mention of 'Belle Vue' being offered for sale, nor any mention of the opening of the Belle Vue Hotel. Other sources of information for this period are scarce - there are no Cheltenham Directories or *Annales*, nor census returns.

Further indicators of its changed use are from 1834, when *Merrett's Cheltenham Street Map* shows the Belle Vue Hotel, and the *Cheltenham Looker-On* gives it as the residence of some of the Arrivals for the season of May-Oct 1834. The *Cheltenham Annuaire* for 1839 lists the Belle Vue under Principal Hotels, and gives a Miss Coppin as owner or manageress; from the same source we come across an advertisement by Benjamin Thomas as a former hotelier at The Royal Hotel announcing a new role as 'acomptant, auctioneer and appraiser'.

However, by 1840 Benjamin Thomas has moved again, for the *Cheltenham Annuaire* for that year is listing him as owner or manager of the Belle Vue Hotel; this is the start of a long connection between the hotel and the Thomas family. Like anyone taking over a business, Benjamin places several advertisements in the 1840 *Annuaire*, including one that proudly proclaims appointment as 'Wine Merchants to Their Royal

Highnesses the Duke and Prince George of Cambridge'. (8)

The 1841 *Census* lists Benjamin Thomas aged 35, publican, and his wife Martha aged 30. Also resident at the Belle Vue Hotel on census night were 1 male and 6 female servants, no doubt employees of Benjamin Thomas. There were 5 visitors of Independent Means, and 2 Army Officers on half-pay named as Steven Cuppage aged 50, and Alexander Cuppage aged 45, presumably the same people as the Major and Capt Cuppage who visited the Belle Vue Hotel in 1834.

By 1884 Benjamin was expanding his business, as an advertisement from the *Cheltenham Examiner* for 11th Sept 1884 shows the addition of a Coffee Room and an Omnibus to ply between the hotel and the railway station.

It is an interesting advert; although not a coaching inn the Belle Vue was well placed to catch passing trade, positioned as it was on the London/Oxford road, the first Cheltenham hotel to be encountered by travellers. But the development of the railways would lead to the decline of coach transport, leaving the Belle Vue poorly placed to attract rail passengers. The Lansdown Station could only just have opened when Benjamin placed his advert, but he was obviously astute enough to realise the implications and was diversifying with his coffee shop, and offering additional services, such as transport to the station. He also stressed the healthy aspect of his establishment, important to those visiting for health reasons.

George Rowe gives us the earliest representation of the building - looking exactly as it does today. (9) But is this the same building in which Sir William Hicks lived? *Mitchell's Town Map* of 1806 specifically mentions 'Sir Wm Hicks bow window' and the *Inclosure Map* of the same date shows a house shape with a definite curved central projection. The building today, and the one pictured by Rowe, has most definitely not got a bow window. While Mrs Hicks Beach, writing in 1909, states that Belle Vue 'is now known as Bell (sic) Vue Hotel' (10); Godring writing in 1863 says that William Hicks resided in a house 'situated near the site of the present Belle Vue Hotel' (11); so it is possible that sometime between the house being sold by the Hicks and 1845 it was demolished or rebuilt, or at least substantially remodelled.

In 1850 the Cheltenham & Gloucester Building Society held its first meeting at the Belle Vue Hotel on Wednesday 7 August, at 7pm (12). Benjamin Thomas appears on the first Board of Directors. Unfortunately, according to Ansell, no records can be found of the Society's early



activities, and not one of the five local weekly newspapers thought it worthwhile to report on it. The directors met on the first Wednesday of every month in a room at the Belle Vue Hotel, when they personally received members' subscriptions and dealt with applications for mortgages. But 'in 1871 the landlord of the Belle Vue Hotel notified the directors that he required possession of the room in which they had conducted their business ever since the society was formed'. (13)

Benjamin Thomas and the Belle Vue Hotel were connected with many Provident and Benefit funds. According to Edward's *New Cheltenham Directory* for 1850 (14) Benjamin Thomas was the agent for Argus (Life) Assurance Fund; the Cheltenham Accumulating Fund and Provident Association met at the Belle Vue Hotel, as did the East Gloucestershire Accumulating Fund and the Gloucestershire Mutual Accumulating Fund, Benjamin being Secretary and George Rowe Vice-President of the last named.

The landlord who evicted the Cheltenham & Gloucester Building Society in 1871 was not Benjamin Thomas because he died suddenly on 30th June 1852. The *Cheltenham Examiner* for July 7th has the following:

'Our obituary this week contains the name of Mr Benjamin Thomas, auctioneer, whose death occurred on Wednesday last, after a few days illness. Mr Thomas was a man universally respected, his conduct during the many years he carried on business in Cheltenham being marked by undeviating integrity. The intelligence of his death caused a profound feeling of regret among all classes of his fellow tradesmen' (15)

The 1851 census recorded that the Thomases by now had a young family - Mary Susan aged 7, Loder William aged 6, and Benjamin Bateman aged 1; and Martha was soon to become pregnant again, as the 1861 census records a 9 year old son, Arthur Thomas. From the 1851 census we learn that Benjamin Snr was born in Tewkesbury; and he

gives his occupations as auctioneer, wine merchant and hotel proprietor. The hotel now boasted a range of staff - a hotel clerk, barman and underbarmaid, a house-porter, chambermaid and underchambermaid, a waitress, cook and kitchenmaid. There was also a nursemaid - the Thomases' youngest child being still only one year old. There were eight visitors listed.

It has not been possible to find any mention of a will by Benjamin Thomas being proved locally. Martha, with a young family to support, carried on the family business and she is listed as remaining at the Belle Vue Hotel until 1869. (16)

During the Thomases' residence at the hotel there were two visitors of note: the first was famous at the time but totally unknown today. Sir Harry Smith's arrival in Cheltenham in 1847 caused a buzz of excitement. According to the *Cheltenham Examiner* Sir Harry 'the hero of Aliwal' (the battle of Aliwal took place on 28th Jan 1846) arrived with his family for a course of mineral water treatment; they took rooms at 'Mr Thomas's, the Belle Vue Hotel'. In order to show respect to so distinguished a visitor a procession was formed by about 'one hundred of the gentry, and principal tradesmen, and the Montpellier band, all headed by Capt Kirwan, M.C. and the local authorities'. They marched to the Belle Vue, Sir Harry receiving them on the lawn, where speeches were given, to numerous cheers. (17)

The second visitor was the Revd Charles Dodgson, who was to become famous as Lewis Carroll, who lodged at the Belle Vue for 4 days in April 1863.

Dodgson was visiting Alice Liddell who was staying at Hetton Lawn, the home of paternal grandparents, in Charlton Kings, she being of course the child for whom his 'Alice' books were written.

By 1869 Martha Thomas was 62; perhaps none of her sons wished to carry on the family business, since the 1861 census lists her eldest son Loder as a banker's clerk. Certainly Cheltenham was changing; the days of the Spas and the Seasons were over, the town was no longer a fashionable watering place, and couldn't depend on the annual influx of visitors for support (18), and this was bound to affect the hotel. The 1861 census lists Boarders rather than Visitors at the Belle Vue Hotel, and there were only four of them - a Major-General of 63, two Lt-Cols, 51 and 49, and a 70 year old female fund-holder. Here is evidence of Cheltenham in its new role as retirement centre for army personnel. For whatever reasons, Martha sold the business to George Rolph.

The 1871 census shows that the Rolphs were not a local family: George (aged 53) was born in

Portsmouth, his wife Eliza (53) and their daughter Emily (19) were both born in Middlesex. There were now fewer staff (living in at least), a cook, chambermaid, barmaid, waitress and kitchen-maid; and three elderly Annuitant Boarders.

The *Register of Licences* for 1874, and annually from 1885-1889 (19) give George Rolph as the owner of the hotel. But according to the *Cheltenham Directories* he was only at the hotel from 1870-1879; in 1880/81 an A.H. Denne was there, and in 1882 a W. Jeffery; but George Rolph was back from 1883-1887 (20). Although there are no Licence Registers to confirm George's ownership of the Belle Vue between 1875 and 1884 perhaps we can assume that he was, and either moved into a private house in town, although none of the Directories list him as a private resident for this period, or else moved away from the area to pursue other business interests, putting managers into the hotel in his absence. The 1881 census lists Albert H Denne hotel-keeper, aged 40, his wife Sophia, stepsons Christian and Hubert Schumen, and daughter Georgia Denne, aged 1. The hotel had six domestic servants, duties not specified, plus a nursemaid. There were two Visitors.

Was the hotel losing money? In May 1888 the mortgagees of the Belle Vue Hotel placed it with Harrison, Bayley & Co to be sold by auction on 30th May.

In the Harrison, Bayley and Co archives at the Gloucestershire County Record Office are sale particulars pasted into auction record books, with handwritten notes alongside, and there is one for the Belle Vue sale. On the page facing the sale particulars is written 'Withdrawn at £2,200. Sold privately to James Tynte Agg-Gardner for £2,200 and fees £10-10s and £5-52 each'. (21)

It was obviously a large concern; interestingly the first Ordnance Survey map (22) of Cheltenham had been produced the previous year to the sale, in 1887, and one can make out the hotel building, stables and coach house, kitchen garden, and the lawn and pleasure grounds on the map.

James Tynte Agg-Gardner (1846-1928) was from a well-known local family; several times M.P. for Cheltenham, he was a County Council Alderman, Mayor of Cheltenham Borough, Chairman of the local Bench of Magistrates, first Freeman of the Borough, and Lord of the Manor. He was descended from the Aggs of Hewlett House and the Gardners, who founded the local brewery. (23) This explains his purchase of the Belle Vue: the 1874 *Register of Licences...* (24) registers him as the owner of 43 licensed premises in the area in his capacity as owner of The Brewery, Cheltenham. He retained ownership of

the Belle Vue Hotel until 1897.

The 1891 census lists Charles Clement Pendry aged 39, occupation Manager of Hotel Bar, his wife, three daughters and one domestic servant as living at the hotel; not many people to fill the 28 bedrooms. Though in fairness this is the first time that the census doesn't show visitors or boarders.

After James Tynte Agg-Gardner there was a rapid succession of owners (only one of whom was also the licensee) perhaps indicating that no-one's fortune was being made: 1898-1900 Francis Purbyn Dighton, Cheltenham solicitor; 1901-1902 Frank Reynolds, 1903-1904 Augustus Gaade, also the licensee. In 1905 the Belle Vue Hotel was taken over by Messrs L Allsopp & Sons Ltd, Burton on Trent. (25)

Over the century we have seen a private house owned by a local baronet become a family-owned hotel patronised by visiting clerics, army personnel and the lesser aristocracy. Losing some of its status it becomes a place of residence for retired colonials, until finally at the turn of the century it is attracting no visitors at all and is taken over by a national brewery. This period also sees the ignominy of prosecutions, for example, on 16.12.1990 the office of permitting gaming on licensed premises resulted in fine £5 and costs 14s and 9.8.1909 permitting drunkenness fine £2 and costs 14s. (26)

It is possible to see the history of the Belle Vue as a microcosm of the history of Cheltenham - the grandeur and elegance of the years of the early Spas, then a change of tempo as the fashionable moved away to seaside or continental resorts, and Cheltenham becomes a genteel retirement town, until by the time of the First World War the town was in a 'state of incipient decay, described as a Town to Let'. (27)

The Belle Vue survived as a hotel until the mid 1970s' permission for its demolition was refused by the Borough Council in 1965 (28); but permission was given in 1976 for the demolition of the buildings at the rear of the site, and its redevelopment as 5,500 sq. ft of office space; and for the existing listed building to be converted into twelve flats. (29). This was done, and they are now owned by Idris Davies Holdings. Although the building has recently been externally painted and looks pleasant enough it is hard to reconcile the

present patch of unkempt grass fronting the High Street and Berkeley Street with the 'well-shrubbed and laid out, very secluded' pleasure grounds of the 1888 sale particulars.

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Cheltenham's Great Gas Bill

KEITH COOPER

IN CHELTENHAM, as in many towns during the 19th century, it was the local Council that provided the gas company with its largest customer. Unfortunately here the Town Commissioners, as the forerunners of the Borough Council were termed, never seemed to agree with the company even though they had the powers to instruct where lamps were to be placed.

Indeed as early as 1866 the Commissioners were considering establishing their own gas company, as a rival to the privately-owned one. But the project came to nothing, and the commercial firm continued to grow more successful.

However by 1896 matters came to a head with a special meeting of the Town Council. Under the chairmanship of Alderman Norman it was decided to consider promoting a Bill enabling the Corporation to purchase the existing company.

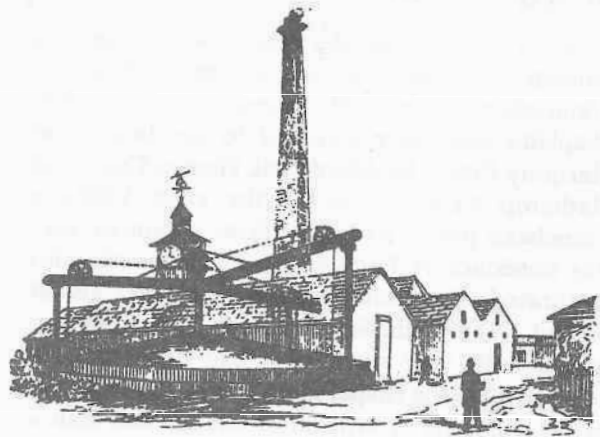
The Town Clerk, Mr. Brydges, suggested that the case for public purchase should be widely circulated in the town before any decision was made; and it was further recommended that there should be public meetings to debate the issue. Even further, there was pressure for a poll to be taken.

Inevitably the local newspapers, and particularly the *Examiner*, published the controversy. The argument concentrated on a number of aspects: would the industry be a source of profit to the town; by bringing the supply under the control of the highway authority coordination in road excavation would be simple; could the additional cost of buying such an undertaking result in a heavy rates burden; how would the employees fare regarding pay under the municipal regime; would the cost of gas increase?

So the battle went for the advocates and objectors. Meetings took place at the Winter Gardens, St Peters Girls School, Waterloo Street, and other places during January and February 1896. Even the *Looker-On* launched an offensive to sway the view of the uncertain.

Then at last the day for voting came: Saturday 22 February. For once, predictions were confirmed. Everyone had assumed that the businessmen of Cheltenham would support an objection; private residents had an understandable fear about prices; but how would the 'working classes' vote?

Well, in the event it was an overwhelming rejection of the Corporation's aspirations: 1433 said yes, but 5936 said no.



Cheltenham Gas Works
(G. Rowe. Illustrated Cheltenham Guide 1845)

RATEPAYERS

OF CHELTENHAM.

The Borough Debt at the present time amounts to nearly

£600,000!

The Corporation propose to acquire the Gas Works at an Estimated Cost of

£400,000!

This would INCREASE the Borough Debt to the Enormous Total of nearly One Million Pounds!

£1,000,000!

If you do not wish to be saddled with this GIGANTIC DEBT

VOTE AGAINST

the PURCHASE of the Gas Works

The Catholic Mission at Cheltenham 1799 - 1809

RICHARD BARTON

A CENSUS reveals that there were only 210 Roman Catholics living in the whole of Gloucestershire in 1773, served by four resident chaplains who were attached to the families at Hartpury Court, Beckford Hall, Horton Court and Hatherop Castle. During the early 1780's a Franciscan priest, Father Andrew Weetman, who was missionary at Perthyre near Monmouth, also celebrated Mass periodically in Gloucester and at Stroud. The Catholic community in the city was undoubtedly very small as it had been virtually eclipsed after the chapel there had been ransacked by the followers of William of Orange less than a century beforehand.

Correspondence between Dr Greenway, Gloucester's second resident Missioner, and Bishop Sharrock, the Vicar Apostolic of the Western District, throws light on the very beginnings of Catholic life in the town of Cheltenham. For example in 1796 permission was sought for the Abbé Duchemin to shrive a Cheltenham couple who were shortly to be married as 'he constantly attends Cheltenham every week to teach French'.

On 15th July 1799 an application was made to the Justices for a room in North Street, Cheltenham, to be used as a temporary chapel so that 'his Majesty's Catholic loyal subjects who frequent that watering place may have the benefit of prayers on Sundays etc.'. The application was signed by Rene Godelier, 'officiating French Priest for the season at Cheltenham'. We cannot be sure when Godelier commenced his summer visits but we do know that in March of the following year Dr Greenway urged his bishop to invite him to anticipate his annual visit as the Browne-Mostyn Family were planning to spend the spring at the spa. Little is known of Godelier although he can probably be identified as Rene Pierre Godelier who had formerly been a curé in the Diocese of Angers before the revolution. His visits to Cheltenham are referred to in a number of Abbé Duchemin's letters and furnishings provided by him were still in use in the Mass room at Cheltenham in 1805.

Outside of the summer season from at least 1801, Mass seems to have been celebrated at Cheltenham by the Abbé Duchemin. We also find that in April 1799 he was unable to celebrate a second Mass at Gloucester for the 200 Irish soldiers billeted there because 'he was engaged at present' at Cheltenham. Again the request for Mr Godelier to anticipate his visit in 1800 was the result of the Abbé being unable to make the journey there because of his unwillingness to travel

on horseback. Apparently since Christmas he had twice been flung from his horse and was in danger of being killed although he had now recovered from the cuts and bruises.

In the November of 1800 Dr Greenway died and he was buried in his chapel at Gloucester - 'near the wall under the pillar between the two windows nearest the altar'. Charles Browne-Mostyn, a prominent Catholic visitor to Gloucester, wrote to a friend, 'I have for these last four days had a most melancholy time with poor Mr Greenway our worthy chaplain and a man I esteem greatly. I write these from his room now. I fear he is very weak, near the end and, in the dreadful state he is in, it is to be wished he may not live long. He has had both an apoplectic and paralytic stroke and is both speechless and helpless'.

During the following month Bishop Douglass of the London District appointed the Reverend John Jones as the new Missioner at Gloucester but, as he was unable to come to the city straightaway, services were for a time conducted by the Abbé Duchemin and by the Reverend Lewis Brittain O.P., chaplain to the convent of Dominican nuns at Hartpury. Jones stayed only a few years in Gloucester as he left in January 1804 to accept the living of Margate; it would seem that he had not continued to run the school and could not survive on the minuscule stipend which was attached to the mission. The Vicar Apostolic of the London District decided that he could only provide Gloucester with a French priest as his nominee, the Reverend Peter Gondolphi, had declined the position. Bishop Sharrock was reluctant to accept this solution as he clearly wanted an Englishman to fill the appointment.

As a result of Bishop Douglass's decision, Jones urged Bishop Douglass to appoint the Abbé Duchemin as his successor at Gloucester with perhaps a suitable French priest being found to serve the people of Cheltenham. Bishop Douglass was happy to pursue this suggestion but Bishop Sharrock was filled with apprehension: 'Tho' I know no harm of Mr Duchemin I am ignorant of his qualifications for the pastoral charge. He has no faculties as far as I know from Bishop Walmesley. When I passed thro' Gloucester, about fifteen months ago, Mr Jones gave me, I believe, some reasons why it was expedient to approve him for foreigners, which was done. The French in a general way, are not well calculated for our mission: whether Mr Duchemin was ever employed in the sacred functions of ministry, what knowledge

he has of Theology, what zeal he has for the salvation of souls etc, I have already said, I am ignorant. His occupation for some years, in teaching French etc has not been a preparation for his sacerdotal duties. It is a constant distraction ... If you named him, should precaution be taken concerning the house, chapel, furniture, plate etc ...?'

Jones persisted with his scheme and on 20th December 1803 he wrote to Bishop Sharrock with further details concerning the Abbé together with descriptions of the Gloucester and Cheltenham missions. The Abbé, a priest of the Diocese of Le Mans, had worked for ten years in France as a vicaire (assistant) and shortly before the persecution he had been appointed as a curé (parish priest). During the last ten years he had worked in Gloucester, not only teaching in Dr Greenway's school but in celebrating Mass in the city whilst Jones was away in Cheltenham. He was much esteemed in the city and was described as very temperate: 'I do not think there is an exception of one day in the month that he does not spend his evenings at home. He has borrowed of my books of a religious tendency'.

With regard to Cheltenham, Jones mentioned that he had now served Cheltenham for two seasons. In 1802 the summer had resulted in an income of £17 out of which he had had to find five guineas for the room, half a guinea for a woman to sweep it and when he was not invited to take refreshment by any of his congregation, which was often the case, he had suffered the further expense of buying a meal at an inn. The 1803 season, on the other hand, had proved to be more encouraging as Lord Stourton had stayed in the town for three months and during that time he had invited him to celebrate Mass twice a week at his residence for which he had received a decent stipend. Before he left in January 1804 the only Catholics then residing in Cheltenham were Lady Southwell, her sister, the Berington family, the Lamberts and six ladies together with their Catholic servants. Jones concluded in his letter to the bishop that the Catholic gentry were far more considerate in their dealings with foreigners than they were with native clergy and that the possible solution for Cheltenham might be the appointment of a French clergyman who would be acceptable to the gentry there.

The Abbé Duchemin was finally appointed a Missioner at Gloucester and he agreed, on a temporary basis, to celebrate an early Mass in the city before setting off at 10 o'clock for Cheltenham. Meanwhile he was asked to suggest a suitable French priest for Cheltenham who both spoke English and possessed manners that might be found agreeable to the gentry.

The pastoral care of Cheltenham and Gloucester proved to be both tiring and frustrating. In the February he complained of few Catholics being present at the spa whilst in April he was experiencing difficulty in either hiring or borrowing a horse. This had resulted in his having to run on foot to Cheltenham where he arrived to celebrate Mass tired, dishevelled and late. Also by this time the premises where he celebrated Mass had changed hands and the new proprietor was looking for a rent of ten guineas for the season rather than the six guineas which had been paid to his predecessor. Not only were costs rising but the visitors to Cheltenham seemed totally indifferent to the provision of a proper place of worship and their offerings for the whole year were only in the region of fifty to sixty guineas. How could this meagre income ever cover the expenses of a resident missioner when it was insufficient to cover his own expenses? No wonder the Abbé wrote to Bishop Sharrock that the Catholics of Cheltenham must be prepared to help themselves if they expected the services of a priest. In June 1804 the Mass room seems to have been lost but whether this was only a temporary problem cannot be determined. Later nineteenth century accounts of St Gregory's Church state that Mass was 'said in a room at the back of what was then the York Hotel, and subsequently in a public house in Greyhound Lane'. Certainly the Abbé was expecting his congregation to have to move into a private house at this time.

The Abbé attempted to find a French priest for Cheltenham but he seems to have had little success. His childhood friend, Mr Cormier, finally decided not to leave London whilst a Mr Blanchard decided to decline the position. The situation became more desperate and Bishop Sharrock even mooted the possibility of the Abbé moving from Gloucester to live at Cheltenham. The pastor declined for he did not wish to deprive his congregation at Gloucester, then consisting of three infirm ladies, their servants, the artisans, Irish soldiers, Italians and other poor Catholics, from hearing Mass. He observed that the few rich Catholics who came to Cheltenham during the season were perfectly able to take a carriage to Gloucester or at the very least they could send over a post chaise to collect him during the winter months.

By the December of 1804 only the Beringtons were left in Cheltenham and in reflecting on the year that had just passed he realised he had only collected £42-12-0d even though Mrs Berington had personally taken it upon herself to stand at the door with a plate so that no one could escape without making a donation. With regard to the

Mass room the seats and altar had twice been confiscated by the proprietor to pay the rent which had not been paid by other hirers of the room. There was also an expense of ten or eleven shillings on each occasion the room had been used and he had suffered an additional outlay of two and a half guineas for the repair of furniture which had been damaged through being constantly placed in position and then removed afterwards. The Abbé felt that the gentlemen and ladies who visited Cheltenham should show more generosity and respect, for he had travelled nine miles in all weathers to reach them each Sunday for which he received only ten or eleven shillings.

There is evidence of this dissatisfaction being mutual as the gentry were not happy with the arrangements either. Father Birdsall, writing thirteen years later, presents the situation from their point of view: 'after saying mass at an early hour at Gloucester, (the priest) generally came over on Sundays and holidays to say a second mass for the Catholics who might be in Cheltenham, at least during the summer months. But as there was nothing certain as to that point, and as he had frequently to look out for a room, wherein to say prayers, even when he did come, and as the hour could not be exactly and uniformly observed, these Catholics who were conscientious observers of their Church's precepts, experienced no small uneasiness and inconvenience during their visit to the place'.

A permanent solution was clearly necessary and in consequence Bishop Sharrock, himself a Benedictine, approached his confrères with a scheme for the setting up of a Benedictine mission at Cheltenham rather like the one at Bath. The Abbé's correspondence reveals that Father Benedict Caestryck, a Dominican priest who fled from Bornhem in 1794 and had since lived with various families in London, had spent at least one season in Cheltenham where he clearly experienced a degree of success. This had obviously heartened the bishop who hoped that one of his own brethren might succeed where the Abbé had seemed to fail. During the spring of 1805 plans pushed forward and on 29th May of that year the Reverend James Calderbank O.S.B. left Bath for Cheltenham where it was intended that he might make his permanent residence.

Before arriving in Cheltenham the new Missioner decided to visit the Abbé at Gloucester where he presented him with £25 to compensate for any financial loss which he might incur through relinquishing his Cheltenham duties. However Calderbank left Gloucester filled with apprehension for he realised that if the £50 which the Abbé raised during the previous year was to be

matched by a similar sum in 1805 he would not be able to pay for either his lodgings or the Mass room. His concerns were clearly justified for within a month the Abbé had heard that Calderbank was already planning his departure from the spa. In fact Calderbank left the town before 17th September 1805 and the Abbé resumed his duties there. The Benedictine experiment had failed. If Calderbank could not make a go of it during the busiest three or four months of the year how could a resident missioner ever hope to survive the winter?

The Catholics of Cheltenham were not satisfied and an attempt was made to find a suitable French priest who might be prepared to supplement his income by offering French lessons in Cheltenham. In July 1806 Mr Berington was involved in finding a candidate and a letter to the Bishop from the Abbé Duchemin of May 1807 would suggest that he had some success. The letter informed the Bishop that a French priest had just arrived in Cheltenham to teach languages and music. Although he had not actually been brought to Cheltenham by Berington he had been involved in negotiations for him during the previous summer. It would seem that a number of non Catholic families led by Captain Grey, had invited him to teach French to their children. Initially the Abbé Duchemin seemed disturbed by the meeting perhaps because he had recently striven to place the Mass room on a proper basis and had relinquished some of his teaching in Gloucester to give more time to Cheltenham. Certainly he was not happy to hear from the new priest that negotiations for his post had included discussion of the stipend of the Cheltenham mission. The Abbé reminded the bishop that during the last couple of years he had been faithful in his duties to the people of Cheltenham and had celebrated Mass regularly for them except for five or six Sundays during the previous winter when Mrs Berington had urged him not to bother as Lord Kenmare had opened up his residence to the Catholics in the locality who wanted to hear Mass.

The Abbé Nicolas Alexander Cesar des Mignaux had been a priest for twenty five years when he arrived in Cheltenham. He was a Bachelor of Theology of the University of Paris and for fifteen years he had been Canon and Secretary of the Metropolitan Chapter of Rouen until the persecution had forced him to embark for England where he arrived in September 1792. However, there seems to be little evidence to support the local tradition that he had been a chaplain and spiritual adviser to King Louis XVI. During his years in exile he had acted as both a priest and as a teacher. In 1803 he was in

Edinburgh and whilst working in Scotland he ministered among some poor Catholic families for a time.

The new French priest quickly settled in Cheltenham and became popular amongst both visitors and residents. The Abbé Duchemin soon realised that it was in the interests of the people of



Bishop Peter Collingridge O.F.M

Cheltenham if he resigned his duties and handed them over to the Abbé Cesar. As a result the new priest was given the necessary faculties by the bishop to minister in Cheltenham and he became effectively the locum-tenens to Abbé Duchemin from October 1807 whilst the latter continued to minister to the people of Gloucester for another nine years.

At some point the Abbé Cesar moved from 133 High Street to Weavers Hotel in Cheltenham. In July 1808 he informed Bishop Collingridge, who had been appointed co-adjutor to Bishop Sharrock, that he had no candidates for confirmation that year and he saw little point in hosting an episcopal visitation as 'all my lambs are away and I see nearly every Sunday new faces'. Apparently during the winter months the congregation was more stable with several English and Irish families there. Certainly the Abbé Cesar became a favourite with the leading inhabitants of the town through teaching their children and as a result of this he was given permission to celebrate Sunday Mass in the Town Hall as he had no permanent chapel. However, he did not enjoy this privilege for more than a year, for on the occasion of King George III's jubilee the hall was required for a public dinner and the Abbé had to find alternative accommodation. His use of the Town Hall was apparently not appreciated by some of the 'more orthodox Protestants' in the town and the Abbé

did not resume his use of it after the jubilee celebrations.

Meanwhile Bishop Sharrock and his co-adjutor were still considering the possibility of a Benedictine mission in Cheltenham and the man chosen to initiate this was the Reverend John Augustine Birdsall O.S.B., the assistant missionary at Bath. According to Birdsall the Abbé Cesar was made aware of the plan from as early as July 1809 and at first he expressed his warm support for the scheme. It was decided that Birdsall should arrive in Cheltenham at the end of the current season when terms were at their most favourable and it was hoped that a chapel might be erected in time for the beginning of the 1810 season. As the arrangements progressed the Abbé Cesar became less enthusiastic and he wrote to the bishop expressing his grave reservations. Not only did he feel that the Town Hall would not be made available to Mr. Birdsall, as it had been offered to him as a personal favour, but that there was an insufficient income to support a full-time missionary. Birdsall was not dissuaded for he had sufficient funds of his own to build a chapel and he was also able to share with the bishop some information he had gleaned from a lady and her two daughters who had just arrived in Bath from Cheltenham. 'As to the prayers before Mass which



John Augustine Birdsall O.S.B

Mr Cesar says, she knows indeed they are in English by the clerk answering in English, but otherwise it is a mere jargon. Mr Cesar says Mass with exceeding rapidity and that an entire want of edification is the consequence. Particularly she

mentioned there being never Mass except on Sundays and holidays'.

Birdsall arrived in Cheltenham on 15th October 1809 and he immediately paid a courtesy visit on the Abbé Cesar. Birdsall found the Abbé surprised to see him after having sent such a discouraging letter to the bishop for he immediately questioned if such a letter had been received. It was evident to Birdsall that he was in fact unwelcome but he accepted the Abbé's invitation to dine with him. Clearly this was a difficult transition for the Abbé for not only was he going to be deprived of being the missioner at Cheltenham but he was to lose an income which had totalled £92 in 1808 alone. In the event the two lived on outwardly friendly terms and without disagreement although Birdsall was aware that the Abbé spoke of his demise amongst this own circle of friends as 'an intrusive and even as an injurious proceeding'. However, the unpleasantness of the change was gradually softened by them regularly dining together.

The Abbé handed over the mission to the care of Birdsall in the presence of the congregation and Birdsall celebrated his first public Mass in Cheltenham on Sunday 19th November 1809 in a large room at Weavers Hotel. This room had been used for a few weeks by the Abbé Cesar and Birdsall continued to use it until the new chapel was eventually opened. He permitted the Abbé to celebrate Mass for Lady Gould and her family at her residence until she departed from Cheltenham in the spring of the following year and he also allowed him to hear the confessions of some of his former penitents. Whilst Birdsall was anxious not to upset the Abbé and his friends, by March 1810 he was expressing concern that the mission could not support two priests and he said of Lord Castle Ross, who had been on an extended visit to the Goulds, 'I see nothing of him nor his money -

where the collection is small every shilling counts'.

Birdsall need not have worried for the Abbé Cesar died during the following year in Cheltenham, aged sixty years. He was buried in the parish churchyard where a stone was erected by subscription amongst his former pupils. The stone bore the following simple inscription - 'to the memory of the Rev. Alexander Cesar, French Priest, who died Sept.24,1811'. His death marks the end of the pre-Benedictine years in Cheltenham.

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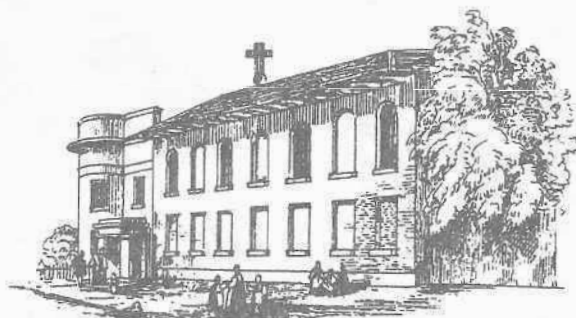
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*The Roman Catholic Chapel in Manchester Walk
(G.Rowe. Illustrated Cheltenham Guide 1845)*

Cheltenham Toll Roads in the 19th century

BRIAN KEARNEY

ROADS ARE an essential means of communication, especially in a country developing industrially and engaged in substantial trade overseas. Until the 17th century most travel was on horseback or on foot and transport of goods overland mainly by packhorse. The Highways Act of 1555 had made parishes responsible for the maintenance of roads, but the 17th century saw a more general introduction of wheeled traffic, for which the roads were quite unsuitable. The existing parish system could not cope financially with the maintenance, let alone the improvement, of the much used main routes and it was decided that the users would have to pay. The first Act of Parliament authorising the collection of tolls on a road or group of roads was passed in 1663. This was not successful and the system proper did not begin until 1690. Gloucestershire obtained the third such Act in 1697 covering the Ermine Way from Gloucester to Birdlip and also Crickley Hill to Seven Springs, important because these were the routes from Gloucester to London and Oxford. Such Acts established the principle that responsibility did not end at parish boundaries, but was for a designated length of road, known as a turnpike road. Other Acts authorised trustees to be responsible for the roads in a district, such as the Cheltenham District of Tollpike Roads and the Winchcombe District of Tolls.

Acts of Parliament, one being required for each trust or new undertaking and renewable periodically, appointed trustees to raise money by mortgages for the purpose of constructing new roads or improving and maintaining existing roads. The trustees became responsible in law for the building and maintenance in good order of the designated road or roads. They were also responsible for sign posts, milestones and fencing, especially of common land. In building roads, they were empowered to purchase land compulsorily, divert or bridge streams, or remove obstructions. To pay interest on mortgages, repay capital and provide money for maintenance and running expenses, they were empowered to erect toll houses, gates and at some locations weighing machines, where specified tolls would be collected on wheeled transport, horses and droves of animals. However, immediate locals going about their normal agricultural and other work, and the military were exempt. In their duties trustees had very strong support from the law. It became general custom to let by auction the licence to collect tolls, normally for a year. By the 19th century the system was in general use and seems to

have operated the most through roads within a designated turnpike district. (1) This article looks at the turnpike toll system in the Cheltenham area and is based mainly on information derived from maps, Acts of Parliament, legal documents, early guide books to Cheltenham and the *Cheltenham Examiner* between 1840 and 1867. (2)

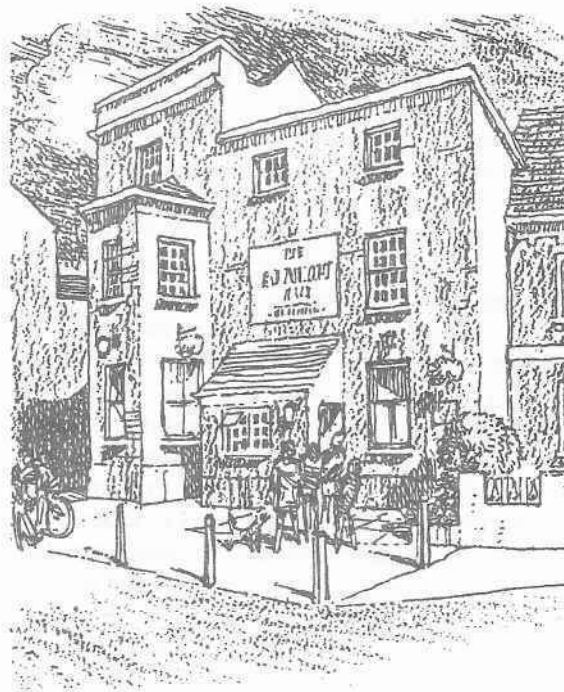
Cheltenham's oldest Turnpike trusts were the Tewkesbury Road, 1726, with access to the road to Gloucester, 1756, north west of Cheltenham at the Cross Hands in an area known as Bedlam. (3) The London Road trust dates from 1756 and that for the Winchcombe road from 1792. (4) Cheltenham's modern road communications took shape in the first quarter of the 19th century. In 1809 an Act of Parliament approved a new Gloucester turnpike road from near Staverton Bridge, on the old Gloucester road, via 'Benhill Wood'. (5) It entered Cheltenham on the Gloucester Rd. and then ran along Market St. and New St. to join the High St. at Ambrose St. 'nearly opposite to a certain Public House ... called The Fleece'. (6) Also in 1809 an Act approved a horse-drawn tramway between the River Severn at Gloucester and Cheltenham, mostly parallel to the new road and terminating on the Gloucester Rd. near the High St. by the former gas works, now Tesco's. (7) These were both opened in 1810. In the same year an act was sought to construct a new road from Albion St. to Bishops Cleeve to join the turnpike from Evesham. (8) This was the Evesham Road, a much shorter route than the old one through Prestbury. In 1820 trustees applied for an act to authorise a new road from Cheltenham to Painswick via Shurdington to join the old and very hilly route near Prinknash Park wall. (9) In 1825 the Royal Assent was given to an Act to improve the road between Cheltenham and Gloucester by constructing a shorter route to Staverton Bridge and also to open new communications with the road, from Badgeworth, for example. (10)

Thus in the 19th century, Cheltenham, like any other town, was ringed with toll houses and toll gates on most or all of the exit roads. Streets within Cheltenham were the responsibility of the Town Commissioners. A map of 1776 (11) shows a turnpike on the London Road in the vicinity of the Hales Rd. and Old Bath Rd. crossing with roads leading to Charlton Kings and Sandford Bridge, for Birdlip and Cirencester. (12) The situation was much the same in 1800, when Cheltenham had 'but one principal street, the High St. ... the turnpike gate at the top of the town, the London Road, leads to Charlton Kings,

Dowdeswell, Frog-mill ... Turning on the right from the said gate is the road to Birdlip ... Painswick, Stroud, Bath, &c. Thro' the turnpike gate at the bottom of the town is the road to Gloucester, Tewkesbury, Worcester &c.' (13) The road to Prestbury was via Winchcombe St. (14) A map of 1909 (15) which anticipates the 1810 Gloucester Rd. and tramway shows a new Upper Turnpike on the High St. opposite Hewlett Rd, site of the future College Rd. Lower Turnpike is at the High St. and Gloucester Rd. junction; the Swan Turnpike at the junction of Winchcombe St., Clarence Rd. and Prestbury Rd. opposite Pittville Gates and Knapp Turnpike on New St. between Grove St. and Great Western Rd. (16) A map published in 1810 (17), also gives a turnpike house on the Prestbury Rd. just short of Cakebridge. Former turnpike houses are shown at Gallons Oak at the Hales Rd. crossing and at the bottom of Harp Hill, formerly part of Hewletts Rd. with a note: 'NB. This was formerly the road to London one milestone still remains on the upper part of the hill'. (18) The Post Office Map 1820 shows toll houses on the London Rd., back again at the corner of Old Bath Rd., at the junction of Hewlett Rd. and Albion St., at Pittville Gates, at the junction of Swindon and St. Paul's Roads and on the lower High St. covering Tewkesbury Rd. and Gloucester Rd.

The rapid expansion of Cheltenham inevitably resulted in the relocation of some toll houses. The first Ordnance Survey map, published in 1828 (19), shows that the streets of Cheltenham and the surrounding road system were already in lay-out much as they are today. Turnpikes are shown as before on London Rd., the lower High St., Swindon Rd. and the Prestbury Rd. That at Pittville gates appears to have been removed and there is a new one on the new Evesham Rd. at the junction with New Barn Lane now the Race Course roundabout. Shackels Pike is shown at the bottom of Harp Hill. Surprisingly no turnpikes are shown on the south side of the town, although the Lansdown Rd. to Gloucester (20) and the Shurdington and Leckhampton roads were in existence. Merrett's map of 1834 (21) shows gates on Evesham Rd., Prestbury Rd. just beyond Whaddon Rd., London Rd. the toll house moved to a location beyond and almost adjoining the Beaufort Arms (22), Swindon Rd. the Maidenborn Gate, Gloucester Rd. at Market St., the Shurdington Rd. end of Painswick Rd. Montpellier Gate, at the top of Montpellier Walk, may have been the entrance to a residential area, rather than a toll gate. The early 19th Century maps do not appear to have been comprehensive and reliable indicators of toll gates, no doubt to

the annoyance of travellers seeking to avoid them. Certainly by 1837 Cheltenham was ringed by toll gates, named as London, Tewkesbury, Hewlett's, Prestbury, Evesham, Gloucester, along Colonnade (23), Shurdington and Leckhampton. (24).



Beaufort Arms, London Road

A clearer picture of the operation of local turnpike trusts emerges from advertisements and notices in the *Cheltenham Examiner*, available from 1840. Four trusts, the Cheltenham District, the Winchcomb District, the Cheltenham and Gloucester New District and the Cleeve and Evesham District appear regularly. The Cheltenham and Painswick District of Turnpike-Road did not use this newspaper. (25) Trusts advertised the annual auction of toll collection rights, letting of mortgage bonds and meetings of trustees to approve the annual audit, the letting or repayment of bonds and for other business.

The rights to collect tolls in the Cheltenham District from 1 November were let by auction annually at the Fleece, High St., in five lots: 1. London Gate, Charlton Park Gate (26), The Leckhampton gates and sidegates at or near the foot of Leckhampton Hill, the Shackels Gate. (27) 2. Birdlip Gate near the village of Birdlip. From 1842 this included the toll gate near the Air Balloon. 3. Tewkesbury Gate and Uckington Gate. 4. Dowdeswell Gate and the sidegate at or near. (28) 5. Tolls at the weighing machine on the Cheltenham - Birdlip Road.

The starting price was 'the amount for which let or which it produced in the previous year'. (29) The successful bidder made his profits from the surplus tolls or, if revenue fell, had to make up the difference. In a time of competition with the railways, profits may not have been great. Generally speaking the starting bid price tended to drop annually, although Lot 1, for example, showed an increase in 1842. The *Cheltenham Examiner* provides no information on the identity of the bidders. They were probably local men of means, as sureties and a month's rent, Wincombe District required 2 months', in advance had to be provided. The actual toll collection would have been done by families living in the toll houses. Wages paid by the weekly collector to gate keepers in the Berkeley and Dursley Turnpike District on September 5, 1828 varied between £1.2s.3d and 1s.6d, but were mostly between 5s and 10s (30), but rent may well have been free. Toll houses often had a distinctive 3 sided front to give a good view in both directions, but at times ordinary cottages were used. (31) Toll collectors or turnpike keepers may well have remained in post, whoever the lessee, but this proved difficult to establish from census records. Ages of toll keepers varied: in 1842 Phillip Lediard on the London Rd. was 50 and had a wife and 4 children; in 1851 Mary Ballinger, 68, kept the turnpike on Bouncers Lane with her grandson of 13 and William Brookbank, 23, with a wife, baby and servant had that on Prestbury Rd. (32)

Toll charges were very high. The 1851 Cheltenham and Painswick Rd. Act (33) authorised charges as follows: Horse, Mule, Ass drawn carriages etc., 8d. - Wagons, carts etc. (wheels less than 6" wide) (34), 5d. - Ditto (wheels more than 6" wide), 4d. - Horse, mule, ass, 2d. - Dog or goat drawing a cart, 1 1/2d. - Drove of cattle - per score, 1s.8d. - Calves, swine, sheep - per score, 10d.

In February 1851 the Lansdown Turnpike trustees (35) were seeking to raise tolls from 6d. to 9d. (probably carriages) and from 2d. to 3d. (probably horses) with vehicles to pay every alternate time each day. (36) It was normal for a ticket to cover a return journey on the same day and charges made at one gate covered use of the road or even a number of roads within the turnpike district concerned. (37)

The Cheltenham District Trustees evidently handled their financial arrangements with acumen. On 8 Dec. 1841 they were repaying seven bonds of 100 shillings each and noted with satisfaction that it was 'encouraging that while in other districts income barely meets expenditure in our own the trustees are able to reduce the debt by so large an amount'. (38)

The following year they let six £50 shares in their 2nd District at 5% per annum. (39) In 1854 they were to pay off £600 on loans. (40) In 1860 they were to pay £400 off mortgages (41) and £500 in 1861. (42) Other turnpike trustees were obliged to raise further loans rather than repay. In 1856 a sale at the Plough offered Cleeve and Evesham District mortgages totalling £5010 at 5%, whereas the Cheltenham and Gloucester Turnpike Trustees were offering mortgages for a total of £1064.17s. at only 1%. (43)

The Trustees appear to have used their own labour and equipment for road maintenance. They had a stone yard at Albion Brewery Lane adjoining Cheltenham Cemetery (44), where they kept carts, trams, horses, wheelbarrows. (45) It is to be hoped that their maintenance was better than that of the Cheltenham Commissioners. In 1866 an editorial in the *Cheltenham Examiner* (46) stated that Cheltenham roads were mended by putting down roughly broken stone to be rolled in by carriage and horse to the detriment of both; it welcomed experiments with sand and gravel, but called for rolling as per Mr. McAdam.

Tolls were not popular and there was pressure for their removal. A *Cheltenham Examiner* editorial of 1851 (47) referred to a letter from Mr. James Boodle (48) concerning the application for an Act for renewal of the Lansdown Turnpike Gate Trust. It said that he suggested that, as roads in the district were repaired by ratepayers, they should be free of tolls and that the two gates at the end of Lansdown Rd. should be moved towards Gloucester to check on traffic from beyond the district, thus giving 10 to 12 miles of free road to ratepayers. The only difficulty was interest to bondholders, but bonds were now 1/10th of their original value. Mr. Boodle in the same issue (49) called for removal of the gates to near Hayden Villa beyond the Pheasant and stated that the Trustees were maintaining an illegal gate at the back of Grovefield House, Arle, and that it might be removed upon application by a ratepayer. The following month it was reported that the ratepayers of Alston and Arle were objecting to toll increases and wanting the gates moved to the Plough on the Gloucester road. It was suggested that bondholders should be recompensed out of the General Highways rate of the Town and Hamlets. (50) In December an editorial complained that the Turnpike Committee had slipped into the Act a clause legalising the Grovefield Gate and called for upholding the rights of parishioners to the sole control of their own roads: 'it is important in Cheltenham with many visitors who take carriage and equestrian exercise that roads are kept as free as possible from Turnpikes'. (51) On 31 December

the paper triumphantly announced that the Trustees had decided to remove the gate to the parish boundary on the Gloucester road. (52) But James Boodle, in the same issue, wrote that the Trustees 'have under the new act power to set up gates on every way or lane communicating with the Gloucester Road and keep Grovefield gate gained against good faith' and suggested remedial action in the new Town Bill. (53) Finally an editorial of December 15, 1852 (54) stated that the turnpike near the railway bridge at the junction of Lansdown and Old Gloucester roads had been removed further from town, a 'boon for which that portion of the public who can afford "to go upon wheels" cannot be sufficiently thankful'.

Under such pressure toll roads were gradually pushed out of town. The Cheltenham District Trustees gave up the weighing machine on the Birdlip road sometime between 1845 and 1850. In 1853 they gave up the Tewkesbury Gate and included Birdlip and the Air Balloon Gates in Lot 1 (see above). (55) It was announced that there would be only one toll on the Cheltenham - Stroud road via Birdlip after November 2, 1863. (56) The end was not too far off, when the Cheltenham District Trustees announced on 17 February, 1864 (57), that they were 'in consequence of the abandonment of a portion of the above roads selling in their yard at Albion Brewery Lane carts, trams, wheelbarrows, turnpike gates, toll boards, fencing'. Also to be sold at the Plough were: Lot 1. Materials of the Turnpike House at London Gate nearly adjoining the Beaufort Arms. Lot 2. Materials of the Turnpike House at Charlton Park Gate, the weighing machine house and buildings



Toll House at Greenway Lane

and boundary wall. Lot 3. The weighing machine at Charlton Park Gate. Lot 4. Materials of the Turnpike House at Leckhampton Gates. Lot 5. The weighing machine at Leckhampton Gates. Lot 6. Materials of the Turnpike House at Birdlip Gate. Lot 7. The stoneyard land adjoining Cheltenham Cemetery towards Albion Brewery Road.

But in 1872 toll collection rights at the

Uckington and Dowdeswell gates were still being auctioned. The successful bidders were toll gate keepers, surely a sign that turnpikes were no longer generally considered a good investment. John Jackman of Alcester Gate near Stratford bid £780 for Dowdeswell Gate with sureties from James Taylor of Leckhampton Gate and George Aldridge of Uckington Gate. John Lydiard of Cleeve Gate paid £440 for Uckington Gate. (58) Tolls ended almost everywhere with the Highways and Locomotives Act of 1878, when disturnpiked roads became 'main roads'. (59) In 1888 The Local Government Act created County Councils (60), which took over responsibility for roads county-wide.

Today, except for the road named Charlton Park Gate, there does not appear to be a single trace of any of the Cheltenham turnpike houses, which played such an important part in the financing of all the major roads out of Cheltenham. On the Bath Road there is a cast iron milepost of the 1840s. (61) On the Gloucester Road in the Benhall/St.Mark's area and also near Sharpe and Fisher's site there are milestones, bereft of their metal information plates.

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1. Information derived from *Gloucestershire Turnpike Roads* compiled and published by the Gloucestershire Record Office (G.R.O.), 1973, revised edition and from specific turnpike acts held by Cheltenham Reference Library (C.R.L.).
2. This is the period for which an index has been compiled by the Cheltenham Local History Society.
3. The road from the Cross Hands to Hayden is still in part named The Old Gloucester Road.
4. *Gloucestershire Turnpike Roads*, p.7.
5. Benalls Wood on the first Ordnance Survey map and today the district of Benhall.
6. The Act (C.R.L., R19356/G3G3880) confusingly gives a route through Staverton, Boddington, Arle and Alstone, but the parish of Boddington formerly included a peninsulated part on the south, stretching south of the Gloucester-Cheltenham road; in 1882 that part was transferred to Staverton (*Victoria County History, A History of the County of Gloucester*, Vol. 8, p.188).
7. Hart, *A History of Cheltenham*, p.147.
8. C.R.L., R19353/G3G388.
9. C.R.L., R19352/G3G388.
10. C.R.L., R19354/G3G388. This acts does not appear to have been a radical improvement to the Cheltenham-Gloucester road. In 1824 Thomas Telford, in his *Report for Improving*

the *London to South Wales Mail Road*, gives a map showing a road very similar to the present route through Churchdown and a proposed direct line of road, which would save nearly a mile (*Gloucestershire Turnpike Roads*, Document 21). This was not achieved until the modern Golden Valley By-pass was built.

11. *A Plan of the Roads Leading from Arle Cross to Pillford Lane*, July 10 1776 G. Coal Esq & Son.
12. Locations of toll houses and toll roads may be identified fully.
13. Facsimile of the First Directory Published in Cheltenham in *The Royal Cheltenham and County Directory 1872-73*, p.31.
14. *Ibid.*, p.31.
15. Bryan Little, *Cheltenham in Pictures*, pp.24-25.
16. Plan of the Town with the Situation of the Mineral Wells at Cheltenham.
17. Edward Mitchell. 2nd. edition published by W.Faden, Charing Cross.
18. Hewletts Road, to the top of Aggs Hill, is shown as a turnpike road to Brockhampton on a *Plan showing a portion of the Turnpike Roads in the Cheltenham District with other roads connecting therewith* (unattributed and undated, but annotated as circa 1863. G.R.O. D3893 2/3). Aggs Hill would appear to have been too steep for horse-drawn wheeled traffic, hence probably its abandonment as the London road. It was clearly a great problem to find a way up onto the escarpment from Cheltenham en route to London (see also Ref 28 below). The Harp Hill toll house, the Shackels, was certainly in operation under the Cheltenham Trustees from at least 1841 onwards. Another toll house, now incorporated in a large dwelling on the corner of the Greenway Lane junction, is shown on the same Plan. This must have been operated by the Charlton Kings Trustees. The 1851 Census (Charlton Kings) has an entry for 'Tollgate Cottage near Battledowns Knoll' followed by Toll House (Henry Peninell, 32, Tollgate Keeper) without a location - possibly the Greenway Lane Toll Gate. In 1866 the Charlton Kings Board was involved in litigation concerning responsibility for road maintenance at the top of Hewletts Hill (C.E. Dec. 12, p.23, col.4.). It is of interest that the 1810 map also shows an Old London Road on what is now sandy Lane. Today a track runs from the top of Sandy Lane around the upper boundary of the golf course and on, with easy gradients the last part metalled, to Seven Springs to join the Gloucester-Oxford road.



Milestone, Bath Road

19. Sheet 44 of the one-inch Ordnance Survey of England and Wales. This is Sheet 60 in the reprint published by David & Charles of Brunel House, Newton Abbot, Devon. This is in fact a copy of a new electroplate made in 1865. The notes state that the only changes are: the addition of railways, restoration of hachuring and the addition of the suburb of Bayshill to Cheltenham, necessitating the removal of a number of names - Sherborne, Montpelier and Old Spa - formerly shown in the area. But the map needs to be treated with caution as a record of 1828.
20. Given as New Turnpike Road on the map in *A General Cheltenham Guide*, J.K. Griffith, 1818 p.99.
21. H.S. Merrett *Plan of the town of Cheltenham and its Vicinity*, 1834.
22. *Ibid.*
23. An indication the Promenade and Lansdown Rd. had superseded the unfashionable and industrialised Gloucester Road as the main route to Gloucester.
24. *A New Guide to Cheltenham & its Environs*, 2nd ed., published in Cheltenham by John Lee, p.337. This publication is undated, but

- internal evidence indicates 1837 (there is a reference to 'last year 1836'). (G.R.O.)
25. This trust received the Royal assent on an Act of Parliament to extend and amend the provisions of the previous act on 20 May 1851. G.R.O. AP103.
 26. This was located on the Old Bath Rd. by Claypits Path. The Charlton Park Turnpike, as it was known, ran through Charlton Lane to join the Birdlip Turnpike Toll Gate (opposite Church Rd.) on Leckhampton Rd. There was a further toll bar, where the Old Bath Rd. now joins Leckhampton Rd. on the hill (*Plan showing a portion of the Turnpike Roads in the Cheltenham District with other roads connecting therewith*, undated and unattributed but stated to be circa 1863. G.R.O. D3893 2/3). This also shows a Charlton Gate on the Cirencester Turnpike out beyond Charlton Kings.
 27. Bottom of Harp Hill, O.S. 1828.
 28. In his 1824 report (see Ref 10 above) Telford referred to the dangers of Dowdeswell Hill (1 in 8 and then 1 in 11) and to a survey by the Trustees for a new route up a valley north of the hill, and on to Whittington and beyond the Frog Mill. In those days the road climbed through Dowdeswell village to join the Gloucester-Oxford road at the Kilkenny (An Act of 1785 for amending roads included 'from Cheltenham to the Road from Gloucester to London, at or near the house called Kilkenny'). C.R.L. Ref. R19355/G3G388. The present route, through Andoversford rather than along the new bypass, follows the line surveyed. On April 24, 1824 Parish Witts explored the new line of road marked out noting that 'where it approaches Sandywell Park there will be a cutting of 30 ft'. (*The Diary of a Cotswold Parson*, p.37).
 29. This was a standard part of the advertisement.
 30. *Gloucestershire Turnpike Roads*, Document 11/5.
 31. *Ibid*, para.9.
 32. Census (1841 & 1851).
 33. G.R.O. AP103.
 34. The theory was that narrow wheels did more damage to the roads, but provided more speed, *ibid*. para.17.
 35. This trust was presumably set up for the construction of the Lansdown or New Turnpike, but by 1851, with its gate at the junction with Gloucester Rd. and discussion about moving it out towards Gloucester, it must have been closely associated with or incorporated into the Cheltenham and Gloucester New District.
 36. C.E. Feb. 19, p.2, col.4.
 37. A ticket at Dursley gate freed 7 other gates. Two tickets at Crow Hill Gate, Newent Trust, cleared the district. *Ibid.*, Documents 11/4 and 11/3.
 38. *Cheltenham Examiner*, (C.E.) p.2, col.4.
 39. *Ibid*. March 23, 1842, p.3, col.2.
 40. *Ibid*. Nov. 22, p.5, col.4.
 41. *Ibid*. 18 April, p.5, col.1.
 42. *Ibid*. Sept. 4, p.5, col.2.
 43. *Ibid*. May 28, p.5, col.1.
 44. This is now Market St and the market is on the site of the Albion Brewery. The cemetery is now Churchill Gardens. Cf. Merret's 1834 *Plan of the town of Cheltenham and its Vicinity*. The stone yard was situated near the terminal of the Tram Road, which was used *inter alia* for bringing stone from Bristol for road repairs; Leckhampton soft stone was used before (*The Cheltenham Annuaire 1837 1st Vol. p.97*).
 45. C.E. Feb. 17, 1864, p.5, col.4.
 46. *Ibid*. Oct. 24, p.4, col.5.
 47. *Ibid*. Jan.22, p.2, col.4.
 48. A Mr. Boodle occurs as a solicitor in reports of court cases in the *Cheltenham Examiner*. In 1864 he represented a stone hauler claiming wrongful taking of tolls in Birdlip and lost because the stone was being taken to another district and not for local use. C.E. Oct.5, p.8, col.3.
 49. C.E. p.2, col.6.
 50. *Ibid*. Feb.19, 1851, p.2, col.4.
 51. *Ibid*. Dec.24, 1851, p.4, col.5.
 52. *Ibid*. p.4, col.4.
 53. *Ibid*. p.4, col.5.
 54. *Ibid*. p.4, col.3.
 55. *Ibid*. Sept.7, p.5, col.7.
 56. *Ibid*. Nov.11, 1863, p.8, col.1.
 57. *Ibid*. p.5, col.4.
 58. Both agreements are in G.R.O. D2216/48. The Leckhampton Gate was obviously not that sold off in 1864. It may well have covered entry to the Painswick Turnpike. Ledyard was perhaps a relative of the Lediard (census misspelling) at London Rd. Gate in 1841. The 1872 evidence suggests a fraternity of tollgate keepers.
 59. *Encyclopaedia Britannica*, 11th ed., 1910-11, Vol.13, p.458.
 60. *Ibid.*, Vol.7, p.317.
 61. Next to Newman's Ironmongers Shop. One Numeral is missing - the date may have been 1844. The distances given are '1 MILE TO MARKET HOUSE CHELTNm TO BIRDLIP 5 MILES'. Cheltenham distances were from the Centre Stone in the High St.

Up before the Bench

ERIC ARMITAGE

THE FOLLOWING extracts are taken from the *Cheltenham Examiner* issues of 1854.

At this time there were some 27 Magistrates 'usually' acting on the Cheltenham Bench. In practice, the Magistrates who regularly sat on the Bench were:-

T Pilkington, chairman, C J Barnett, Capt T Frobisher, L Griffiths, C L Harford, R A Robinson, G Schonswar jnr., W N Skillicorne, W M Tartt, and J Webster.

13 SEPT 1854 CHARLES VINES: ABSCONDING FROM WORKHOUSE

Vines was charged with absconding from the Workhouse and taking his Union clothes with him. He had been in the workhouse for some time up to 23 Feb 1853. A warrant had been issued for his arrest and he only now appeared in Town. He had absconded before and been sent to Northleach. He said he had left the Workhouse because he did not get enough to eat.

Magistrate Pilkington: 'A great fellow like you ought not to be in the Workhouse'.

Prisoner: 'I should not be if I had my rights. I have been robbed out of a good business in this Town or I should never be as I am'.

Vines was sent to Northleach for 1 month.

13 SEPT 1854 JOHN GRIFFIN, EMMA EDWARDS: FIGHTING

Sgt Shackleton found them fighting with a crowd of 200 gathered round. They would not stop fighting, so he took them to the Station House. Griffin had been up 7 times before.

Griffin: 'She began it. But I did not strike her'.

Edwards: 'It's all my fault. Griffin did not strike me'.

This seemed to confuse the Bench somewhat. Both were bound over £10 to keep peace for 12 months; each had to pay 2/6d costs.

Crowds of 200 were not uncommon for any kind of disturbance. It often seemed that it was the crowds who drew the attention of the police rather than the incident itself.

13 SEPT 1854 SAMUEL CLIFFORD: STEALING PEARS

Clifford charged with stealing, from an orchard at Swindon, pears belonging to J S Surman Esq. Letter received from Surman asking for postponement as his keeper (a witness) was going out shooting.

Defendant was in court, a warrant arrest.

Chairman Pilkington: 'There is no witness; We cannot detain prisoner'.

Magistrate Robinson, an ardent hunting man: 'We cannot sit here to be shot at, because Surman likes to go out shooting'.

Clifford was discharged.

6TH SEPT 1854 GEORGE THATCHER - LICENCE TO PREACH

George Thatcher, 'one of the roughest order of preachers', of 15 Townsend Street, Cheltenham, cloth worker, made a written application to preach under certain Acts of Parliament. Thatcher was a member of the Latter Day Saints (Mormons). The Acts quoted applied to Protestant Dissenters to grant them protection. He declared he was a Protestant Dissenter.

Chairman Pilkington: 'Your doctrines are very peculiar. Come back on Monday'.

On Monday Thatcher said he was in the habit of holding forth in Upleaden near Newent, and had been cautioned and stopped by Police there, for not having a licence to preach.

The Magistrates Clerk dealt with this matter and re-asserted that the Acts quoted in the application would not justify the issue of a licence to preach. Those Acts only authorised the Bench to declare that he was a Protestant Dissenter. Thatcher must show to the Bench the authority under which he applied for a licence to preach. Thatcher 'Am I to get no protection; How did one of my fellow preachers get a licence?'

Clerk - 'I don't know. The Bench is not here to give advice; for that you must go elsewhere'.

Thatcher then subscribed to the declaration that he was a Protestant Dissenter, paid his fee and got his certificate. He left to go elsewhere for his licence.

At this time there had been correspondence in the *Examiner*, making unfavourable revelations about the practices and doctrines of the Mormonites and condemning Mormonism as an evil system.

6TH SEPT 1854 JOHN HOLDER - ASSAULT ON HIS MISTRESS

John Morris, farm labourer, employed by John Holder, was charged with assaulting Mrs Ann Holder. Morris and a fellow labourer came in for their dinner and Mrs Holder remarked: 'What a man for your drink' (the 2 labourers had drunk 5 to 6 quarts of cider between them during the morning). Morris replied 'Not as much as you madame'. Mrs Holder was irritated and pushed the meat across to Morris and he pushed her, causing her to fall down against the settle. Mrs Holder had frequently been insulted by Morris but her husband took no notice of complaints. Witness, Mary Harris, married, was called in by the servant girl and saw Mrs Holder on the floor.

Chairman Pilkington: 'A disgrace to all parties particularly John Holder, who should have kept better order in the household.'

Charge dismissed 'If Holder did his duty he would part with both men, as they were on such bad terms with the mistress'.

30TH AUGUST 1854 CORNELIUS CLUTTERBUCK - STEALING APPLES

Clutterbuck was a boy caught by Rasher stealing apples from an orchard at Arle belonging to Rasher. Chairman Pilkington 'Why did you not get a horsewhip to him? That's the best way of teaching such young fellows'.

Rasher 'I have not the nerve for that'.

Clutterbuck was discharged with a caution.

30TH AUGUST 1854 FREDERICK BICK CHARGED WITH ASSAULT

Bick was charged with an assault on Robert Ellis who appeared in court with a black eye. Bick did not appear, but his wife did, asking for an adjournment, because her husband had an engagement out of Town.

Ellis 'Yes, he has gone to a prize fight'.

Mrs Bick 'You would have been at the fight were it not for this case'.

A Magistrate's warrant was issued for Bick's arrest and the next day Bick was in Court.

Ellis claimed that he was sitting in a chair at the Wellington Inn, Queens Buildings, when Bick deliberately struck him.

Bick's story was that there had been a supper at the Wellington the previous evening, and both Ellis and Bick were drinking brandy and water all night and got quite drunk. Both parties played cards and Bick claimed Ellis cheated him. They quarrelled, both got up to fight, and Bick said Ellis struck the first blow. Ellis denied he cheated; and Bick struck first.

Chairman Pilkington 'This must be a very disorderly house to allow these goings on. What is the character of the House?'

Sup Seys 'There is nothing in its favour'. But on being pressed by Pilkington he said 'It has a very bad general character'.

Pilkington 'We can only judge the character of the parties by the character of the House. That was bad - dismissed'.

At the Annual Licensing Day set aside by the Bench on the 31st August it was noted that the licence of the Wellington had been suspended for 1 month.

30TH AUGUST 1854 JOHN DAVIS - STEALING A PIECE OF WOOD

Davis, an elderly man, said to have sufficient property to provide him with a good income, was charged with stealing a piece of dead fence, belonging to Isaac Witts butcher. A great number of people were in Court, out of curiosity.

William Voile going up New Street, near (*sic*) Pittville Pump Room saw Davis with a stone knocking out some of Witts' palings and putting a piece of wood in his pocket. Voile said it was a great pity that an old man like Davis should be stealing railings. Voile held Davis until Witts came up - Witts was driving to Pittville Church. Witts said he had lost a great deal of wood from fence and it cost the Pittville estate £20 a year to keep it in repair.

Sgt Shackleton found the piece of wood in Davis pocket; he also found another piece of wood at Davis' house in Portland Square. This too fitted the fence. There was a whole pile of similar pieces of wood in Davis' house.

Davis was fined 40/-, cost 5/6d and 2d the value of the wood stolen.

There was a reference to this case in a leader in the same issue of the *Examiner* - a complaint of lenience to a gent of property, who had a cartload of wood at his house. If he had been a poor man he would have got 2 months in Northleach Prison.

But he had paralysis, and suffered the shame of being hauled through the streets in custody, locked up all night and huddled in the dock with a dozen other prisoners (it was a busy day that day). All this was a higher penalty than any mere amount of fine and imprisonment.

30TH AGUST 1854 ANN STROUD - DRUNK AND SLEEPING IN

Stroud, a smart young woman of 20 years from Charlton Kings, was charged with being drunk and sleeping in a fly in the George Hotel yard. The Police had been told by Margretts, the proprietor of the George, that the woman was sleeping in the fly. P/C Hawkins took her to the Station House as a drunk. Her story was that she went with a friend to the Railway Station in a fly and this man bargained that she should be taken home in the fly. She had fallen asleep and was taken to the fly yard instead of home. Bench 'You were all drunk together'. Dismissed with reprimand.

30TH AUGUST 1854 WILLIAM COOKE - ASSAULT ON POLICE OFFICER

Cooke was charged with being drunk and disorderly and assaulting P/C George Morfell. The Police were called in by Cooke's father who would give son into custody for threatening mother with violence. The son took up a fire shovel and hit P/C.

Bench said The P/C had no right to take into custody in such cases unless he saw the assault committed. The P/C thought he did have the right.

Cooke was dismissed with a caution.

It had been an accepted rule for many years, in fact since the Rural Police were set up, that the Police had to witness an assault before taking into custody. If not witnessed the procedure was for the complainant to lay information and make a charge, when a summons would be issued.

30TH AUGUST 1854 - STEALING FRUIT

Three little boys, John Fleetwood, James Davis, James Herbert charged with stealing pears from an orchard at Arle, belonging to William Rasher. The boys were seen shaking the trees, ran away, but one boy was caught with 2 pears in his pocket. Rasher was unwilling to press charges as the boys had been in the Station House all night.

All the boys were discharged. The Bench hoped that the parents would correct the boys and keep them out of mischief.

Three little boys, Henry Warden, Alfred Griffin, and Thomas Vines were charged with stealing pears from the orchard of John Williams. They were caught in the orchard late at night and had pears in their pockets.

Williams had suffered several times from these depravations.

The boys were discharged on condition the parents took better care of the boys and corrected them.

Joseph Taylor, a respectable looking lad, charged with stealing fruit from the garden of Valentine Cooper Bell in Bath Road. Taylor was caught in the garden with cherries in his pocket. He was fined 2/6d with costs 4/6d and in default of payment 7 days at Northleach.

The Bench were determined to put a stop to garden robberies.

Stealing fruit and garden produce was a perennial problem and even though the Bench were determined to stamp this out and protect private property, their actions seemed to have little effect. Most of the offenders were very young and in these cases the Bench left it to the parents to take corrective action. But fines were imposed in some cases, and occasionally prison sentences given. In most cases offenders had to pay the value of the property taken, usually a matter of pence.

7TH JUNE 1854 OPEN OUTSIDE LICENSING HOURS

Henry Martin, landlord of the Cleveland Arms, Tewkesbury Road was charged with being open during the hours of divine service. Supt Seys saw two women leaving with jugs of beer. Seys called at the house - it was empty but he found several men locked in the stable and one in the W.C.

The landlord said the men were in the house without his knowledge and would not leave without a drink. The landlord refused and the men then went to the stable of their own accord. Fined 2/6d with costs of 7/6d.

This offence was quite common, and there must have been many other cases which did not come before the Court. The excuses were equally common: the drinkers were lodgers, the landlord was absent, the Parish Church clock was always wrong. The maximum penalty was 40/-.

All sorts of ways were devised to evade the law: serving beer through a hole in the wall for drinking off the premises, or serving at the back door.

The Police had their difficulties too. During an offence the house door was locked and the shutters closed, and by the time the Police had enforced their right of admission the drinkers had often cleared off. Sometimes the Police had to climb over walls to catch the offenders red handed. Sometimes they had to operate in plain clothes, in fact this may well have been the origin of Cheltenham Police wearing plain clothes on duty.

There were specific licensing hours, with special arrangements on a Sunday when no drinking on licensed premises during the hours of divine service was allowed. The new Licensing Act referred to Sundays only and applied from 13th August 1854. Public houses and beer houses were to be closed for all purposes of business from midnight Saturday to 1 p.m. Sunday, then closed again from 2.30 p.m. to 6.30 p.m. and closed finally at 10 p.m.

On Sunday 27th August a man called at the Plough between 3 and 4 p.m. and asked for a brandy, for a patient who had an attack of cholera. Churchill, the landlord, said he could not legally serve until 6.30 p.m. but if he really had had cholera the brandy would be free. The man wanted to pay. Churchill told him to get a medical certificate and the brandy would be free. The man did not return. Churchill could have incurred a penalty of £5, of which half would go to the informer.

30TH AUGUST 1854 RICHARD ENNIS - BEGGING

Richard Ennis, 'schoolmaster', over 70 years old was charged with begging from door to door, by P/C Onions, at this time an enthusiastic and persistent officer/guardian of the law, particularly under the Town Act.

Ennis was destitute and beyond labour at his age. He had come to Cheltenham to try to get into hospital. He had tried to get an in patients recommendation from the Roman Catholic priest, but he had none left. Ennis was discharged on his promise not to beg. He was told to apply to the Union. Chairman Pilkington offered him a hospital recommendation if he would call at his house.

2ND AUGUST 1854 CHARLES COLLIER - CLAIMING CHARITABLE CONTRIBUTIONS FALSELY

Collier was charged with attempting to obtain charitable contribution from Sir David Leighton, Bafford House Charlton Kings. He brought a letter and newspaper, said to come from C.H. Jessop, Cheltenham, asking for a charitable contribution for an engine driver killed on the South Wales Railway. Sir David passed the letter to Lady Leighton with instructions to give 11/-. Lady Leighton had no change, so Collier went away empty handed.

Next day Sir David took half a guinea to Jessop, only to discover the letter was a forgery. The letter was not in Jessop's handwriting nor had he authorised it. Collier was gaoled for 1 month.

The offence was committed in March and Collier had disappeared by the time the charge was made. A warrant was issued for his arrest and he was apprehended the day before he appeared in Court.

As a spa town, with high proportion of wealthy gentry and a large number of visitors year after year, Cheltenham was a haven for beggars from all over the country. In the streets, or door to door, begging was an annoyance to gentry and visitors, who were naturally the ones applied to for charity. It was felt this annoyance was detrimental to prosperity of the Town. Not that Cheltonians were uncharitable: the lists of contributions to all sorts of charities which appeared regularly in the *Examiner* was proof of their generosity.

It was also felt that giving money to beggars was an inefficient way of dispensing charity. One did not know which cases were genuine, nor did one know that the most worthy cases got the charity. Some years ago a Mendicity Society was set up in Cheltenham, to which those in need could apply. Enquiries were made into their circumstances and, where it was thought appropriate, help was given, from funds subscribed by Cheltonians. It was an attempt to channel charity more usefully. Unfortunately it did not take the beggars off the streets entirely. In the first part of 1854 Col Hannel chairman of the Mendicity Society, appealed for funds. As a result the Society received enough to carry on.

As for begging by letter such as the one that at Bafford House, these were invariably false as regards the 'cause' needing charity and the sponsors to the charity - local celebrities names were used as sponsors and unauthorised letters written in their names.

These appeals could be operated by individuals or by gangs. There were even organisations prepared to set up the operation and provide the letters and documentation.

30TH AUGUST 1854 MATTHEWS - HAWKING

Joseph Matthews was charged with hawking dried fish in the streets. Fined 6d costs 7/-. Matthews claimed hardship as he had no other way to earn a living.

Bench: 'We cannot help it. We do not make the law. Our duty is to enforce it'.

The number of hawking offence cases brought before Cheltenham Magistrates increased significantly after the new Cheltenham Town Act 1852. It was an offence to solicit for customers in the streets or to sell door to door. This may well have been partly to prevent annoyance to residents and partly to protect regular tradesmen with shops/establishments.

It was quite in order, however, to deliver to regular customers, who had placed orders.

In a letter to the *Examiner* in the issue of 26 July 1854 a Lansdown householder said he bought most things at the door, because he was so far from Town. The ban on hawking was hard on hawkers. He suggested that a written order be given to call for one year. Alternatively the hawkers should collect orders first, then deliver.

12TH JULY 1854 CHARLES WINSTONE - OBSTRUCTION IN STREET

Charles Winstone was charged with leaving a truck load of stone opposite his stone yard in Fairview Street for 1½ hours, causing an obstruction. Winstone said that they were loading the largest stone in Cheltenham, intended for Dr Colledge's door, in the stone yard. Whilst this was going on, another truck load of stone arrived from the railway station, and that had to wait outside the yard. P/C Onions proved the obstruction and the Bench had no option but to convict under the Town Act. The lowest fine of 6d was imposed with costs at 7/-. Winstone thought it was a hard case and he was unhappy about it. He thought the new Town Act should be altered.

Magistrate Tartt: 'You'll save us a great deal of trouble if you get it altered.'

2ND AUGUST 1854 - WILLIAM ATKINS - STREET OBSTRUCTION

William Atkins, porter to Haywarden's, grocers, 134 High Street was charged with causing an obstruction in Sherborne Street by leaving a truck there half an hour. P/C Onions removed the truck to the Station House [the precursor of our modern towing away?], where it was claimed.

Bench: 'Bakers, grocers and the like should be cautious how they leave their trucks as they are liable to a fine if they obstruct.'

Fined 6d with costs of 7/-.

19TH JULY 1854 THOMAS SMITH - STREET OBSTRUCTION

Thomas Smith, marine store dealer, High Street was charged with leaving 2 trucks outside his shop, causing an obstruction. The trucks were there for loading and unloading. P/C Onions warned Smith; one truck was removed; the other remained. A mitigated fine of 6d was imposed with costs of 7/-.

Prosecutions for this offence of street obstruction increased substantially after the new Town Act of 1852. This had been an offence for many years before under Byelaws enacted by the Town Commissioners by their powers under previous Town Acts. Vehicles were only allowed to remain stationary for a reasonable time for loading, unloading. the Town Commissioners had a duty to keep the streets clear for the passage of ordinary traffic.

19TH JULY 1854 OBSTRUCTING THE PAVEMENT

Samuel Collett, greengrocer, Sherborne Street, was charged with leaving empty vegetable baskets opposite (outside) his house, partly on the footpath, partly in the gutter, for half an hour.

Collett pleaded that he was an old soldier; he and his wife had 146 years between them; that the baskets were there only until the cart came for the empties.

Edwin Rodway, fruiterer, Grosvenor Street, was charged with leaving a pot of savoy's in front of his shop and causing an obstruction to passers by.

Mrs Rodway: 'They were broccoli not savoy's', and alleged P/C Onions, the charging officer, was a partial man.

Bench: The P/C should serve all parties alike. Fined 6d, costs 7/6d.

3RD MAY 1854 JAMES LEDIARD - OBSTRUCTING THE FOOTWAY

James Lediard, the eminent (he had been around a long time) bill sticker, was charged with placing advertisement boards on the public footway in Winchcombe Street. P/C White cautioned Lediard. There was only one board and it was for charity for the wives and children of the Expeditionary force (Crimean

War). The Bench dismissed the case on the promise that the offence would not be repeated. This offence illustrates the concern of the Town Commissioners to provide free and uninterrupted passage on footways and pavements, without annoyance to the passers by. Other examples of this concern were byelaws prohibiting the wheeling of empty wheelchairs on the paving, and the banning of sweeps with their brushes, and the like, on the footway. They had to use the roadway itself.

28TH JUNE 1854 GEORGE POTTER - UNATTENDED VEHICLE

George Potter was charged with leaving a horse and wagon unattended in the street and fined 1/- with costs 7/-.

Leaving horses, and horses with wagons/vehicles, unattended was a Town Act offence, not only because unattended vehicles cluttered up the streets, but mainly because a horse, not under control, could cause damage to property and people. This can be best illustrated by quoting from a news item in the *Examiner* issue dated 13 September 1854. A horse and cart belonging to Jordan of Charlton Kings was left standing for a short time outside the shop of Malvern, brushmaker, High Street. The horse took fright and was driven in on the pavement against Malvern's window; then it ran against the plate glass front of Voile & Co. Several pounds worth of damage was caused.

TOWN ACT OFFENCES - HAWKING; OBSTRUCTING PAVEMENT OR ROADWAY; LEAVING HORSES OR HORSES AND VEHICLES UNATTENDED

Town Act offences were those under Byelaws incorporated in the New Town Act 1852, or before that, under Byelaws issued by the Town Commissioners by the powers of Town Act.

Providing the offence was proved, the Bench had no option but to convict and impose the penalty. The penalty was a fixed one but the magistrates had the power to impose a mitigated penalty.

Byelaws incorporated in the Town Act posed their own problems. The Town act was as long and complicated Act and it was alleged that residents did not know of the offences which they could commit, as was evidenced when the Town Commissioners enforced the height of shop blind regulation. It caused a great outcry from the tradespeople.

Consequently the Magistrates adopted the procedure that before an offender under the Town Acts was brought before them, he must have first been cautioned and made aware he was committing an offence. It was also part of the Magistrates' policy that the Town Acts were enforced impartially by the police on all offenders. There were allegations that the police were partial, prosecuting some offenders and not others.

As regard the remarks of Magistrate Tartt in the case of Winstone quoted above, G E Williams, the clerk to the Commissioners, pointed out that the offences in the Town Act were offences also in The Police Clauses Act i.e. the Town Act offences would still be offences, even if there was no Town Act. He made the particular point regarding obstructions on the highway, that no one should interfere with the right to use the highway.

There had also been complaints about the amount of costs (office expenses) in Town Act offences. These were not a matter for the Town Act or the Town Commissioners, but for the Magistrates at the Assizes/Quarter Sessions.

The 7/- costs for Town Act cases included 2/- for the information (regarding the offence), 2/- for the summons, 1/- for the copy summons, 1/- for the service of the summons, 1/- for the deposition.

It was accepted that the 1/- service for the summons was an exaction, as the police served the summons and they were paid to do so.

... Also from The 'Examiner'

VELOCIPEDES

Several correspondents complain of the nuisance caused every evening in the High Street by numbers of men and boys racing on bicycles: they ask whether the Town Commissioners cannot interfere to abate the nuisance. We don't know what the powers of the Commissioners may be, but we observe that at the Westminster Police Court this week, a bicycle rider was fined 10s for obstructing the thoroughfare or, in default of payment, 7 days imprisonment with hard labour. Householders feeling aggrieved by the practice here should try the question by summoning one of the offenders before the magistrates.

- 27th April 1870

A NIGHT'S SPREE

About twelve o'clock last night, just as the police were clearing the streets, three young gentlemen in private clothes were seen to run hastily across the High Street, from the Plough Hotel, one carrying a ladder, which was quickly placed against the shop of Mr. Hollingsworth, the tobacconist, and, in a second, two of the number were on the balcony, and with the assistance of the third 'swell' who remained on the ladder, set to work lugging at the figure of the Scotchman which stands looking across the High Street. But ere the rivets which bound the figure to the wall could be loosened, down came a deluge of water from a window above, and the luckless wight on the ladder catching the whole stream, was precipitated to the pavement, and then, 'mirabile dictu', a couple of policemen appeared and took him into custody, while his more fortunate companions (one of whom leaped from the balcony into the street), managed to escape. The culprit was taken into the Crown hotel to be identified but Mr. Hollingsworth declined to press the charge, and the 'bobbies' released the dripping young officer (for so he turned out to be) from custody. We believe the saturated individual had laid a heavy bet that would return to the hotel with the painted figure, so we may imagine the laughter which greeted his appearance when instead of the Scotchman it turned out that he had caught a Tartar.

- 6th May 1868

A SLIGHT MISTAKE

In our report of the address of Mr. Symonds delivered before the Cheltenham Association of Naturalists, he is made to say that the ancient man of the Belgium bone caves belonged to a 'huge' ancient race. The expression should have been a 'rude' ancient race as the bones in question belonged to a pigmy rather than a giant.

- 29th January 1868

TO THE BENEVOLENT A Country Curate advertises in our columns for one or two old Bath-chairs, on wheels, to enable some of his old and infirm parishioners to get to church on Sundays, and enjoy an hour or two a week in the open air this fine summer weather. The parish is a large scattered one extending over six miles. The chairs would be kept in the church tower and would be the property of minister and wardens.

- 1st June 1870

EARLY CLOSING

We cannot help expressing our satisfaction at the tone adopted by the speakers at Friday's meeting. There was no attempt to deprecate the motives of those who dissented from the movement, and no hint at anything beyond moral persuasion, in advocating the relaxation of the hours of labour. Although the meeting was a full one, the general public appeared to be but sparingly represented, and therefore we conclude that the purchasing class must be appealed to through the medium of the press. It is in the hands of this class that the success or failure of the movement must ultimately rest. It is to them, therefore, that the arguments must be addressed. If ladies will confine their shopping within reasonable hours, the larger establishments, at all events, may close without let or hindrance. But it must be remembered that there are customers and customers, as well as shops and shops, and as a large class of the former can only leave their homes in the evening, the tradesman with whom they deal are compelled to keep open for their accommodation. As far as we can gather the feeling of the trade generally, the 'seven o'clock all the year round' advocated at the meeting, is rather too early for this particular class; but perhaps a compromise of seven in winter and eight in summer would meet the difficulty. As to the half holiday, there is a similar feeling. Everybody seems to admit that trade might be suspended one afternoon in the week; but inasmuch as many shops must keep open on Saturday evenings, it has been suggested that if the holiday were fixed for some less busy day - say Monday, or Wednesday, or Friday - it would be generally acquiesced in without any serious interruption to business. But this is a matter of detail which might be easily arranged; there are many advantages in the Saturday half holiday, but the exigencies of trade seem to forbid its adoption with anything like the unanimity required.

- Editorial Comment 11th May 1870

- 24th November 1869

FOR SALE. One bedroom, three tabby cats and one parrot. Owner being now married has no further use for them as their amiable qualities are all combined in her husband.

- 17th November 1869

Gloucestershire Record Office Accessions 1993 relating to the Cheltenham area

The following list comprises those archives of local interest received at the Record Office in this period. Most have been catalogued and are available to researchers; an asterix denotes an uncatalogued collection which may be seen by prior arrangement. Records less than 30 years old are not usually available without the permission of the owner.

- Cheltenham Borough Engineer's Department: plan of the Winter Garden 1921 and Cheltenham main sewer 1931 (D6743); * other plans late 19th-early 20th cents. (CBR)
- Cheltenham District Roads: plan showing roads repaired by the District Trustees and land in Cheltenham and Charlton Kings belonging to Sir William Russell n.d. [early 19th cent] (D6798)
- Cheltenham Imperial Winter Garden and Skating Rink Co Ltd; appointment of G H Verney as secretary and manager 1877. (D6760)
- Cotswold Charity Steam Spectacular and Show: records relating to the show held in Cheltenham 1974. (D6872)
- Survey of the Gloucestershire Chinese Community 1992 (D6901)
- Thornloe Lodge, Priory Street: inventory of furniture and effects 1896. (D6784)
- William Barrett, journeyman baker: pocket book 1746-1800 (see article by M Paget in the *Journal* 1984) (D6798)
- W H Cole Ltd, later Delapena and Sons Ltd, of Painswick and Cheltenham, manufacturers of pins and induction heating and honing equipment: records c1880 - c1973 (D6892)
- Dr Melville Cook, late of Cheltenham, organist and musicologist: personal papers 1930s - c1992 (D6885)
- Dowty Rotol: correspondence between Rotol Ltd and the Air Registration Board 1949-50 (D6327)
- Healing and Overbury, architects: drawing office registers c1930 - c1970; drawings including All Saints church tower 1990-92 and St Luke's church 1991.
- Somerset Tubbs, late of Brixton and Cheltenham: papers relating to his estate and will 1847 - 1885 (D1882)

Deeds were received throughout the year from solicitors and private individuals. Properties included a villa called Westall Orchard in Alstone (1754) c1833 (D6744) 'Edgehill', Stanley Road, Battledown 1870 - 1992, 57 Duke Street and 76 Keynsham Road 1835 - 1985 (D5902) land in Segrave Place, Pittville, belonging to Joseph Pitt (1723) - 1827 (D6744) messuages known as Whithornes, Sturmyes, Dutsons and Finches of 4a. meadow in Swindon village 1692 (D6748) 8 Victoria Retreat off Upper Bath Road 1838 - 1992 (D6791) a piece of copy hold land called the Coneygree with messuage in Winchcombe Street 1845 (D6832)

The Record Office is always pleased to hear about potentially interesting documents and can give free advice about how best to look after them. Owners are welcome to discuss this with the County Archivist, David Smith.

Julie Courtenay, Senior Cataloguer

Recent books and articles on the history of the Cheltenham area

Bailey, M., *The Everyman Theatre Official Centenary Brochure 1891-1991*, Architext Publications, Cheltenham, 1991. 28 pp. £2.95.

Courtenay, A., 'Cheltenham Spa and the Berkeleys, 1832-1848: pocket borough and patron?', *Midland History* 27 (1992), 92-108.

Doughton, D., 'The beginnings of the Cheltenham Dispensary', *Gloucestershire History* 5, (1991), 14-17.

Kilminster, G., *Cheltenham Camera*, Quotes Ltd., Buckingham, 1991. 80 pp. £8.95.

King, B., *P.G.S.G. A history 1905-1946. Cheltenham's other girls' school*, published by author, 1990. 101 pp. £3.50.

Lanning, H. & Norton-Taylor, R., *A conflict of loyalties, GCHQ 1984-1991*, New Clarion Press, Cheltenham, 1991. 230 pp. £14.95.

More, C., '*A splendid College*': *An illustrated history of teacher training in Cheltenham 1847-1990*, Cheltenham & Gloucester College of Higher Education, 1992. 64pp. £5.

More, C., *The training of teachers 1847-1947: A history of the Church Colleges at Cheltenham*, Hambledon Press, London, 1992. 206 pp. £12.50.

O'Connor, D.A., *Battledown: The story of a Victorian estate*, published by Author, 1992. 149pp. £15.99.

Paget, M. (ed), *Charlton Kings Local History Society Research Bulletins*, published half-yearly.

Sampson, A., *Scene Together: A further selection from the series on people and places first published in the 'Gloucestershire Echo'*, Windrush Press, 1992, 92pp. £3.99.

Sampson, A., *The story of the Queen's Hotel, Cheltenham*, The Queen's Hotel, 1993. 24pp. £2.

Sampson, A., & Blake, S., *A Cheltenham Companion*, Portico Press, Cheltenham, 1993. 142pp. £4.95.

Scotland, N. (ed.), *A Gloucestershire Gallery*, published by editor, 1993. 122pp. £4.99.

Spry, N., 'Noverton Lane moated site, Prestbury', *Glevensis* 25 (1991), 33.

Turner, J.M., 'Ryan's Royal Circus visits Cheltenham Spa', *Gloucestershire History*, 5 (1991), 11-14.

Webber, D.R. *The history of Leckhampton School*, privately published, 1992. 63 pp. £2.

STEVEN BLAKE

