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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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Cover illustration of Paganini, and those on pages 7 and 26 by Aylwin Sampson

Francis Close's Battle with Tractarianism and Ritualism

NIGEL SCOTLAND

English church worship before the Reformation was characterised by ritual centred on the mass and the sacramental system. Most of this heritage of colour, sacrament, procession and ritual was eradicated by the sixteenth century Protestant Reformers. They regarded it as superstitious and out of keeping with the simpler home based church practices recounted in the pages of the New Testament. Thus for the most part from the sixteenth century down to the middle years of the nineteenth century the worship of the Church of England remained plain and unadorned.

In the early Victorian period however a series of events and movements combined to create a renewed desire to revive medieval ritual in the Church of England. On Sunday 14th July 1833 John Keble preached his celebrated Assize Sermon in the University Church of St Mary the Virgin, Oxford. Although it was intended that he should address the assembled judiciary he departed from the purpose of the occasion and spoke out in the most forthright tones against the country's 'National Apostasy'. Thus there began what became known as the Oxford Movement which was led initially by Keble, John Henry Newman, Hurrell Froude and Edward Pusey. Their over-arching aim was to re-establish universal respect for the Church of England as the national church. They sought to achieve this end primarily by urging the need for holy living. They also pursued it by means of architecture, worship and art. In order to make this a reality the Cambridge Camden Society was formed in May 1839 by the ritualist clergyman John Mason Neale (1818-1866). They urged the construction of lofty Gothic style buildings which dominated their surrounding landscape and so raised the profile of the church. They also promoted worship which they felt would cause people to fear, respect and honour God. It was this which led to their elevating and separating the chancel from the people by rood screens. They replaced the communion tables with altars which were raised on three steps. Clergy were encouraged to wear colourful vestments to make them more prominent and respected. Organs, robed choirs, choral singing and processions were all advocated as further means of achieving the same objective. Many of these ideas were set out in Tracts for Times which were commenced in 1833. It is for this reason that the Oxford Movement men were also known as Tractarians. As the Tractarians turned again to the Prayer Book they discovered that the Ornaments Rubric gave support to their cause. Ritualism, they also maintained, was more appealing to the poor who in many cases could neither read nor write and certainly found it difficult to cope with sermons.

Such were the Tractarian ritualists who provoked widespread hostility at every level from the Monarchy down to the working classes of the East End of London. Queen Victoria herself wrote: 'It is clear that ... the liberties taken and the deference shown by the clergy of the High Church and Ritualist party, is so great that something must be done to check it, and prevent its continuation'.¹ Among the many clergy of the established church who stood four square against the ritualism of the Tractarians few did so as forthrightly as the redoubtable Francis Close (1797-1882) who held sway over the religious life of Cheltenham for thirty years from 1826-1856.

Born on 11th July, 1797 in Frome, the fourth and youngest son of the Reverend Henry Jackson Close, Francis Close received a typically middle-class education at Midhurst in Kent and then at Merchant Taylors' school. It is very likely that Close experienced an evangelical conversion in his mid-teens, possibly resulting from his attendance at a Church Missionary Society Meeting in London. In later years he wrote of '...the Evangelical party to which I am not ashamed to confess, I have consistently belonged from my youth up till now'.²

In October 1816 Close entered St John's College, Cambridge. His time at the University did not result in any great academic distinction. He evidently had little time for mathematics though a real taste for boating. During his time in Cambridge however, Close came into contact with the distinguished evangelical cleric, Charles Simeon (1759-1836) who was both a Fellow of King's College and incumbent of Holy Trinity. Close wrote in late life:

There is one person to whom not only I, but the whole church, am indebted, the Reverend Charles Simeon... The value of such a matter will be appreciated when I state that, when I was at Cambridge, there was nothing to direct the religious studies of the young men but during divinity lectures which were a farce.... and there was no proper provision at all for the proper instruction of young men intended for the ministry.³

There was little doubt that Charles Simeon who was the leader of the evangelical party in the Church of England until his death in 1836 had played a major role in shaping Close's staunchly Protestant convictions. It was he who personally appointed Close to the incumbency of Cheltenham Parish Church in 1826 because his vicars so peculiarly suited those of his Simeon Trust.

From the outset of his ministry Close raised his voice against the Tractarians' influence in the Church of England. Central to their theology was a priestly view of the clerical office regarding the Church of England cleric as unique in status. Only he could dispense a truly valid sacrament by virtue of his ordination at the hands of a bishop who could trace his succession back in an unbroken line to the first apostles. Speaking in the autumn of 1851 Close declared:

We are here surrounded with peculiar difficulties... We have not only enemies from without but traitors within - it is from us that the apostates have departed to Popery, even dignitaries of our Church and there are other dignitaries remaining with us who ought to follow those who are gone.⁴

Close was angered at the way in which the Tractarians 'all conspire to one result, The Superstitions and Unscriptural Exaltation of the Priesthood'. He fulminated against 'the duty of confession to a priest, the elevation of the altar and its adoring priests.'⁵ Like many evangelicals Close felt an intense dislike for the new styles of clerical dress which 'transform the Church's ministering servants into Popish or Jewish, sacrificing and interceding priests'.⁶ Preaching in Cheltenham Parish Church he thundered:

I protest against those who would take from her (the Church of England) the simple garments in which she has ministered for three hundred years, and cover her again with the meretricious decorations which she then renounced...who would again rivet the chains of her priestly tyranny on the hands of the laity.⁷

In a later sermon Close said: 'It is a pitiable sight to see a clergyman of decidedly evangelical principles walking in a procession among Catholics decked out in fancy dresses of all colours, who rejoice in his involuntary conformity to medieval fashion'.⁸

One of the aspects of the Oxford Movement which many, including evangelicals, objected vehemently was the introduction of confessionals in which individuals confessed their sins to a priest in private and then received a priestly absolution. In a sermon entitled 'Priestly Usurpation its Cause and Consequences', Close denounced 'the duty of confession' as one of 'the particular links in the great chain of corrupt doctrine that was forged in this (the Papal) foundry of error.'⁹

The concomitant of the high Tractarian view of the priesthood was a high view of the Sacraments. Tractarians saw both Baptism and the Eucharist as conveying sacramental grace. Edward Pusey in Tract 67 had taught the doctrine of baptismal regeneration. Following the teaching of Aquinas and the medieval schoolmen he maintained that infants who had committed no actual sin could offer no bar to the automatic entry of God's grace into their lives. In their teaching about Holy Communion the Oxford Movement maintained the doctrine of the real presence of Christ. In a celebrated sermon preached in 1843 entitled *The Holy Eucharist a Comfort to the Penitent*, Pusey spoke of 'that bread which is his flesh' and of 'touching with our lips the cleansing blood.'¹⁰ Tractarians began to hold communion services with greater frequency and to introduce altars with lighted candles. Incense and wafer bread also became a feature of their Eucharist celebrations.

Close attacked what he termed 'the Mosaic ceremonial' attaching to the Oxford Movement Eucharist. The Sacrament of the Supper of the Lord, he declared, conveyed only 'spiritual blessings to those who rightly receive it'. Like other churchmen whose faith was deeply rooted in the Protestant Reformation, Close favoured worship that was plain and unadorned. Commenting on the Eucharist, Close maintained:

The distinguishing characteristic of this ordinance as related in Scripture is extreme simplicity and the total absence of all pomp, ceremony or splendour: so that the Holy Supper as instituted by its founder, differs as widely from the pompous imitation of it in the Romish Church, as it does from the redundant ceremonial of Judaism.¹¹

In another place Close was critical of those officiating ministers who 'stand not "at the North side of the table" as directed by the rubric, but at a distance of some feet from it - North West'. He also condemned 'the profanation' of those who repeatedly 'adore or bow towards the altar' and 'read the Epistle and Gospel on the Eastern side of the rood-screen.'¹²

Francis Close was at his most vehement in his denunciations of the Cambridge Camden Society with its twin aims of ensuring that all new churches should be built in the Gothic style and that all restorations should be more of the same. He recognised only too clearly that large Gothic style buildings were not conducive to Protestant worship but rather to ritualistic Roman worship. This is why he rejoiced in the plain style of St Paul's Church, Cheltenham, a building for which he personally had been responsible. He spoke with affection of its omission of a receding chancel, high altar and rood screen and praised its 'decent reading pew' and pulpit from which the pure gospel sounded out. 'Romanism' declared Close, 'is taught analytically at Oxford and artistically at Cambridge' that is 'theoretically in tracts at one university' and 'sculpted, painted and graven at the other.'¹³

Close denounced the Camdenians for building churches and equipping them with sacred furnishings by which the Oxford Tractarians could carry out their principles. In short he protested 'that the Restoration of churches is the Restoration of Popery'.¹⁴ In a forceful passage in his celebrated sermon entitled *The Restoration of Churches is the Restoration of Popery*, Close denounced the Camden Society's ideal churches.

What are these model Churches built for? The orgies of superstition! For long processions of priests repeating dirges...for the solemnisation of masses and elevations of the Host: where blind priests might perform superstitious, idolatrous services to and for the dead in an unknown tongue; such Churches are palpably unfit for all circumstances of modern worship.¹⁵

The nub of the whole matter for Close was simply that Tractarians and ritualism were nothing less than Romanism. Whereas the Papal Aggression was Romanism from without, Tractarianism was Romanism from within. In a sermon in Cheltenham Parish Church on 5th November, 1851 Close declared 'we have not enemies from without but traitors from within'.¹⁶ On another occasion in a sermon 'The Roman Antichrist: "A Lying Spirit"', Close took as his text 1 Kings chapter 22 verse 23 'Behold the Lord hath put a lying spirit in the mouths of all these thy prophets'. He traced "the Lying Spirit" through successive epochs in the history of God's people. Ultimately he reached the conclusion that the Lying Spirit culminated in Romanism, 'the masterpiece of Satan - the Papal Usurpation!'.¹⁷ He continued:

...the entire system and superstructure of the Roman Church is raised upon the foundations of fraud, forgery, imposture, and deception - and of her prophets it may be said - "Now the Lord hath sent a lying spirit among all these thy prophets, and the Lord hath spoken evil concerning thee."¹⁸

This same Lying Spirit, according to Close, was manifested in the life and behaviour of the Oxford Movement. Close ended his address by asserting that 'Tractarianism within the bosom of our Church, is a kindred spirit to the Roman Antichrist - and that it bears the great family likeness of the 'Lying Spirit' - fraud and deception.'¹⁹ In his view the fraudulent doctrine of Tract Ninety, 'reserve, shuffling, sophisms and crooked policy' all identified the Tractarians with the spirit of Rome.

How was what Close regarded as the corrupting influence of ritualism to be counteracted? He had two clear remedies. First, Christians must play an active and urgent role in promoting education and religious education in which the Bible was central. Second, Christians must stand uncompromisingly on the foundation of the canonical scriptures of the Old and New Testament.

With the passing of the years Close became increasingly concerned at the ways in which Tractarian influence was beginning to pervade the nation's education system at all levels. It was this fact which helped to motivate his concern for a wide variety of educational projects. Close wanted to ensure that education, both locally and nationally, was in accordance with Protestant biblical principles. In his view Tractarianism and ritualism had arisen out of ignorance, ignorance which stemmed from erroneous and superficial education. As he saw it 'secular education, without religion and without instruction in holy scripture, has proved itself to be a preparation ... as well for Popery as for infidelity'.²⁰ Close was adamant that the Bible and Biblical values should instruct all other disciplines in the classroom. 'We

wish', he said, 'to take the Bible in hand when we study, or teach history, geography, astronomy, and political economy.' 21

Among other projects, Close became one of four vice-presidents and director of the Board of what later became known as Cheltenham College. In the course of his lengthy public address at the inaugural meeting of that institution at the Assembly Rooms in July 1841, Close spoke of the 'grand general principle' on which the school was founded. 'Christianity', he said, 'was that 'grand principle' - all literary and scientific knowledge must grow out of that principle. He continued: 'The Christian Religion, the Gospel of God, the Religion of the Bible - that would form its foundation of stone, that would form its chief cornerstone, that would form its top stone.' 22 A little later Close remarked that he might be asked what religion he meant? He replied that he meant 'the religion of the martyred reformers - the religion of the Thirty Nine Articles - the religion of the liturgical authors...This was the religion which he would interweave in the daily instruction and practice of the Cheltenham Proprietary College.' 23

Close came increasingly to see the crucial importance of training school teachers who had definite Protestant convictions. By the summer of 1840 Church Colleges had been established at Chester, Exeter, Oxford, Chichester, Gloucester and Norwich. The problem however, as Close saw it, was that none of these institutions was run on the principles of the reformed religion of the Church of England. When Samuel Codner, a merchant who had strong evangelical convictions and an interest in education, invited Close to support the foundation of a new training college in Cheltenham, he was more than happy to give the project his whole-hearted support. The inscription on the foundation stone of the new building which was laid on the 19th April, 1849 reflected Close's determination to proffer teacher education which was untainted by Tractarianism or ritualism. It included the words

For the purposes of instructing masters and mistresses...upon scriptural, evangelical and Protestant principles in accordance with the Liturgy and Articles of the Established Church.

Close was unequivocal that Rome had always suppressed the circulation of the word of God, and endeavoured to withdraw it from the People. Such, he maintained was the case in Spain, Portugal, Italy and South America, and even in France 'not one person in twenty of the Romish Church has even seen a copy of the word of God in his own language.' 24 Close in fact became a member of 'The British Society for Promoting the Principles of the Reformation in 1845. He gave as his main reason for doing so the fact that priests of the Romish and English churches were teaching human doctrines and traditions before the word of God.' 25 'Brethren', Close exhorted his parishioners in the autumn of 1851, 'study God's word more diligently, pray over it more fervently, press it to your bosom as your best friend and guide and teacher - and we need fear but little our Romish foes without, or traitorous enemies within! The Lord of hosts is with us, the God of Jacob is our refuge.' 26

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Thomas Morhall's Legacy: the Cheltenham Building Survey Certificates, 1824-48

JAMES HODSDON

SEVERAL PREVIOUS researchers into the history of Cheltenham's urban development¹ have made use of the Town Building Surveyor's certificates held at the Gloucestershire Record Office (GRO)². These brief but valuable records certify that the Town Commissioners' Building Surveyor was satisfied that a new or altered building met certain local regulations; the illustrations show earlier and later examples. The records survive for the years 1824-40, and for one month of 1848. As the examples show, the certificates give a date, the type of building and its address, and the name of the person granted the certificate - sometimes a builder or developer, sometimes an owner or occupier.

The certificates have not until now been indexed, so though they are kept in date order at the GRO, searching them for information on a particular building or builder has been laborious. Now however the essential data in the nearly 1300 records have been abstracted and collated³. To help future users of these records, this article gives the background to their creation, describes the main features of the surviving certificates, and draws some broad conclusions.

Evidence suggests that in Cheltenham the requirement for official surveying of new constructions began in 1812, and that formal certification of this process began in 1824. Though other towns were issuing certificates before 1824⁴, none survives for Cheltenham before this date, and the circumstances suggest that none existed.

The start of this process in 1812 was due to the initiative of Thomas Morhall, the most energetic of all the early Town Surveyors of

Cheltenham. Though they do not bear his name, we may justifiably regard the certificates as the legacy of this dedicated public servant.

Official documentary evidence for the urban development of Cheltenham before the second half of the 19th century is thin and haphazard. The surviving municipal records of this period were never designed to provide this kind of dating information, and they give only incidental glimpses of the development of new streets or ranges of buildings. Property deeds can pinpoint the dates of individual buildings, but are not systematically accessible. Various secondary sources exist, but give no regularity of coverage. Two excellent detailed maps (the 1820 Post Office map, and Merrett's plan of 1834), give us a couple of very solid baselines for this period, but Cheltenham was initially too small to warrant one of the normal English urban history sources, the annual street directory. Shenton's landmark listing of the High Street in 1800 is followed by 20 lean years until Gell & Bradshaw's useful county directory, and then there is another thin stretch to the first separate town directory in 1837. Against this background, the survival of even an incomplete series of original records shedding light on individual streets and buildings is doubly welcome.

The Early Surveyors

Ever since their creation under the 1786 Act of Parliament, Cheltenham's Paving Commissioners - the predecessors of the Town Council - usually had an appointed Surveyor at their service. Yet for at least their first 25 years, there was no notion that the control of building standards was any

part of the Town Surveyor's job. What then was their role? The available evidence comes almost entirely from the Paving Commissioners' minutes⁵; it suggests that much depended on the inclination and abilities of the appointee. The Town Surveyor was one of the very few paid officials of the Commissioners⁶; it seems to have fallen largely to him to make sure the improvements that the Commissioners were supposed to promote actually happened. Initially the objectives were the paving, lighting and drainage of the town. The Surveyor's duties gradually grew in number over the years, but the job remained rather ill-defined. One may guess that as a result it was often thankless, and this would account for the rapid turnover in the early years.

It may be noted at this point that there had long been in Cheltenham two "Surveyors of Highways" appointed each year by the Vestry. They were not professionals, had few resources at their disposal, and were generally not very effective at their task of keeping the parish's routes passable. Certainly in the early years of the Commissioners, their role and that of the Town Surveyor did not overlap.⁷

The first surveyor to serve the Commissioners was appointed on 13 September 1786, within a few weeks of the Act becoming law.⁸ This was Mr Thomas Cooke of Cheltenham; little is known of his background or activities, though in 1787 he did produce a plan for paving the High Street. Cooke's expenses were met from time to time, but the minutes make no mention of a formal salary. This uncertain arrangement may have been one reason for his resignation in mid-1795, when he was to be paid a (final) 10 guineas as recompense for "all his trouble, time and charges", and to settle "all disputes" with him.

His duties cannot have been extensive, for on Cooke's resignation, the appointment passed to Harry Rooke, the long-serving Town Clerk, who managed to combine this with his several other responsibilities. This

remained the situation until at least 1805, and probably into 1806, though the records are too thin to confirm this.

Cheltenham's 1806 Act brought a number of reforms, but neglected to specify the limits of the town. Once Mr Thomas Smith "of the Bank" (probably the Gloucester & Cheltenham Bank) was installed as the new Surveyor, 6 August 1806, he set about producing a set of measurements between the key points in the town. These contributed to the formal definition of the town limits agreed in November 1806, but before then Smith had found that his "other avocations" left him insufficient time for this additional office: the 1800 directory suggests he was also busy as a grocer, postmaster and agent for life and fire offices. He tendered his resignation on 7 October, after only two months.

Lacking at that time the medium of a Cheltenham local paper, and perhaps through sheer parsimony, the Commissioners on 24 October ordered their Clerk to fix a notice on the church door advertising for a Surveyor - and a Scavenger, this post also being vacant. This drew an offer from a Mr Edward Smith to execute the first office for an annual salary of £50, and he was appointed for one year from 11 November 1806. There is little evidence of his work, but he was retained for a further two years, so presumably met the Commissioners' needs. He resigned on 2 May 1809.

Edward Smith was succeeded by Robert Merrifield, appointed Surveyor and Clerk of the Market at £50 p.a. (apparently for each job), to be reviewed after a year. Merrifield seems not to have been entirely satisfactory, because on 3 December 1811 the Commissioners ordered that the office of Surveyor should in future be executed under different regulations and a reduced salary, and that proposals from individuals willing to work on such terms should be invited. However, Merrifield seems to have served another year, having persuaded the evidently reluctant Commissioners that he had been

promised £100 p.a. By January 1812, he had disappeared from the scene. Four months later, no new applicant had presented himself, for the minutes record on 5 May that one of the Commissioners themselves, Captain George Brisac, had "handsomely offered his services gratis to act as surveyor of the town for the ensuing six months"; his offer was "thankfully accepted". At the end of this term, Brisac earned further thanks for his "gratuitous and very active services".

In October 1812, the post was ordered to be advertised in the *Cheltenham Chronicle*, and one can picture the relief of the assembled Commissioners when on 3 November they were able "unanimously" to appoint Mr Thomas Morhall⁹ with immediate effect, at £80 p.a. Relief probably blossomed to delight when less than a month later, Morhall turned in his comprehensive first report, which contains unmistakable evidence of a new broom. This report, not preserved in the minutes but printed in the *Chronicle*¹⁰, addressed a whole range of deficiencies. The Commissioners were quick to vote Morhall their thanks for his suggestions, and "the ready proofs he has given of great attention to the duties of the office to which he has been appointed". Interestingly, top of Morhall's list was the need to overhaul the town's fire service¹¹. Worries about fire risks were also the reason for this further item in his report:

"NEW BUILDINGS. - A nest of houses are erecting by a gentleman in Chester Walk, the division walls of which are only 4½" thick, the timbers consequently intercept, and are very dangerous to the neighbourhood in case of fire. I have warned the workmen, but not by written notice, as I wish to have the order of the Commissioners herein."

The Commissioners duly ordered that notice be given to the gentleman, who is identified in the minutes as a Mr Whitmore. Before 1812, there is no sign that the Surveyor (or anyone else) was officially concerned with construction standards in the town, and the inference has to be that

Morhall's intervention with the workmen was his own initiative, and further that at this date there was no local precedent or regulation for the energetic new Surveyor to apply.

The following month, January 1813, Whitmore appeared before the Commissioners and undertook to make his party walls 9" thick. At the same meeting, it was ordered that "a general notice be given to all Builders as to Party Walls and Notices be printed immediately", and this we may take as the beginning of formal regulation on the matter.

Whitmore may have believed that the Commissioners' order had no force, for in February it was reported that he was persisting in building contrary to the order; unspecified proceedings were set in hand. Two further cases came up in the following months: in April 1813, one Benjamin Newbury was given notice "touching the party walls in the cottages now erecting by him near the Hon Miss Monson's, and that the same be made 12" thick", and in June a Mr Goodall was told to make his party walls (site not stated) no less than 12" thick. No more is heard of party walls in this period - probably a sign that the regulation had become accepted, and that the Commissioners' attention had passed on to other things.

The year closed with further warm thanks to Morhall for his diligence in his first twelve months, and a particular tribute to his "very conciliating manner". His reward was re-appointment, with salary boosted to £100. The years immediately following show him to be continuously active and very much the Commissioners' main executive.

Morhall had several irons in the fire. He served for a time as a Master of Ceremonies¹²; he was secretary to a tontine scheme to build 4 houses in Cambray¹³, and in September 1815 he set up as an estate agent. Repeated advertisements in the *Chronicle* announced that "Mr Morhall, the Town Surveyor, by the recommendation of

the principal Owners of Property in the Town of Cheltenham, and its Neighbourhood, has opened an office of General Agency for the Sale or Purchase of Houses and Estates, at No 327 High Street."

Thomas Morhall must have remained an active and respected person, for his sudden death in September 1819 was noted in affecting terms¹⁴ (see opposite).

The *Chronicle's* prediction that Morhall would be hard to match was accurate. The Commissioners must have advertised the vacancy almost straightaway. The first candidate to come to notice, declaring himself a scant week after his brother's death, was William Church Morhall. In an open letter of breathtaking unctuousness, displayed with black border on the front page of the *Chronicle*¹⁵, he addressed the Commissioners thus:

"GENTLEMEN: The vacancy in the Surveyorship of this Town, caused by the melancholy and lamented death of my dear Brother! imperatively calls upon me to offer myself to your notice as a Candidate for that office, *for the benefit of my departed Brother's Widow!* and *this is my only inducement for intruding on you now.* Almost a stranger to you, Gentlemen, yet having some interest in the welfare and growing prosperity of Cheltenham, however humble my abilities may be, when compared with others, yet I trust it will not be deemed vanity in me to say, that even *to them* I will not yield in strenuous exertions and endeavours to fill the office both to the satisfaction of you, Gentlemen, and the improvement of the Town, should I be so fortunate as to become the object of your choice. The melancholy cause will I am sure, be a sufficient apology for not personally waiting upon you to solicit your favour previous to the day of Election."

The impression that William Morhall had his own interests closer to heart than those of his sister-in-law or the town must have struck contemporaries too. Underneath his open letter is that of Thomas Hughes.

DEATH OF MR MORHALL, TOWN SURVEYOR

With most painful feelings do we record the following melancholy accident. At half-past twelve o'clock on Wednesday, the 15th inst, as Mr Morhall was mounting his horse on the Gloucester Road, near Alstone, the animal took fright at the shaking of a tree, and wheeling suddenly round, the unfortunate gentleman was thrown, when his head striking the ground, a contusion of the skull took place, and though he was most promptly attended by Doctors Lucas and Seager and copiously bled, not the least hopes of recovery could be entertained; he was carried in a chair to his house, in a state of total insensibility, and remained in that condition till four o'clock in the afternoon, when he breathed his last, with the most seeming unconsciousness of suffering. - Sir A B Faulkner and Dr Boisragon also attended, and made every effort for his preservation that medical skill could suggest, but in vain. About a month since he was thrown from the same horse, and had a rib broken. - No man could be more indefatigable, or more zealous, or act with more fidelity to the Public, in the discharge of his official duty, than Mr Morhall, and it will be difficult to supply his place, with the same perfect devotedness to the labours of his situation, or the same degree of talent.

(Cheltenham Chronicle, 16 September 1819)

Significantly, Hughes' more sober statement of candidacy mentions that "I have been advised by several of the Commissioners and other Gentlemen, to offer myself a candidate". A third candidate, whose

announcement appeared less prominently on an inside page, was one J Johnson. He claimed to have served many years as Surveyor to the University and City of Oxford, and to have lost by only one vote to Thomas Morhall in 1812.

Exactly what mud was slung in the next two weeks we do not know, but the *Chronicle* of 14 October carried further letters from the first two candidates (nothing more is heard of Johnson). Morhall protested: "I did not think it possible there was a human being, who unprovoked, was base enough to endeavour to cast a blemish on the well known character of my deceased and ever lamented Brother; - but it appears there have been insinuations thrown out, tending, in an unmanly way, to attack the unblemished and hitherto unattacked character of my departed Brother, and rob his disconsolate Widow of a fair and honorable name!!". Hughes' final address makes no reference to any of this, dwelling more on his 10 years' residence, local knowledge and impartiality.

Seemingly, William Morhall's emotional blackmail paid off, for at their special meeting on 15 October 1819 the Commissioners appointed him their new Surveyor. They may indeed have hoped thus indirectly to provide for Thomas Morhall's widow, but sadly - perhaps affected by the hurtful campaign - she died the following month, having survived her husband by just nine weeks¹⁶.

Once in his new post, the second Morhall was to remain Surveyor for four years - yet he left much less of a mark than his brother. Though filling some of the duties - a surviving letter reads "Mr Pritchard would feel very obliged to Mr Morhall if (in the course of his Walks) he would just give a look at the door of his Cottage and say what he thinks respecting the Saw Pit"¹⁷ - William Morhall is almost completely absent from the Commissioners' records. Something was going amiss. Matters finally came to a head in a long private discussion at the

Commissioners' meeting of 3 December 1823, at which his resignation was sought - and given¹⁸.

Once more, an advertisement was to be placed in the *Chronicle*, and on 26 January 1824 Richard Billings was appointed as the new Surveyor (he and his successors are described further below). It was particularly ordered that the Surveyor should from now on present a proper written report and full itemised accounts each month. The implied charge of poor management and book-keeping against William Morhall is clear. It can be no coincidence that the GRO run of survey certificates begins within a very few months of Billings' arrival in 1824.

Fire prevention remained the dominant reason behind the Surveyor's concern about wall thickness in the early years after 1812: Hart¹⁹ notes that Cheltenham's 1821 Act of Parliament "ratified many of the powers which the Commissioners had been exercising for some years, such as their insistence that the plans of all new buildings and all additions and alterations to old buildings should be submitted to their surveyor, who enforced regulations concerning the thickness of party walls and stopped the use of thatch for roofs". It is this Act, "passed in the Second Year of the Reign of his late Majesty", to which the later printed certificates explicitly refer. The 1806 Act had made no mention of these powers.

To the fire danger might be added concern about basic structural adequacy. Blake²⁰ documents a notorious collapse involving the front wall of a house still under construction at Pittville in 1825, and doubtless this was not the only incident caused by jerry-building. It is interesting that the newspaper commentary on this incident implies there was no law or regulation governing the thickness of main (as opposed to party) walls, and that all was left to "the judgement or parsimony of the builder". The certificates themselves give no indication of the purpose of the regulation they satisfy.

The Certificates

The following tabulation shows the annual totals of survey certificates held at the GRO; the number of buildings they detail; and (in brackets) the number of months for which certificates survive.

1824	72	82	(6)
1825	136	252	(9)
1826	132	212	(10)
1827	113	131	(4)
1828	77	76	(7)
1829	19	21	(4)
1830	13	12	(2)
1831	35	44	(4)
1832	28	54	(7)
1833	56	90	(12)
1834	81	109	(12)
1835	103	155	(11)
1836	104	148	(11)
1837	70	112	(9)
1838	84	149	(11)
1839	72	92	(7)
1840	91	134	(9)

1848	9	16	(1)

Totals 1295 1889

So much for the raw figures. What do these, and the documents themselves, tell us?

It appears from the dates on the certificates that the surveyor would normally make his round of the town for this purpose once a month to check recent completions. He did not of course go beyond the town limits, and the surviving certificates detail nothing south of Great Norwood Street, west of Queen Street, north of Pittville, or east of Old Bath Road.

While it seems likely that the inspection round was normally carried out every month, for only two years (1833 and 1834) are there returns for all 12 months (see Table above). If we accept a few missing winter months as reflecting seasonal inactivity in the building trade, then 1825, 1826 and 1835 may also be

complete. There is no way of telling quite how incomplete the remaining years are, but there are obvious gaps, and it would be unwise to base any argument relating to a particular street or building on the absence of a Surveyor's certificate.

Because of these gaps, the totals in the Table are of limited value as economic activity indicators - unless there is corroboration from other sources. Such confirmation is hard to find. Griffith²¹ says that between 1821 and the end of 1825 (ie just overlapping into the period of the certificates) 1,053 new houses were built in the town. Thus, in an acknowledged boom period, the annual average was about 200 - rather higher than even the best year in the table. Writing in 1834, Davies²² estimated that 200 houses had been built since the 1831 Census, say 60-70 per year, though this covered only houses of the "1st and 2nd class".

Another alternative source for a few years in the 1830s is the *Cheltenham Looker-On*, which in its early volumes offered an annual survey of building progress in the town²³. Reflecting a general preoccupation with the upper end of local society, the *Looker-On* counted only private residences in the up-and-coming parts of town, with emphasis on the rivalry between Pittville in the north and the Imperial, Lansdown and Park estates in the south. Within these areas (and excluding business premises), the *Looker-On* counted the following numbers of houses in progress (or complete but not yet occupied) - again, the figures almost certainly exclude all artisan housing:

	North	South	Total
1833	33	90	123
1834	31	120	153
1835	30	96	126

Some of these houses stayed unlet for more than a year, so the totals cannot be readily related to those derived from the certificates. However, approximate

combined totals of the certificates for broadly the same residential areas are as follows:

1833	40
1834	55
1835	75

ie, somewhere between one-third and a half of the tallies presented by the *Looker-On*. Given the different perspective of the annual surveys, mainly the fact that they are not looking solely at completions within the preceding 12 months, and the uncertain completeness of the surviving certificates, some discrepancy is not surprising.

A closer study of the data might narrow the discrepancy, but this limited exercise in comparison does tend to underline that the main value of the surviving survey certificates is not as a statistical base. Their greatest use is as individual pieces of evidence for the dating of the streets and buildings named therein, and as indicators of the span of activity of the builders and developers they mention.

The early certificates, though using an generally standard form of words, are entirely manuscript and their appearance varies considerably. Some are small slips of paper dealing with just one building, others deal with several entries on a large sheet. Assuming that the grantee of a certificate probably had a copy to keep, the surviving early documents at the GRO are probably office copies. In some cases, where duplicate entries are evident, it appears that periodically a fairly large number of records would be collated into a schedule for presentation to the Commissioners, with the date of collation replacing the original certificate date²⁴. Some buildings thus appear at first sight to have been inspected twice, some months apart; or it may appear that a very large number of buildings was inspected in one month. This is clearly not the case in fact, and where apparent duplication exists, the abstracts cite only the earlier dated record.

A more organised bureaucratic hand is evident behind the survey process from 1827 onwards. From that year, the certificates use a printed proforma, strictly adhered to, and there is no sign of duplication, or surviving evidence of collation for the Commissioners. The documents are bundled by month, and usually all bear the same date within that month. From 1828, the certificates are nearly always dated on the first Friday of the month, whereas previously there is no discernible pattern. It may reasonably be inferred that the certificates are close in date to the inspection itself, and that they thus give an accurate guide to the date of completion of the fabric of the building.

The certificates were completed and signed by the appointed Surveyor himself. As noted above, from 1824 onwards this was Richard Billings.²⁵ He was originally the Commissioners' principal Surveyor. Though he later resigned from the principal post, rather than take on various additional duties to do with the embryonic police force²⁶, he retained the work of Surveyor of New Buildings²⁷. His name disappears from the certificates from July 1838 to March 1839 (illness? - he was by this time in his 70s), being replaced by John Whitmore. Ironically, this was the same Whitmore who resisted the Commissioners' interference in his business at Chester Walk in 1812, and who is himself named as a builder in several certificates of 1824-26²⁸. Billings signs again for part of March and for May 1839, but in June 1839 Whitmore takes over permanently, signing until the end of the main run in 1840. The handful of certificates for 1848 are signed by Andrew Paul, a professional architect besides his official appointment as Surveyor²⁹. The gap from 1841-47 in the GRO sequence of records is so far unexplained, as is the absence of further records after 1848.

While most of the survey certificates obviously relate to houses recently built, in some cases the usual formula is amended to

show that the building in question was "completed" by the named person. This doubtless often refers to a completion by a second party following business difficulties or even failure on the part of the original developer. Such "completions" are most often noted in the years 1828-32; they tail off in the mid-1830s, but increase again in the late 1830s. The certificates give no clue to how long the delay in completion had lasted. Many of the earlier certificates deal not with new houses but with "additions and alterations", a phrase occurring in the 1821 Act, to existing properties. This feature is not seen after 1832; perhaps the survey requirement for such building work lapsed, or the later certificates simply fail to record the distinction.

In most cases, the location of a certified building is reasonably clear, with a street name quoted. In some cases, notably in the High Street and some of the grander developments, house numbers are given, though the numbering schemes are rarely exactly the same as those in use today. Some of the developments in artisan quarters are harder to identify exactly, when only a field reference is given: how large was "Mr Godsall's field" off the Bath Road, site of several certificates in 1825? Several vanished street-names occur, including Portman Street (now Great Norwood Street); Bond Street (almost certainly an early name for at least part of Clarence Street); and Melbourne Street, not firmly identified, but, on the evidence of the builder Blizard being involved, probably in the St Paul's area.

Women stand out by their rarity among the names on the certificates, and there is none to rival the Hon. Miss Katherine Monson (8 certificated buildings to her name, notably including St Margaret's Terrace). Most of the 15 or so other women named appear to be owners or occupiers of altered buildings, rather than builders or developers, though Mrs Watson, responsible for 3, 4 and 5 Priory Street, may be among the latter.

In a few cases, the certificate records the

survey fee. In 1828, modest dwellings in Queen Street off the Tewkesbury Road rated a fee of 7s, while larger houses in Priory Street rated a full guinea. There is one recorded instance where for some reason a developer initially objected to paying for the survey. In early April 1834 letters were exchanged with one W Branton about the fee for Nos 11-14 Montpellier Spa Buildings, but the issue must have been resolved, as the certificates were issued later the same month.

Most of the certificates naturally relate to dwelling houses, but plenty of other types of building also appear. A non-exhaustive list shows 5 malthouses, 4 breweries, 6 smith's shops or forges, 2 coach manufactories, 1 fire-engine house, 1 hotel, and a great many stables and coach-houses.

These documents contain many useful nuggets, in addition to shedding light on the development of the major estates. One might note at random the steady development of an extensive range of stables and coaching-related buildings by Benjamin Fagg in Latheram Meadow from 1831-33 (behind the Bayshill Inn - see 1834 map); an almost full chronology for Montpellier Retreat³⁰ (38 houses detailed); the identification of one William Page as the builder of Page's Court off Portland Street, 1827; the certificate to Richard Liddell for the new hotel in Imperial Square (the Queen's) in June 1838, along with its 20 stables, 5 harness rooms and 2 ranges of coach-houses; the activities of the Jearrard brothers at Lansdown (34 properties listed); and of local builders such as William Gwinnell of Bath Road (40 houses, many off the lower Bath Road and near Oxford Street) and Anthony Major (most of Oriel Place).

Anyone with an interest in a particular building, area or builder during the period covered by these certificates would do well to check them.

Footnotes

1. See eg Steven Blake, *Pittville 1824-1860*; Maggie Blake, article on Swindon Passage in *Cheltenham Local History Society Journal*

Vol 7. Some readers will have seen the value of the certificates illustrated in Steven Blake's lectures on the growth of Cheltenham.

2. GRO: CBR Box 7A

3. Copies of the abstracted information, arranged by year, together with additional printouts listing the whole sequence alphabetically by address and by surname, have been deposited at the GRO and the Cheltenham Reference Library in Clarence Street. In addition, the author is willing to answer specific questions from the abstracts (32 King's Road, Cheltenham GL52 6BG).

4. The GRO has a stray from Monmouth, dated 1820.

5. GRO: CBR Box A. Volumes 1, 2 and 3 used for this article.

6. The only other regular paid appointment in the earliest years was that of Scavenger, though a "Collector and Assessor" also appears to have had a salary.

7. Hart, *History of Cheltenham*, p261.

8. This appointment appears to have been overlooked by Hart, who says (p265) that the first mention of the Town Surveyor was not until 1787.

9. The event was also reported in the *Cheltenham Chronicle*, 12 November 1812. Morhall's address is given as the Stone House, Milsom Street. As this street had only come into being in 1810, it must have been a new house. It lay on the west side of Milsom Street (site since rebuilt).

10. Issue of 1 December 1812.

11. The troubles of Cheltenham's early fire service occupied the Commissioners on many occasions; an interesting and apparently unexplored topic awaits its chronicler.

12. See for example advertisements in the *Chronicle*, 16 March 1815, November 1815, for the "Town Winter Card and Dancing Assembly", at Sheldon's York Hotel.

13. *Chronicle*, 30 March 1815.

14. *Chronicle*, 16 September 1819.

15. *Chronicle*, 30 September 1819; sent from Hamilton Cottage, and dated 22 Sept.

16. Death notice in *Chronicle* of 25

November 1819, p3.

17. GRO: Box 3, Bundle 44; dated October 1822, from Hampden Cottage.

18. It seems very likely that this dismissal would have provoked public comment, but unfortunately local papers are not available for these months. William Morhall's later fate is not clear; he is listed at Milsom Street (as "gentleman") in 1830 (Pigot), but is absent from the very full Directory of 1844.

19. *History*, p299.

20. *Pittville 1824-1860*, p29.

21. S Y Griffith, *New Historical Description of Cheltenham*, 1826.

22. *Stranger's Guide*, 2nd edition, p8.

23. Issues of 25 Oct 1834 and 24 Oct 1835. The first of these also summarises the results of the 1833 survey, reported in one of the very early issues of the *Looker-On*, not preserved at Clarence Street. The annual survey seems to have been abandoned after 1835.

24. For instance, the September 1824 listing, of some 39 entries, is prefaced "*The Certificates relating to New Buildings and Alterations were delivered to the Commissioners acting under the Cheltenham Paving and Lighting Act by Mr Richard Billings the Town Surveyor at their Meeting on the first day of September 1824.*" and is endorsed "*the certificates enumerated in this list have been deposited by order of the Commissioners in my possession. Theodore Gwinnett 1st Sept 1824*". All this formality must reflect the tighter accounting that the commissioners sought after their later problems with Morhall.

25. A surveyor by profession, he lived at Manchester House, Manchester Street (now western end of Clarence Street) - listed in Pigot's 1830 County Directory. He died 6 Nov 1856 (brief announcement in *Examiner*, 19 Nov), in his 91st year, so would have been born c1766, and aged about 58 on his appointment in 1824.

26. An improved police system was set up in 1831-2 (Davies, *Stranger's Guide*, p141).

27. Hart, *History*, p307. The date of this arrangement is at present uncertain.

28. John Whitmore is listed in 1820 (Gell & Bradshaw) at 12 & 13 Chester Walk (builder and lodging house). The 1824-26 certificates show John Whitmore building in various parts of town, including 4 houses in St George's Place - ie close to Chester Walk.

In 1844, he was still living at 13 Chester Walk, and is still described as the Town Building Surveyor.

29. The 1844 Directory gives two addresses for Andrew and Charles Paul, architects and surveyors - 397 High Street and 7 St George's Square.

30. Now Montpellier Villas.

This is to Certify that the following Persons, in
Erecting the several Houses & Buildings, as herein
specified, have conformed to the Rules & regulations
required by the present Cheltenham Paving & Lighting Act

Sir
Mr. John Drew, 2 houses, Victoria Walk
Sir John Eustace 1 house N^o 2 Lower Promenade
Mr. Rowland Paul 1 house Oxford Parade
Rev^d. Mr. Hinks --- 1 house in D^o.
Mr. W^m Gwinnell 2 houses in D^o.
Mr. W^m Kidmead 1 house in D^o.
Mr. Bullamore --- 1 house in D^o.
Mr. Ellis, 2 houses South Parade, near his residence
Mess^{rs} Graham & Gibbons, 2 houses Montpellier retreat
Mr. Hartus 1 house Hereford Parade, & 2 Cottages behind it
Mr. Robert Williams, 1 house adjoining the Queens Head
Mr. Binfield 1 house N^o 2 Rodney Terrace
Mr. Thomas Hall 1 house, in Mr. Goswals field, Bath road
Mr. W^m Jay 1 house --- in D^o.
Mr. Joseph Kidmead 1 house in D^o Place
Mr. Newman 5 houses, in Newman's Place.
Mr. John Barnard 4 houses, Opposite Chapel Street

Cheltenham Aug. 20th 1825, Richard Billings
Town Surveyor

This is to Certify that Mr Henry Haines, in Building a house
in Oxford Parade, and an Addition to a house in Cambrai place
have conformed to the rules and regulations, required by the Cheltenham
Paving Act

November 30. 1831

Rich. Billings, Town Surveyor
to the Commissioners, acting under the Cheltenham Paving Act

To the Cheltenham Paving Commissioners.

I, the undersigned, RICHARD BILLINGS, the Surveyor appointed by
the Cheltenham Paving Commissioners for surveying New Buildings
within the Limits of the Town of Cheltenham aforesaid, do hereby
certify to the said Commissioners that I have viewed and surveyed
the Messuage or Hotel, called *Siddell's Hotel*, situate in
Imperial Square within the Limits of the said
Town of Cheltenham, and lately erected by *Richard Siddell
and Company* — and that the same hath been completed
and finished conformably with the Rules and Regulations prescribed
and ordered by the said Commissioners, under and by virtue of the
Powers of the Act passed in the Second Year of the Reign of his
late Majesty, for Paving and Lighting the Town of Cheltenham
aforesaid, and that the Directions of the said Act have been duly
complied with in the Erection thereof.

Witness my hand, this

First

Day of

June 1831

Richard Billings

Paganini comes to Town

LESLIE BURGESS

DURING THE week beginning 17th July, 1831, one reason for excitement in Cheltenham was the first Race Meeting at Prestbury Park, with other events planned to take place as additional entertainments: a display of fireworks was described as a 'Grand Race Gala' and on the evening of Thursday 21st there was a 'Stewards Ball' held in the Montpellier Rotunda. Firework displays were held quite often and as for Balls, there were some every week, sometimes each evening of the week, except Sundays. But the one event which *was* extraordinary was the visit of the world-famous Signor Paganini. He gave two concerts in the Assembly Rooms, the first on the evening of Wednesday 20th and the other in the afternoon of Thursday 21st July. That Paganini was a great draw was shown by the fact that on each of the two concerts nearly eight hundred people crowded into a large room of the Assembly Rooms to see and hear this world famous man.

At this time Paganini, at the height of his amazing powers as a violin virtuoso, was as much talked about as listened to. This legendary figure, strange in physical appearance, often rude in manner, mean in his financial dealings, with a fatal attraction for women was also thought to be in possession of satanic powers. Poor health had prevented Paganini from leaving Italy and touring abroad until he was forty-six years old. However, as soon as he did venture abroad wherever he visited he was the one topic of conversation which spread throughout all classes of the population. He was called 'the God of the violin' and, of course, Fashion took advantage of the situation. There was 'Paganini mania' in many towns and cities that he visited; shirts and neckties were 'a la Paganini', snuff boxes were enamelled with his portrait; there were walking sticks with his head carved on the handles, there were Paganini buttons, and even bakers were selling 'Paganini rolls' shaped like a violin. That there was a common feeling that Paganini had 'sold his soul to the Devil' in exchange for his fantastic ability on the violin was confirmed after his death when the Church refused to allow him to be buried in consecrated ground. It took thirty-six years after his death before his remains were finally buried at a cemetery in Parma.

There seems no doubt that the one thousand six hundred who went to the Assembly Rooms went to hear him play but there seems equally no doubt that many, for example some who probably knew a lot more about horses than about music, were equally keen to see him.

Now another character comes into this story. Mr DeVile was the manager of the Theatre Royal, Cambay. He was obviously a man with an eye to business and would have been well aware of the interest that the 'lower orders' in Cheltenham, would have had in Paganini. In fact it is safe to assume that some would already have cashed in on his visit by making and selling various Paganini trinkets. Although the advertisements had stated that Signor Paganini was only able to spare the time for two concerts, his numerous engagements making it impossible for him to stay beyond that time, Mr DeVile obviously took a chance and visited Paganini at the Plough Hotel and asked him whether he would play for one more concert, only this time in the Theatre Royal, Cambay. He must have heard that Paganini had been known on previous occasions to add an extra concert to his agreed commitments and that he took every opportunity to make money wherever possible. Apparently Paganini asked about the size of the theatre and about the size of the audience who would attend. On being told that the expected audience would realise approximately three hundred guineas he offered to play on Thursday evening for a fee of two thirds of that amount.

Mr DeVile lost no time in making certain that everyone knew of Paganini's additional appearance. There were two very different reactions to this: one, interest and excitement amongst the 'lower orders' who now were also going to have the opportunity to see and hear this amazing man; and two, consternation amongst the nobility, gentry and inhabitants who felt that attendance at their Stewards Ball was threatened. So incensed were some of them, including Colonel William Berkeley, that they produced and hastily published a pamphlet condemning Paganini for breaking his agreement to perform only twice in this town.

On Thursday evening, 21st July, many of the 'lower orders' in Cheltenham were heading towards the Theatre Royal, Cambay in lively anticipation of the chance to see Paganini. Of course many of the servants who would have liked to go were too busily occupied, preparing dress and carriages for their masters and mistresses who were going to attend the Stewards Ball. It is more than likely that some of the nobility and gentry actually forbade their servants to go to the Theatre. Just before the concert was due to begin the pit and the gallery of the Theatre were reasonably full but the boxes, the expensive seats which the theatre relied upon for their profit, were almost empty.

DeVille went to the Plough to inform Paganini that all was ready but, when the manager explained that the size of the audience was nothing like what had been expected, Paganini refused to go to the theatre unless DeVille paid him his two hundred guineas there and then! When DeVille said that that could not be done Paganini refused to play and told the manager to tell the audience that he, Paganini, was ill. DeVille said that the crowd were likely to pull the theatre down if he did not appear but Paganini insisted that he would not come. DeVille went back to the theatre and announced that Paganini had refused to come; in fact, he told them all that had been said in the interview both by himself and Paganini. He apologised for disappointing the audience but said that there was nothing he could do but return their money to them, which would be done at the door as they left.

The people left the theatre in a very unhappy state, well, not so much unhappy as annoyed. They gathered outside, and the crowd of about four hundred was added to by farm labourers who had just finished work, shop assistants who were also free and various others who could, no doubt, see that something was happening, or about to happen. One or two speakers were hoisted up onto others shoulders so that they could be seen by the rest. They addressed the crowd and articulated the feelings of all those present. They must have been effective because in no time there was a cry of "to the Plough" and it was taken up by the very large crowd that now filled Cambray.

Towards the Plough they turned marching along the street shouting "Piggy-Ninny, Piggy-Ninny". Others joined them on the way and by the time the Plough Hotel was reached there was a huge crowd, filling the High Street. Again, someone was lifted up and managed to make themselves heard over the noise of the crowd. Whatever he said stirred everyone to greater efforts. Besides "Piggy-Ninny" could now be heard "let's make him dance without his fiddle" and it was about this time that Paganini, not understanding much English and thinking it was another adoring throng went to open a window to acknowledge their cries. One of his assistants managed to get him away from the window quickly, which was just as well, considering the mood of the crowd.

Some representatives of the crowd were invited into the Hotel to speak to Paganini's manager. After a long time, a man appeared at the main entrance, raised his arms and asked the crowd to give him a hearing. Eventually they did, and he told them that there had been a misunderstanding and that, after all, Paganini had agreed to play at the theatre that evening. The crowd were obviously

pleased with this, but there was more to follow. The spokesman then said that, not only was Paganini going to play, but the fee of two hundred guineas that he would receive would be given to the poor of Cheltenham! The crowd's reaction to this news was that they totally changed in mood and now were cheering Paganini to the skies. They turned to go back to the Theatre Royal, Cambray.

At least, some did but the audience that awaited Paganini the second time around was smaller in number than the original one and it was obvious that, of the crowd who shouted at Paganini, there were quite a number who, when faced with paying for their entertainment decided to disappear.

Paganini played and was received with tremendous applause but, on coming out of the Theatre to his fly, which was drawn up and waiting for him, he found himself in nearly as much danger from the friendly, crushing mass as he had from the former hostile one. Paganini didn't delay his departure for at about eleven thirty the Signor and his suite went off 'post-chaise' to London.

One correspondent wrote, 'an opinion has gone abroad that a Cheltenham multitude, like a Scotch one, when once roused, is not the least fierce, resolute and determined of its kind'. He later said, 'if there never was a fiddler so excellent as this fiddler there never was a fiddler paid as this fiddler is paid thanks to the money-lavishing temper of John Bull in all cases of foreign wonders. He has received sixteen thousand guineas in London in two months and, as he gets eight hundred guineas weekly at the Opera House and about two hundred guineas more by his morning concerts and etcetera, he will, by continuing at this rate net about fifty thousand guineas at the end of one year, which, supposing that sum be transferred in gold to the Continent, will make a difference of twice fifty thousand guineas actually drained from the capital of this country and deducted from the expenditure of our resources among ourselves.'

Another wrote 'so unfavourable is the impression created by his paltry double-dealing and ingratitude towards these respectable and respected individuals and to the town generally that he may bid adieu for ever to Cheltenham.'

Possibly Paganini did not know of this letter because two years later, during another Race Week he returned to Cheltenham and played at the Assembly Rooms. However, there is no record of his returning to the Theatre Royal, Cambray.



Cheltenham Police Court Reports, 1875

JILL BARLOW

This article is an admission of how, while indexing the doings of the great and the good in *Cheltenham Examiners* of 1875, I was side-tracked into reading about the much less good in the Police Court Reports and listed all 591 reported cases. My figures are totals of the details supplied by the newspaper which can be more colourful than factual - it had no qualms about describing a defendant as "a miserable looking old woman".

Drunkenness was unsurprisingly by far the most common offence, being the main charge in 204 cases. The standard penalty was 5/- fine + 4/6 costs or 7-14 days in prison. Some escaped with a caution but persistent offenders faced up to two months' hard labour. It did not cure them. When Margaret Sullivan was sentenced to one month's imprisonment in July, it was her ninth appearance before the court and she had been released from gaol only four days before. Some incurred additional expenses: Elizabeth James, charged with being drunk and "tearing off Mary Anne King's bonnet" had to pay 7/- costs because it took three men to get her to the police station in a cab. Some seemed a little unlucky: Elizabeth Duffey went to the Police Station to apply for a hawker's licence and was locked up for being drunk; Edward Leonard celebrated the end of a year's sobriety so enthusiastically that he was charged with being drunk and disorderly.

There were nine charges of being "drunk in charge" - of a horse and fly, of a wagon and three horses and even of two donkeys. The milkman charged with furious driving in Albion Street because he was late for work may not have been drunk, but the two gardeners racing their horses and carts along the Bath Road at 10-12 mph probably were, as was the carrier who drove furiously up the Promenade refusing to let the fish cart pass him. Traffic problems in the High Street and Colonnade had caused so many complaints that two constables had been assigned to deal with them.

Drink was probably also involved in most of the 74 cases of assault, though not in that of errand boy Frederick Crisp making deliveries on November 5th. Frightened by a servant wearing a "ghostly garb" to set off fireworks in honour of Guy Fawkes, he hit her with a stick. Equally odd were the cases of Thomas Scrivens, fined 10/- for discharging firearms in the Park because, he claimed, the area was being terrorised by a man dressed as a bear, and Henry Etheridge who knocked off hats with a six foot pole in the Promenade.

There were 47 cases of stealing, two of house breaking and two of picking pockets at the race course. Many cases were dismissed, but those found guilty could expect to be sent to prison or for trial at the Quarter Sessions. The most seemingly trivial thefts were referred to the higher court: 14lb of bacon (worth 9/4); 4 pairs of boots; a piece of carpeting, a flock mattress and 11 music books. George Butters escaped with only one month's hard labour for stealing a bundle of iron hoops because it was thought the display of hoops outside the shop exposed him to too great a temptation. Some offences spoke of real poverty: three women were found guilty of stealing sheets and clothing from their lodgings and pawning them with Mr Moses or Mr Solomon.

Begging, particularly by anyone who looked fit to work, was not tolerated. Of the 31 charged with the offence, 8 were set free on condition they left town and returned to their own parishes. Most of the rest went to prison for 10-14 days.

Apart from Colonel Holdsworth's butler who got drunk on his evening off and refused to leave Douglas Villa, most of those charged with drunkenness or stealing lived in the Lower High Street/Tewkesbury Road area. Rutland Street, Sherborne Street and Stanhope Street were the most frequently quoted addresses, though the most notorious house was the St James Street residence of the well known prostitute Selina Roberts who featured in several cases. There were, however, plenty of "red tape" offences, normally punishable by fines, which could catch out otherwise respectable people.

Tradesmen were most likely to find themselves on the wrong side of the law for causing an obstruction by leaving a truck in the road (fine 2/6 + 7/- costs). A butcher was fined 4/- for having beef in his ice house condemned by the Inspector of Nuisances as "unsound, unwholesome and unfit for the food of man". Fly drivers were prosecuted for leaving their horses unattended while they were in the pub and for plying for hire without a licence or "at a place otherwise than at the cabstands appointed by the Commissioners". Farmers were fined for allowing animals to stray, shopkeepers for allowing their chimneys to be on fire and publicans for serving beer out of hours. Miss Ethilda Lonsdale of Park Place was fined 25/- for keeping a dog without a licence and her brother Rupert £2-10 for using an unlicensed gun.

Small boys were as ever a nuisance, despite the hope that the new Education Act would keep them off the streets. Their offences were mostly trivial - throwing stones, stealing fruit, trespassing on the railway or congregating in the street using profane language. A variety of punishments was tried: a boy was fined 6d for damaging cherry trees; a 10 year old was sentenced to three lashes of a birch rod for stealing a pennyworth of coke; a 15 year old girl went to prison for a week for stealing 3d and a boy to Industrial School for five years for stealing a purse (he had been "let off with a flogging for a similar offence, but it had done him no good").

Finally, Henry Swinhoe of Pittville, "well known for his dislike of perambulators" was fined £2 for an assault on a nursemaid in Winchcombe Street. He pushed his stick between the spokes of the wheels and tried to tip the pram. The girl was nursemaid to Mr Von Holst, so the baby so nearly thrown out was probably the young Gustav.

The Winter Garden Theatre

ROGER BEACHAM

IN 1929 with the introduction of 'the talkies', the Opera House, now the Everyman Theatre, reflecting national trends, became a cinema, although the Borough Council in granting a licence stipulated that it was to enable the management to show films only when 'satisfactory theatrical productions' could not be obtained. It was a condition that was to be honoured in the breach.

In May 1931 Jessie Scrivener, who taught voice and speech training at the Ladies' College, wrote to the editor of the *Gloucestershire Echo* suggesting that Cheltenham follow the example of Bristol in establishing a repertory theatre. The company that leased the north wing of the Winter Garden having gone into liquidation, this, suggested Miss Scrivener, could be easily converted into a small theatre. Others took up the suggestion and Rex Burchell and his wife who had presented a concert party in the Montpellier Gardens that summer, applied for the lease of the Winter Garden. Although the Burchells and the Council were unable to agree upon terms, Rex Burchell later established a short-lived repertory theatre at the former North Street Cinema.

Cheltenham's own 'Crystal Palace' the Winter Garden opened in 1878. Designed by the local architect J T Darby, it had been erected in Imperial Square, by a public company under the chairmanship of J T Agg-Gardner, MP. The north wing was used as a concert hall while that nearer the Queen's Hotel was a roller-skating rink. The building was used for bazaars, exhibitions and all manner of social functions. At the opening concert the *Cheltenham Looker On* reported 'the building as a music hall was found to answer its purpose to perfection', but within a very short time the building's imperfections as a concert hall became apparent. At the John Philip Sousa concert in February 1905 it was said that while many local residents attended 'those who lived within the half-mile radius just stayed at home and listened'. (1) When Jan Kubelik supported by the young Wilhelm Backhaus gave a recital on October 29th 1902 the entire building was used to seat an audience of over 2,000. The concert hall received much needed improvement at this time but after the Paderewski recital on December 1st that year, the *Looker On* still complained of the 'unpleasant draughtiness ... the wind howling without, the rain pouring heavily on the glass roof.' Despite its imperfections its capacity to seat large audiences ensured that the Winter Garden played host to many distinguished artistes including, in November 1890, Adelina Patti when special trains ran from Hereford, Malvern and Worcester, and in March 1904, Nellie Melba.

In November 1885 the Winter Garden was converted temporarily into an amphitheatre for John Sanger's circus which stayed until January 1886, and thereafter the building was used regularly by visiting circuses.

In 1890 between the closing of the old Theatre Royal in Montpellier Street and the opening of the Opera House in Regent Street, the Assembly Rooms Co, whose own building had been damaged by fire, used the Winter Garden concert hall as a temporary theatre. Frank Benson and his company presented a week of Shakespeare and other plays from November 24th, followed by the D'Oyly Carte Opera Co. with 'The Mikado' and 'The Gondoliers'. After productions of 'Falka' and 'Pepita' by the Horace Lingard Co productions returned to the Assembly Rooms. Films were first shown at the Winter Garden in 1910, and in October 1912 the concert hall wing became a full time cinema. (2)

The Winter Garden was always something of a 'white elephant' and after the Borough Council had bought the building in 1895 for £13,000, many plans were made for its re-building including, in 1897, the Ward-Humphreys scheme for an elaborate 'Kursaal' including a spa, baths and municipal offices. (3)

In 1935 Jessie Scrivener's suggestion came to fruition when one of her former pupils, Barbara Kent, in partnership with Ernest Cox and his wife Ellen Compton applied to the Council for the lease of the disused Winter Garden Cinema. The floor was already raked but the building needed a stage, dressing rooms and a sound-proof partition between the north wing and the dome. The Borough Council came to an arrangement whereby they would let the north wing to Mr and Mrs Cox and Miss Kent at a nominal rent of £20 for the season, the partners to carry out all the alterations and to pay for lighting, heating and cleaning. 'It was to be a real theatre' emphasised Ellen Compton, despite the makeshift premises. (4)

Ellen Compton was a member of a distinguished theatrical family, the daughter of Edward, an actor-

manager and the sister of Sir Compton MacKenzie and of the famous actress Fay Compton. The Edward Compton Company, no strangers to Cheltenham, had not long survived the death in 1918 of its founder. In 1920 Edward Compton's widow and her daughters Ellen and Viola, established a repertory company at the Grand Theatre, Nottingham, with many of her husband's old players, but mounting losses forced its closure in July 1923. The resurrected Compton Company again toured, playing at the Cheltenham Opera House in September 1924, but was finally disbanded in November that year.

Mrs Compton was one of the founders of the Theatre Girls Club in London. As the Club's chairman and president she proposed lending her daughter and son-in-law £500 to launch the Cheltenham venture, an equal amount being invested by Barbara Kent's father. Despite much misgiving the Girls Club committee agreed to invest the £500 at 2% interest.

The Coxs had met a carpenter, James Smith, when they had played at Bristol's Little Theatre in July 1934. A versatile craftsman, he was engaged to assist with the alterations at the Winter Garden and become the company's stage carpenter. The stage was constructed in the wall between the north wing and the dome. Seating 495 'uniformly coloured grey' and 'simple and unembellished to the point of austerity' the *Echo* found the Winter Garden 'converted into a very pleasing theatre'. (5) This was not an opinion shared by the playwright and critic St John Ervine who found it 'a melancholy hall'. (6)

The Winter Garden Theatre opened on Monday December 9th 1935 with Norman Ginsbury's 'Viceroy Sarah', Ellen Compton in the role of Sarah, Duchess of Marlborough. The play's central figure, that of Queen Anne, was played by Margaret MacGill while the part of Abigail Hill, who supplants the Duchess in the Queen's affections, was undertaken by Barbara Kent. Also in the company were Arthur Howard, who so clearly resembled his film star brother Leslie; their sister Irene; Ellen Compton's niece Jean; Frank Follows; William Nutton; Anthony Rousse; Phyllis Olsen; James Hoyle and Harry Douglas. In a supporting role was Beryl Johnstone, a local amateur actress who wished to turn professional. The play was produced by Henry Worrall-Thompson who, together with Frank Follows, had been a member of the Compton Comedy Company and after Edward Compton's death had taken over his roles. Norman Ginsbury, the play's author, came down for the opening and the Mayor of Cheltenham, Councillor Daniel Lipson, attended the first night together with members of the Town Council, and offered a civic welcome from the stage at the end of the performance.

Beryl Johnstone, whose home was in Segrave Place (now re-numbered 5, Pittville Lawn) was then aged about 20. She had turned up at the theatre during a rehearsal and was taken on as an extra. With aplomb Beryl offered to introduce the company to her milliner, Madame Beatrice Taylor of The Strand. It was a useful introduction, for Madame Beatrice supplied all the hats for productions in return simply for a line in the programme.

A policy of weekly rep. was adopted, performances being given every weekday evening with matinees on Thursdays and Saturdays. The first season consisted mainly of comedies and thrillers of the twenties and thirties. Notable exceptions were the fortnight's run of Brandon Thomas' popular farce 'Charley's Aunt' over the Christmas period and, in May 1936, a production of 'Macbeth' originally scheduled for a week but extended to a fortnight. Ellen Compton's Lady Macbeth drew high praise from the *Gloucestershire Echo* reviewer, 'a performance in the great tradition and one, moreover, that did not depend upon the sleep walking or any single episode but a completely coherent study of the character, a vocal lucidity that did not mar a syllable and an exquisite feeling for the run of the verse'. The company was augmented by members of the Cheltenham Operatic and Dramatic Society who helped out from time to time.

At this time the Town Council approved yet another scheme to re-build the Winter Garden, using the existing foundations. The north transept, i.e. the theatre wing, was to be re-built as an exhibition/sports hall, while the south transept was to become an assembly hall/theatre seating 700. The plans were drawn up by the local architect, Thomas Overbury.

On May 12th the architect's drawing of the proposed new Winter Garden was published in a national newspaper, the *Daily Sketch*. 'Everything' reported the *Sketch* 'in the new building will be of the most modern type. There will be a central spa, where the medicinal waters of Cheltenham may be taken, [and] a theatre worthy of the town's fine repertory company....' Mrs Compton came down from London to see her daughter's Lady Macbeth. Delighted with the production, though not with the business being done, she passed copies of the *Daily Sketch* around the next meeting of the Girls Club Committee. With the assurance that the new theatre would be offered to Mr and Mrs Cox and Miss Kent she persuaded the Committee to make a further loan of £500, making £1,000 in all. Theatre Girls Club members were running the Winter Garden box-office and on the surface it appeared to be a good investment. However the Club's solicitor later declared that the investment should not have been made, and, as the money was not available at Cheltenham, Mrs Compton sold the lease of her house in order to repay the loan.

The imperfections of the Winter Garden became apparent to the partners that first season. At the January meeting of the Town Improvement and Spa Committee a complaint was received from Ernest Cox of the noise from the tennis courts under the central dome. To remedy the problem the Borough Surveyor was given permission to make a break in the floor between the theatre and the dome. The season ended on June 27th with Noel Coward's 'The Young Idea'. The noise from the bands playing in the stand outside the Winter Garden made it impossible to perform during the rest of the summer.

Two members of the company, Jean Compton and Arthur Howard, fell in love while at Cheltenham and were married on July 28th at the Brompton Oratory in what was described as 'the outstanding theatrical wedding of the season'. Their wedding photograph was published in the Cheltenham Press.

Meanwhile at Cheltenham, the New Education Fellowship World Conference was held at the Town Hall, with many distinguished foreign speakers. During the conference the pupils of Bryanston School in Dorset gave a performance in the theatre of T S Eliot's 'Murder in the Cathedral', written for the Canterbury Festival the previous year. (7)

The partners re-opened the Winter Garden Theatre on September 22nd, a week later than intended with a comedy, 'Winter Sunshine', written by a Cheltenham man G A Thomas. (8) Again the Mayor, Councillor Lipson, attended the first night and welcomed the company's return to the town with a speech from the stage. In November the company presented James Barrie's 'Mary Rose' with Jean Compton in the role her aunt Fay Compton created in 1920. Ireland Wood, a new member of the company, took the parts of Mary Rose's son, Harry, and husband, Simon. That Christmas, the company presented a fortnight's run of Walter Hackett's comedy 'Ambrose Applejohn's Adventure', Arthur Howard taking the dual role of Ambrose Applejohn and Ambrose Applejack. 'His performance' commented the *Gloucestershire Echo*, 'Keeps the house rocking with laughter'. In February 1937 a Theatrical Ball was held at the Town Hall, all the repertory company members being present, together with the Mayor and Mayoress. A cabaret was presented by members of the Operatic and Dramatic Society, the profit from the evening being given to the theatre. During the second season the partners again staged mainly lighter plays of the twenties and thirties but also performed Shaw's 'You Never Can Tell' and revived T W Robertson's 'Caste', given its first London production in 1867. Two plays by a member of the company were performed, Ireland Wood's 'Charity Begins in January' and 'Miss Tracy' in March 1937. Both were based on short stories by Richmal Crompton and 'Charity Begins' had been produced at the Aldwych in London a year earlier with Iris Hoey in the leading role.

The playwright and critic St John Ervine contributed a series on the repertory theatres of England to the national Sunday newspapers, *The Observer*, and in May 1937 looked at the theatres at Coventry and Cheltenham. The production at Cheltenham was 'In The Clouds' by John Peterson, a comedy of life in an Indian hill section. Both play and cast were praised by the *Echo* reviewer but Ervine wrote, 'it was unfortunate that I saw the company in so foolish a piece'. Of the cast he wrote, 'Pauline Winter seemed to me to possess potentialities. She has looks at present, but her voice lacks variety as yet,... Arthur Howard 'who had the makings of a pretty good light comedian' was warned that he was 'in danger of developing a Charley's Aunt manner'. Ellen Compton, he wrote 'struggled gallantly with a grotesque part, but was defeated by it.' Though the prompter was kept busy throughout the performance, the second of the week, Ervine thought the company 'was remarkably good, considering the circumstances in which they have to work'. (9) Apart from performing in a totally unsuitable building, the company's main problem arose from its commitment to performing six nights a week with two matinees, leaving only four days in which to rehearse and almost no time for leisure. The second season ended on May 22nd 1937 with J B Priestley's comedy 'Laburnum Grove'.

For the third season the original partners were joined by John McCormick and the season was presented under his direction. McCormick replaced Ernest Cox as the licensee. The season opened on September 21st 1937 with George Billam and J B Priestley's comedy 'Spring Tide', produced by Henry Worrall-Thompson. For the third time the Mayor, Councillor Lipson, attended the first night and welcomed the return of the company in a speech from the stage. Jean Compton and Arthur Howard did not rejoin the company, but among the newcomers were Vernon Fortescue, Helen Sessions and McCormick's wife, Gwenda Sayre. Beryl Johnstone was also in the company and began to receive more demanding roles. (10)

In November 1936 the partners had written to the Council asking that in view of the heavy financial losses the first season and the loss already incurred in the current season, that the rental of the theatre be waived. This the Council granted. In addition, for the second and third seasons, the Winter Garden gained exemption from liability for entertainment tax. (11)

McCormick had been playing with his wife at one of the Welsh coastal resorts, and is said to have walked into the Winter Garden during the summer recess and introduced himself to Miss Kent. Precisely

why McCormick joined the original partners I have been unable to discover but the answer may lie in the company's financial problems. (12) On October 6th 1937 McCormick addressed a meeting of the Cheltenham Chamber of Commerce on the hopes and ambitions of the company for a permanent repertory theatre for the town. During the first two seasons the audience had been entertained between acts by a pianist, at first Gwendoline Griffin and afterwards Edwin Daft. For the third season a trio was engaged under Edwin Daft's direction. Another innovation for the third season was the engagement of famous players for guest appearances. (13) For the Christmas production that year the tall, dark and handsome Scot, John Stuart was engaged to play in the thriller 'No Exit', together with Sydney King. Both re-created the roles they had played in the original production. The play was produced by Stuart's manager, Ernest King. The Cavendish House cafe was used for an autograph session for Stuart and tickets for the play were on sale there. Ernest King spoke to the Cheltenham Rotary Club at their luncheon at the Queen's Hotel and paid tribute to the Cheltenham players and in particular to John McCormick as 'enterprising and persistent' with a 'fine theatre sense'. King also revealed how Stuart had come to play at the Winter Garden. King had come to Cheltenham in November to see McCormick's own play, 'Studio Four'. On being asked by McCormick if he had any 'ideas to give Cheltenham something different for Christmas', King had suggested inviting John Stuart to play. Following 'No Exit' J M Barrie's 'Quality Street' was staged and, as McCormick was ill, Ernest Cox made one of his rare appearances and stepped into the breach to play Valentine Brown. (14) Malcolm Keen joined the company in February 1938 to play Hilary Fairfield in Clemence Dane's 'Bill of Divorcement', the part he had played in the original production at the St Martin's in 1921. Later that month Jane Carr, a minor film star, was engaged in play the orphan Linda Warren in Jay Mallory's 'Sweet Aloes'. The costumier Madame Wright of Ormond Place took advantage of Miss Carr's visit to engage her to appear in 'by invitation only' mannequin parade on February 23rd. Mabel Constanduros joined the company in March to appear as Sweetbread the maid in her own farce 'Three for Luck'. Later that month another film actor, Garry Marsh appeared as the butler in Frederick Lonsdale's drawing room comedy 'The Last of Mrs Cheyney'. The following week Aubert Griffiths' 'Youth at the Helm' was staged and Jack Melford engaged to recreate the part of Rudolph Warrender that he had played in the try-out at the Westminster Theatre in November 1934. The thirty year old Brian Oulton, who was beginning to make a name for himself in London, joined the company to play Fitch. The stage was then occupied by the innovative Ballets Jooss in exile from their native Germany. In May John Stuart rejoined the company to take the title role in 'The Scarlet Pimpernel'. The last production of the season, which ended on May 14th, was Noel Coward's 'Tonight at 8', the company performing three of the eight plays, 'Hands across the Sea', 'Fumed Oak' and 'Ways and Means'.

The Winter Garden building was deteriorating and when Barbara Kent applied in June for a renewal of the tenancy, the application was deferred until the tenders for re-building had been considered. In September Maureen Anderson wrote from the Theatre Royal, Bath, applying for the lease. Her application was approved subject to a satisfactory report on the condition of the roof being made by the Borough Surveyor. The surveyors report was negative. The condition of the Winter Garden was now dangerous and glass from the roof fell into the passageway adjoining the Town Hall. A further application by Miss Kent in November for the lease was refused. As late as June 1939 the Council were advertising for builders who wished to tender for the Winter Garden's re-construction. Demolition of the Winter Garden began in September 1940 but was not completed until September 1943. The ground was then requisitioned by the military authorities.

In May 1938 Theodore Hannam-Clark, author of *Drama in Gloucestershire, 1928*, in addressing a meeting of the Library Association at the Guildhall, Gloucester, posed the question, 'The only regular week-by-week theatre in our county is the Cheltenham Repertory Company playing in an improvised corporation building rent free, at a loss. I wonder why? They do first rate plays. Is it only the cinema's opposition?' Here perhaps lies the answer to the Winter Garden Theatre's failure. It was a draughty, improvised hall, and the company faced opposition from a number of cinemas including the large purpose built Gaumont Palace in Winchcombe Street, which seated 1,800. The Cheltenham of the thirties had the reputation of being 'poor, proud and pretty', and it is said that many of the officers who retired to the town spent their afternoons at the cinema as it was cheaper than having a fire at home.

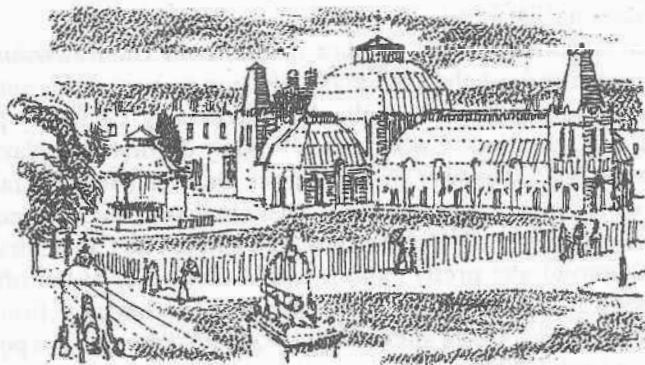
In 1944 the Borough Council, looking ahead to peace, again discussed the possibility of re-developing the Winter Garden site and establishing a repertory theatre. Eventually it was decided to adapt the old Montpellier Baths in Bath Road as a home for amateur players. As the Civic Playhouse it opened on April 1945 with Shaw's 'Arms and the Man'. (15) Jimmy Smith, the Winter Garden Theatre's master carpenter, was engaged as the Playhouse resident stage manager. The Winter Garden site was laid out after the War as the present Imperial Gardens.

After the closing of the Winter Garden, Ellen Compton played for a season at the Old Vic but later, after the break up of her marriage, became mentally ill. She died at the Actors' Home, Denville Hall on May 30th 1970. Ernest Cox had become involved with one of the actress members of the Cheltenham Operatic and Dramatic Society. They were later married and by 1946 were living at a house called Dormans in Mill Lane, Prestbury, and by 1947 at the Little House in Prestbury High Street. Ernest Cox died on August 8th 1953, and his ashes were scattered at the cemetery in Priors Road. Barbara Kent, after a varied career, now lives on the south coast but returns regularly to the Ladies' College, being one of the founders in 1974 of the Jessie Scrivener Award, given for 'quality of voice and speech'.

I am grateful for help with this article to Mrs N B Pringle, Ms K I Woodward, Miss S Barker and especially Miss Barbara Kent.

REFERENCES

1. *Cheltenham Examiner* February 8th 1905 p8.
2. *Cheltenham Looker On* October 26th 1912 p8. The cinema remained open throughout the First World War though part of the Winter Garden was used by H H Martyn and Co to build aircraft.
3. The Kursaal designs were by E R Robson, architect of the Princess Hall at the Ladies' College.
4. *Gloucestershire Echo* December 4th 1935 p4.
5. The seating capacity is given in the *Gloucestershire Echo* May 5th 1937 p4.
6. Ervine also wrote 'its Victorian architect apparently began with the intention of constructing a crematorium, but changed his mind and decided to build an overblown greenhouse'.
7. The Cheltenham performance, produced by the headmaster of Bryanston, F T Coade, took place on Sunday August 2nd.
8. Geoffrey Arden Thomas, who had spent many years in Australia and New Zealand, was the son of J A Thomas, chemist, of Bath Road. 'Winter Sunshine' had just finished a run at the Royalty Theatre, London.
9. *The Observer* May 2nd 1937.
10. Beryl afterwards joined a second-rate company playing melodrama at Byker, Newcastle, where a fellow member was the young Kenneth More. Afterwards they both played in the greatly superior company at Wolverhampton where they married in 1940. In later years Beryl appeared regularly on television and was a member of the Cheltenham Everyman Company. She died at her brother's home in All Saints' Villas Road on January 28th 1969.
11. In May 1937 the theatre was said to have a possible revenue of £438 a week and 'operating at something under £150 a week'.
12. One of the original partners later described McCormick 'as a very bad egg'.
13. Barbara Kent says that this was Ellen Compton's suggestion, and that the engagements were made using her contacts.
14. Ernest Cox had been badly shell-shocked during the First World War, and had a poor memory.
15. The late F D Littlewood, sometime Cheltenham's Town Clerk, told me that finding the Winter Garden Theatre scenery in the Town Hall basement provided the inspiration for establishing the Playhouse. The scenery was adapted for Playhouse productions.



1935

9 Dec Viceroy Sarah *Norman Ginsbury*
16 Dec The Late Christopher Bean *Rene Fauchois* adapted by *Emlyn Williams*
23 Dec Charley's Aunt *Brandon Thomas*
(for 2 weeks)

1936

6 Jan Dangerous Corner *J.B. Priestley*
14 Jan Dear Brutus *J.M. Barrie*
21 Jan The Shining Hour *Keith Winter*
28 Jan Polish *H. Worrall-Thompson*
4 Feb Outcast *Hubert Henry Davies*
11 Feb Lover's Leap *Philip Johnson*
18 Feb The Green Bay Tree *Mordaunt Shairp*
24 Feb The Wind and the Rain *Merton Hodge*
3 Mar The Marquise *Noel Coward*
9 Mar The Sport of Kings *Ian Hay*
16 Mar Distinguished Gathering *James Parish*
23 Mar Fresh Fields *Ivor Novello*
30 Mar The Man who Changed his Name *Edgar Wallace*
6 Apr Outward Bound *Sutton Vane*
13 Apr Short Story *Robert Morley*
20 Apr Eight Bells *Percy Mandley*
27 Apr Hay Fever *Noel Coward*
4 May Worse things happen at Sea *Keith Winter*
11 May London Wall *John van Druten*
18 May Sixteen *Aimee and Phillip Stuart*
25 May Macbeth *William Shakespeare*
(for 2 weeks)
8 June The Truth Game *Ivor Novello*
15 June The Importance of Being Earnest *Oscar Wilde*
22 June The Young Idea *Noel Coward*

21 Sep The Winter Sunshine *G.A. Thomas*
28 Sep The Cat's Cradle *Aimee and Phillip Stuart*
5 Oct The Skin Game *John Galsworthy*
12 Oct Miss Smith *Henry Bernard*
19 Oct You Never Can Tell *G. B. Shaw*
26 Oct After October *Rodney Ackland*
2 Nov Mary Rose *James Barrie*
9 Nov Moloch *Winifred Carter*
16 Nov Rose Cottage *George Elton*
23 Nov Glass Houses *Walter Ellis*
30 Nov School for Husbands *Frederick Jackson*
7 Dec Full House *Ivor Novello*
14 Dec I'll Leave it to You *Noel Coward*
21 Dec Ambrose Applejohn's Adventure *Walter Hackett*
(for 2 weeks)

1937

4 Jan Tons of Money *Will Evans and Valentine*
11 Jan The Ghost Train *Arnold Ridley*
18 Jan Charity Begins *Ireland Wood*
25 Jan Musical Chairs *Ronald MacKenzie*
1 Feb The First Mrs Fraser *St John Ervine*
8 Feb Sacred Flame *Somerset Maugham*
15 Feb Badger's Green *R.C. Sherriff*
22 Feb Caste *T.W. Robertson*

1 Mar A Family Man *John Galsworthy*
8 Mar Miss Tracy *Ireland Wood*
15 Mar Tell Me The Truth *Leslie Howard*
22 Mar The Passing of the Third Floor Back *Jerome K. Jerome*
29 Mar Yellow Sands *Eden and Adelaide Phillpotts*

5 Apr Dusty Ermine *Neil Grant*
12 Apr Mother's Brother *George Elton*
19 Apr In the Clouds *John Peterson*
26 Apr Anthony and Anna *St John Ervine*
3 May Private Lives *Noel Coward*
10 May Artificial Silk *H.C. Lomax*
17 May Laburnum Grove *J.B. Priestley*

21 Sep Spring Tide *George Billam and J. B. Priestley*

27 Sep The Dominant Sex *Michael Egan*

4 Oct The Farmer's Wife *Eden Phillpotts*
11 Oct Family Affairs *Gertrude Jennings*
18 Oct Pride and Prejudice *Jane Austen dramatised by Helen Jerome*
25 Oct Easy Virtue *Noel Coward*

1 Nov On the Spot *Edgar Wallace*
8 Nov Victoria *Consuelo M. de Reye*
15 Nov Candida *G.B. Shaw*
22 Nov Studio Four *John McCormick*
29 Nov Little Women *Louisa M. Alcott dramatised by Marion de Forest*

6 Dec Michael and Mary *A.A. Milne*
13 Dec On Approval *Frederick Lonsdale*
27 Dec No Exit *George Goodchild and Frank Whitty*

1938

3 Jan Quality Street *J.M. Barrie*
10 Jan Devonshire Cream *Eden Phillpotts*
17 Jan The Barretts of Wimpole Street *Rudolf Besier*
24 Jan Symphony in Two Flats *Ivor Novello*
31 Jan Peg O' My Heart *J. Hartley Manners*

7 Feb A Bill of Divorcement *Clemence Dane*
14 Feb Tovarich *Jacques Deval* adapted by *Robert E. Sherwood*

22 Feb Sweet Aloes *Jay Mallory [i.e. Joyce Carey]*

28 Feb East Lynne *Mrs Henry Wood*
7 Mar Three for Luck *Mabel Constanduros*
15 Mar The Last of Mrs Cheyne *Frederick Lonsdale*

22 Mar Youth at the Helm *Hubert Griffiths*
28 Mar Ballets *Jooss*

4 Apr The Unguarded Hour *Bernard Merivale*
18 Apr Just Married *Adelaidie Matthews and Anne Nichols*

25 Apr Hotel Prettyview *John McCormick*

2 May The Scarlet Pimpernel *Baroness Orczy and Montague Barstow*

9 May Tonight at 8 *Noel Coward*

John Goding, Cheltenham historian

PETER SMITH

On the 14th of October 1995, members of the Cheltenham Local History Society watched the Mayor, Councillor Les Freeman, unveil a Civic Society plaque at No 3 Portland Street, the former home of John Goding from 1855 to 1879. This Society had been happy to co-sponsor the plaque and after introductory remarks by Mr Philip Newcombe, Chairman of the Civic Society, Mrs Jean Lacock, our Chairman, gave a fine speech explaining the significance of the occasion. Also present were members of the Hayling family resident in Cheltenham,, and the Minister, Chairman and Treasurer of the Bayshill Unitarian Church. Number 3 Portland Street is now the Everest Restaurant. The plaque records that it was John Goding who wrote the first history of Cheltenham.

A FAMILIAR history of the town is Gwen Hart's *History of Cheltenham* published 30 years ago. In the preface to her history there is a long reference to John Goding's work and although Gwen Hart does say that he was sometimes unreliable (and so are many historians) she does add "As an historian he was the only writer of his generation who realised the importance of the sources available" and her paragraph ends - "his work, however, is a most valuable source book to which I am deeply indebted". Sufficient tribute to John Goding indeed.

So what do we know about John Goding - of his writings, his work and of the man himself?

John was born in London in 1816 and would have been about 12 years old when his parents, Edmund and Jane Goding, moved to Cheltenham where they opened a grocery business in Burton Street. It is not known where John went to school but he did attend classes at the Mechanics Institute in Albion Street. (1) The Institute would have stood more or less on the corner of Pittville Street and Albion Street. It was here that John became friendly with a Mr Furber who was holding Unitarian services at his own home and then later at this Mechanics Institute. John was to become in a few years a Unitarian and a very zealous one. From the Mechanics Institute the congregation moved to the Old Friends' Meeting House in Manchester Walk and then to their new Bayshill Church which stands there today. (2) In a brief sketch of John Goding's which appeared in *Christian Life*, reprinted in the *Free Press* in 1899, there is a reference to the opening of this church: "Owing to the exertions of Mr Furber, Goding and a few other energetic spirits, funds were raised for the present Unitarian church, which was opened for services on Good Friday in 1844." (3)

There is a chapter in John's *History of Cheltenham* entitled "Dissenting Places of Worship" and in recounting the history of the Cheltenham Unitarians he points out that the Mechanics Institute stands nearly on the same spot as the first Unitarian Chapel, founded in 1662, but later abandoned. (4) Perhaps researching Cheltenham Unitarians was the spark which led him to compile the history of Cheltenham.

The Mechanics Institute played an important part of John Goding's early life and it was here that in 1840 that he gave an excellent lecture entitled *The Geology of Cheltenham*. The *Examiner* commented "The subject was illustrated by a variety of fossils embracing upwards of 100 different species systematically arranged, the whole collected by Mr Goding in the town and neighbourhood". (5) Two months later John was lecturing at the Institute on the Transportation System and towards the end of the year he gave another lecture on Geology. (7) So at the age of 24 he was already known in the town as a man of talent.

As well as John's exploration of the town and countryside he would have been responsible for the grocery business in Burton Street. His father had died when John was 15 and his mother shortly afterwards. (8) No ordinary grocer was this John Goding who was surely at this time researching material for the first edition of his history which was published in 1853.

An editorial in the *Examiner* on the day of publication gives credit where it is surely due: "We observe that this work (Goding's *History of Cheltenham*), which has been for some time in course of publication in the columns of the *Free Press*, has just been issued in separate form. It is by far the most complete and comprehensive history of the town which has yet been published and reflects the highest credit on the industry and research of the compiler. As a book of reference on matters of local interest it will be extremely valuable." (9)

The history contained 400 pages and sold for 2s.6d.

Ten years later in 1863 the second edition of his history was published. It consisted of 28 chapters and commenced with the British and Roman periods. There were nearly 600 pages with many views of the town in wood engravings and lithographs. The last chapter contained about 100 pages and was entitled Chronological Events. The first date was AD 53 and the last February 19, 1863 which recorded the death of Lord Sudeley of Toddington, near Cheltenham. An advertisement for this new edition claims it "A complete and authentic record of the town of Cheltenham through every era of history." It was presented in three different bindings at prices of 5s.0d to 7s.6d. (10)

Finally there was the Queen's edition. It was referred to by the publishers as "A special edition of the history with extra steel engravings and handsomely bound in morocco for presentation to Her Majesty the Queen and H.R.H. Prince Albert." A few copies similar in all respects to that presented to the Queen and Prince were available at 12s.6d.

The 'history' was always advertised as *Normans' History of Cheltenham* by John Goding. Mr Norman was the publisher and also the proprietor of *The Cheltenham Examiner*. Allowance was made for 16 pages of local advertisements at the end of the book. These in themselves give a picture of the town at that time. Amongst them a Miss M A Norman (surely his sister) offers seaside education to a limited number of Young Ladies (and Young Gentlemen under nine) at Woodland Villa, West Portishead.

In addition to his history of the town John Goding wrote a series of articles for the *Examiner* entitled "Chapters in the History of Gloucestershire", 61 in all, which appeared during 1861 and 1862. Then from 1863 he wrote over 100 articles for the paper entitled History of Gloucestershire. They are excellent and run parallel in detail to his history of Cheltenham. One of these, published in December 1865, was called Ancient Local Biography with sub title List of eminent natives of the County with date and place of birth.

From when he was a young man politics played an important part in John Goding's life. In 1841, when he was 25, there is a report in the *Examiner* of a political meeting in a field at Bays Hill, held to nominate parliamentary candidates. Whilst John was speaking someone lifted a plant to the roof of the hustings where a pool of water had gathered, and to the amusement of all poor John was drenched with water. On polling day Craven Berkeley had 764 votes. John's radical man had 4. (11) Later the very staunch Liberal, John Goding, was to become embroiled with much party bitterness.

In July 1862 the *Examiner* reported that John Goding was appointed Income Tax Inspector for Cheltenham North and districts of Cleeve and Woodmancote. (12) Then in 1865 he became Assistant-Overseer of the Parish of Cheltenham as collector of the poor rate, and other duties pertaining to his office. (13) This office is not to be confused with the Overseers of the town. They were nominated by the Vestry and approved by the Magistrates. The Assistant-Overseer, appointed by the Board of Guardians, collected the poor-rate tax and paid this over - or rather banked it - for the Overseers who could then answer calls from the Guardians for funding the Union Workhouse. John's other duties included compiling the Electoral Register. It was this involvement with the register that gave his political opponents 'the Tories' the opportunity to accuse him of deliberately leaving out, or putting in, names in the register so as to favour 'Liberal' voters.

There are many reports in the *Examiner*, during the years following his appointment as Assistant-Overseer, of political wrangles and other matters connected with his position. In January 1868 there was criticism by the District Auditor over his method of crediting the Overseer's account with the money collected. (14) In mitigation John asked for, and obtained, an assistant to lighten the burden of his work. A Mr Page was appointed to collect the poor-rates on the South side of the town whilst John would collect for the North side. (15) But the Auditor complained again in August of that year the Receipt and Payment Books were not being kept according to the rules. At a meeting of the Guardians Mr Onley said that the matter "was a lot of red tapeism". (16) Nevertheless John Goding 'did get a rocket' and a letter to John from the Poor Law Board in Whitehall ended - "The Board directs me to state that they trust that no further grounds of complaint will occur." (17) But there were to be further complaints.

No question of dishonesty was ever raised by the Overseers or by the Board of Guardians. He was certainly very much 'his own man' and probably sailed a little close to the wind. That he was completely honest and upright there is no doubt, and a quote from his obituary reflects upon his good character - "Upon John Goding's private life not the shadow of a stain could be cast, even by the most uncharitable of his critics." (18) So what about his family life?

John Goding married twice. First to Hannah Carpenter in 1853. They had seven children, sadly two of them dying in infancy. Hannah died in 1867 and 1870 John married Amelia Williams. The 1871 census records the family at No 2 (now No 3) Portland Street. There was John and his second wife Amelia, his daughters Hannah and Eva, his sons John William, and Alfred J and his youngest daughter Amelia. Also in the household his mother-in-law Mrs Williams and one domestic servant. John had moved to Portland

Street in 1855 from his original home in Burton Street and was still listed as a Grocer in the Street Directories until he was appointed Income Tax Inspector. He would have afterwards used the house as his office when he became Assistant-Overseer. John Goding was an enumerator in the previous 1861 Census.

The Chairman of the present Bayshill Unitarian Church gave the writer copies of John's two marriage certificates which they have in their registers and, surprise, I found they had minute books of committee meetings whilst the congregation was at the Old Friend's Meeting House and these minutes written and signed by John Goding. It was good to see his neat handwriting and to be able to take some copies. Services are now held behind the church in the room which was built as a Sunday School room over the graveyard, where perhaps John's infant children lie. John was a very active member of the congregation and it is said that he even occupied the pulpit when occasion required. (19)

There is a portrait of John Goding in the Cheltenham museum local history gallery. It shows a ring on his finger with the name 'Amelia'. The portrait was painted in 1867, but he did not marry Amelia Williams until 1870. No, he was no philanderer, it could only be she who was surely his favourite daughter, Amelia. As well as this portrait the museum has a very early photograph of John in 1853, on the very day when the first edition of his History of Cheltenham was published. The portrait and photograph were given to the museum by a Mrs Hyde. She was the grand-daughter of John Goding and lived in Grosvenor Street. The family connection comes from the marriage of John's eldest daughter, Hannah, to William Roderick Hayling of Gloucester and one of their daughters married a Frank Hyde.

The father of William Roderick Hayling started the printing business of Hayling and Son in Gloucester which was later to be established in Oxford Passage, Cheltenham. They were very fine printers. I was given a copy of the Hayling family tree by an expert in family history and who had married into the Hayling family. I found that I knew some of the Hayling descendants who are living in Cheltenham. They told me that there was an elderly lady in Barry, South Wales who might be able to tell me more about John Goding's family. The eldest son of Hannah (John's daughter) and William Hayling had married a Lavinia Jackson, and this lady was their daughter. I went to see her and she remembers staying in Cheltenham, when she was a little girl, with her great-uncle John Goding - he of course being John Goding's eldest son, John William Goding. She remembers him as a very kindly man who made toys for her and that his wife was called Rhoda and that they had an adopted daughter named Flossie. She stayed at their house in Priory Terrace. I have been able to trace the movements of this John, his marriage to Rhoda Randford in Oxford and his death in Cheltenham in 1945. A search at St Catherine's House produced no trace of John Goding's youngest son Alfred. Perhaps he emigrated. However there is an examination certificate in the Cheltenham museum of Alfred when he was at school in the town and this again was given by Mrs Hyde. Among some minutes of the Bayshill Unitarian Sunday School at the church there is reference to a Miss Goding being a committee member, with a Mr Hayling in the chair, and this I believe is Eva Goding. John Goding's youngest daughter Amelia became a Mrs Tyre of Southampton.

The most turbulent years of John Goding's life as the Assistant-Overseer were 1871 and 1872. In December 1871 the *Examiner* reported that an enquiry had been opened by the Assistant Poor Law Inspector into the management of the rate books and collection of rates in former years by Messrs. Goding and Page. (20) There were a total of 15 allegations before the enquiry; and then in August 1872 there was another enquiry into the entry of a wrong name in the rate book. (21)

Perhaps the results of these enquiries and other matters are best summarised by quoting from an editorial in the *Examiner* of September 4, 1872: "Mr Goding has had to stand 3 or 4 public enquiries ... It seems the object of his accusers to bring so many charges against him as to compel the Board in London to dismiss him. In this object they have failed ... It is only fair to Mr Goding to say that no fraud or dishonesty has been proved against him... his fault is that he has been wedded to a vicious system. As he has this time escaped dismissal, as it were by the skin of his teeth, we advise him to abandon the old system, to adhere strictly to the Poor Law regulations, and to obey implicitly the directions of the Overseers." (22)

It is interesting to note what happened to Mr Page who in the August enquiry had been called to give evidence against Mr Goding regarding the wrong entry in the rate book. Instead of giving evidence Mr Page said he himself was to blame for the error. (23) For his honesty he later found that he had been dismissed. An outcry was raised about this unfair dismissal and eventually the Board in London agreed to re-instate him. In the meantime Mr Page had applied for and obtained the vacant position of Collector of the Borough Rate. His salary was twice what the Board of Guardians had paid him. (24)

We must not allow all this unpleasantness connected with his duties as Assistant-Overseer to detract from our appreciation of John, the historian, or perhaps, John the devoted Unitarian. In his obituary it was said: "No walk was too long, no labour too great in the pursuit of his favourite employment; and

there were few objects of antiquarian interest within many miles of Cheltenham with which he had not an acquaintance." And this from the account of him in *Christian Life*: "Such was his benevolent disposition that in spite of his religious convictions, and the uncompromising way in which he asserted them, he was on the best of terms with the fellow townsmen of all shades of opinions." This article also tells us that he was strongly opposed to compulsory church rates and that he helped found an anti-rate association, helping with his voice and his pen, but when the rate became voluntary he willingly paid it. (25)

John Goding was certainly a man of contrasting activities. In the chapter of his history entitled "The Endowed Charities in Cheltenham" he records that he was on a committee elected in 1843 to enquire into Pate's Charity in so far as it related to its scholastic application. Then in 1848 he sat on a further committee "to consider if any and what steps ought now be taken by the inhabitants of Cheltenham for improving the condition of the Cheltenham Free Grammar School (Pate's Grammar School)." Included in this committee were the well known names of the Reverend Francis Close and George Rowe. (26)

As perhaps we would have expected he was a total abstainer and a non smoker. (27) There is an interesting little book in the Gloucester Record Office to which his signature has been appended. It is called *The League of Universal Brotherhood* and John declares that he would never enlist in any army or navy as the object of the League was to employ all legitimate and moral means for the abolition of war. (28)

The Record Office had both the Will of John Goding and the Will of his wife Amelia. His Will showed that he owned several properties in the town: No's 1 and 2 The Retreat, 20, 21 and 22 Tivoli Street, No 1 Francis Place and No 5 Bloomsbury Place. It would be interesting to know how he had bought them. It is unlikely to be from his salary as Assistant-Overseer, although in 1872 the Board of Guardians paid him £300 per annum. Perhaps he acquired them through the sale of that grocery business and the proceeds of his writings.

John Goding died on April 23rd 1879, aged 63. It was suggested in his obituary that the anxieties over those troubled years when he was Assistant-Overseer had left their mark on his health and hastened his death. (29) He is buried in the Nonconformist section of the Cheltenham cemetery and lies with his daughter Eva and his wife Amelia. Sadly there is no headstone now.

In his funeral address the Rev J C Hirst said: "Without the advantage which a comprehensive education in youth confers, he (Mr Goding) nevertheless, by his ability, and by patient and painstaking industry, collected a respectable store of information concerning the history of the town and neighbourhood ... So he made for himself a name known to many to whom he was a personal stranger, and earned the gratitude of those whom he has instructed or will still by his recorded words." (30)

John's wife Amelia lived until 1904. She died, aged 87, at her home 56, Keynsham Street. Until her son John married at the age of 47 he lived next to her at No 55. Part of her obituary in the *Examiner* refers to her husband and this concludes: "It is due to his memory to say that on no occasion was any departure from the strict line of duty proved against him and if his partisanship got him into "hot water" occasionally it had no effect on his unvarying good temper and kindness of his disposition." (31)

At the weekly meeting of the Board of Guardians following John's death there had been glowing tributes to him, and it was pointed out that he had left the books in order all ready for the collection of the new rate. One Guardian had said: "He was a citizen of no mean order and a man of considerable culture and painstaking research after knowledge. His History of Cheltenham being generally acknowledged as one of the best ever written." (32)

REFERENCES

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- (2) Goding, *Norman's History of Cheltenham* (N.H.O.C.) Page 469.
- (3) *Cheltenham Free Press*, 29 July 1899 - Reprint from *Christian Life*.
- (4) Goding, N.H.O.C. Pages 466/7.
- (5) *Cheltenham Examiner*, 1 April 1840, P.2., Col.7.
- (6) *Ibid.* 17 June 1840 P.3., Col.1.
- (7) *Ibid.* 25 November 1840 P.3., Col.2.
- (8) Notes with C.A. Probert papers.
- (9) *Examiner* 11 May 1853, P.4., Col.4.
- (10) *Ibid.* 24 December 1862 P.3., Col.2.
- (11) *Ibid.* 30 June 1841 P.3., Col.2.
- (12) *Ibid.* 30 July 1862 P.4., Col.5.
- (13) *Ibid.* 29 March 1865 P.6., Col.5.
- (14) *Ibid.* 1 January 1868 P.3., Col.2.
- (15) *Ibid.* 8 April 1868 P.3., Col.1.
- (16) *Ibid.* 26 August 1868 P.3., Col.1.
- (17) *Ibid.* 28 October 1868 P.2., Col.6.
- (18) *Ibid.* 30 April 1879 P.4. Col.6.
- (19) Notes with C.A. Probert papers.
- (20) *Examiner* 20 December 1871 P.8., Col.3.
- (21) *Ibid.* 7 August 1872 P.3., Col.2.
- (22) *Ibid.* 4 September 1872 P.4., (Editorial)
- (23) *Ibid.* 4 September 1872 P.8., Col.6.
- (24) *Ibid.* 25 December 1872 P.4., (Editorial)
- (25) Notes with C.A. Probert papers.
- (26) Goding N.H.O.C. pages 403/4.
- (27) Notes with C.A. Probert papers.
- (28) G.R.O. D.5130/65.
- (29) *Examiner* 30 April 1879 P.4., Col.6.
- (30) *Ibid.* 7 May 1879 P.8., Col.4.
- (31) *Ibid.* 4 January 1905, P.8., Col.6.
- (32) *Cheltenham Chronicle* 6 May 1879, P.5., Col.2.

Caught Out

ERIC WOODHEAD

IT IS Saturday the 8th June 1886. The day dawns bright and clear in Cheltenham, ideal for the second day of a cricket match on the Charlton Park ground of the East Gloucestershire Cricket Club. The opponents are Stroud. There is the promise of a day of enjoyment for some, but not for a member of the home side. For him it is to be a day of disaster. He is unaware that the situation on the ground is different to that previously.

Earlier in the season, various sums of money have been taken from the pockets of members of the Club who had left clothes in the dressing room. For that reason, Captain Willes, the honorary secretary has spoken with the police, and arranged that a policeman should go to the ground on that Saturday and watch. Sergeant James Woolford is the chosen man.

So, early that Saturday morning, the Sergeant secretes himself above the dressing room. He keeps watch. Between 10 and 11 o'clock he sees Captain Willes enter the dressing room. He sees Captain Willes hang his coat and waistcoat on a peg. Only he and Captain Willes know the contents of the waistcoat pockets: a sovereign, a half-sovereign, three half-crowns, two shillings and a sixpence. All are suitably marked.

That is not all. During that time the Sergeant sees a Mr William B Piers enter the dressing room. He sees Mr Piers hang his waistcoat on a peg. And only the Sergeant, Captain Willes and Mr Piers know what is in one of the pockets: a distinctively-marked half-sovereign

Noon approaches. All the players but one are in the dressing room. The remaining player enters. We shall call him Mr X. Mr X changes his clothes. His trousers are on the peg next to that carrying Captain Wille's waistcoat. The players leave the room. But not Mr X. He remains. He sets about his business.

The Sergeant sees him search the pockets of Captain Wille's waistcoat. He notices that something is taken from a pocket of that waistcoat. He sees that something placed in the left-hand pocket of Mr X's trousers.

The Sergeant then sees Mr X search the pockets of Mr Pier's waistcoat, and take something from one of those pockets. He sees that something also goes into the left-hand pocket of Mr X's trousers.

Mr X then leaves the room.

The Sergeant comes from his hiding place. He seeks out Captain Willes and Mr Piers. They return to the dressing room. The two players examine the pockets of their clothes which are on the peg. Captain Willes finds that the half-sovereign and one of the shillings are missing; Mr Piers finds that his half-sovereign is missing. They wait for lunch time.

At lunch time all the players come into the dressing room. In the hearing of Mr X the Sergeant asks if anyone has lost anything. After searching their pockets, Captain Willes and Mr Piers say that they have.

The Sergeant looks at Mr X. "I have been in hiding in the dressing room", he says. "I saw what you, Mr X, did". "Where", he enquires, "is the money you stole?" Mr X pulls the stolen money from the left-hand pocket of his trousers. He says "I can assure you that I never did it before this season and, if you will forgive me, I will leave the country and go to Australia".

It is now Monday the 10th June 1886. In the Cheltenham Police Court, Mr X appears before the magistrates, charged with stealing money. He pleads guilty.

He is defended by Mr Waghorne. The latter can do little else but enter a plea of mitigation.

He remarks that Mr X has recently suffered a severe attack of erysipalis in the head, causing him to resort to drink. On the previous Saturday, Mr X was feeling very unwell. He was in an unusual state of mind. He hardly knew what he was doing. He had a sudden irresistible urge to take the money. His action was clearly not that of a common thief. Such a person would have taken all the money. He would not have left any behind.

Concluding, Mr Waghorne hopes that the Court will see its way to imposing a fine instead of imprisonment. He says that if Mr X is fined, his friends will provide the means for him to go abroad. That would be a far worse punishment than imprisonment. In effect it would mean transportation.

The magistrates take only a few minutes to come to their decision. They find Mr X guilty of stealing

money. His punishment involves transportation. Not to Australia, at his friends' expense. Only to Gloucester Prison at public expense. There, he has to serve 28 days hard labour.

Every story of this kind calls for a denouement. So, who was this Mr X?

He was born in London in 1853. He became a well-known cricketer. He played as an amateur in 9 matches in the 1873-74 season. In 1876 he played for an England XI at Fenner's against Cambridge University, scoring 205 not out. In 1876 he joined Gloucestershire, playing as an amateur in all but his last match in 1886. And, as we now know, he played for the East Gloucestershire Club.

At the beginning of 1886 he became a professional cricketer, an unusual choice for one who had for so long played as an amateur. It might have been because he was in financial difficulties. If that were the reason he gained no benefit from that change of status.

For, on his release from prison he was a ruined man. Without delay he emigrated to Canada. He died there, in Calgary, 36 years later.

His name? Walter Raleigh Gilbert. A cousin of the famous William Gilbert Grace. Husband of a lady of a family also renowned in cricket circles - the Lillywhites.

Note: A report of this court action is to be found on page 3 of the issue of *The Cheltenham Examiner* dated Wednesday the 9th June 1886.



Gloucestershire Record Office accessions 1995 relating to the Cheltenham area

The Gloucestershire Record Office receives about 250-300 new accessions of archives each year. Many come from local government departments but a varied range of material is deposited by private families, churches, businesses and societies. The Record Office staff are always grateful to hear of records in private hands which may be worth preserving in the archives. We can also give free advice on how best to store and look after records. For further information please contact David Smith, the County Archivist, at Gloucestershire Record Office, Clarence Row, Alvin Street, Gloucester, GL1 3DW.

*Some of the collections listed here are marked * : they are not yet readily available to researchers either because they have not been catalogued, need repair or are closed to the public for a certain number of years.*

Barnard & Partners, architects, of Cheltenham: accounts, contract books and job ledgers, 1860s-1930s	D2970
Cheltenham Archdeaconry: confirmation returns, 1994	GDR
Cheltenham Gas Company: records 19th-20th cents	D7259 *
Cheltenham Gramophone Society: minutes, registers of members, programmes and press cuttings, 1938-90	D7178
Cheltenham Family Welfare Association: records of the association (founded in 1961), its predecessor and associated bodies, including the Cheltenham Loan Fund Society, 1834-1912, Cheltenham Society for the Organisation of Charities, 1879-1961, Cheltenham Nursing Institution, (1867)-1872, Cheltenham District Nursing Association, 1880-1960s, Cheltenham Unemployed Poor Relief Committee, 1900-04, TB Care Committee, 1938-73, Chambers Almshouses, 1923-72 and the Sunset Home, 1926-89	D2465 *
Cheltenham Magistrates' Court: registers, 1952-73	PS/CH *

Cheltenham Supper Club: minutes and other records, c1965-93	D7120
Cheltenham branch of the WEA: minutes, 1983-91 and other records, 1981-91	D4227
Cotswold Charity Steam Spectacular: organiser's records of steam engine shows held in Cheltenham, mainly 1960s-70s	D6872
Davis Gregory, solicitors of Cheltenham: deeds for various properties, 19th-20th cents	D5902
The Everyman Theatre, Cheltenham: correspondence and papers mainly of Martin Houghton, artistic director, c1989-94	D6978 *
Gloucestershire Chinese Community Group: newsletter, 1995	D6901
Gloucestershire Community Health Council records, 1974-93, including minutes of Cheltenham & District CHC 1991-93	D7224 *
Gloucestershire County Cricket League: minutes and other records, 1982-95	D7312 *
Irving, the late Sir Charles, MP for Cheltenham: press cuttings, copies of speeches and photographs relating to his political career, c1945-91	D7264
Owen, Rev James, of Cheltenham College: album of letters, poetry and press cuttings compiled in memory of his wife, the poet and literary reviewer Frances May Owen (d.1883), c1869-85	D7164
Regent Hotel, Cheltenham: visitors' book, 1936-66	D7263
Roiser, E A, architect (retired) of Cheltenham: practice files, day books and ledgers of architect's firm (now Bartosch & Stokes of Cheltenham), c1930s-80s	D7266 *
ROTOL, Cheltenham: papers of the late Mr Eric Delderfield, technical editor, c.1941-46	D7233
Tewkesbury & Cheltenham Methodist Circuit: year books and magazines, 1940s-90s; minutes of Young Wives' Group, 1967-73; Circuit Ministries Committee minutes, 1974-89	D3418 *
Willans, solicitors, of Cheltenham: deeds to various properties, 19th-20th cents	D5907
Deeds & related records for the following properties in Cheltenham:	
The Green Dragon Inn and adjoining property in Albion Street, 1821-73	D7207
3 Cambray, 1812-73	D7232
79, 81-83 High Street and Oddfellows Hall, 1920s-60s	D7316 *
18 Great Western Road (now no.5), Bayshill, 1879-83	D7133
2 Pittville Circus ('Rosehaugh') (1786)-1940	D7254
'East Hayes', Pittville Circus Road, 1887 (sale particulars only)	D7295
Thirlestaine House, 19th cent.	D6913 *
Worcester Street property, 19th cent	D7166

Julie Courtenay, Senior cataloguer, GRO



From the 1851 Census

PERSISTENCE PAYS

3 Brunswick Street, Cheltenham
 Robert Cox 37 Police Constable
 Rebecca 34

Emily	13	Daughter
Sarah	11	Daughter
Louisa	9	Daughter
Celia	7	Daughter
Hester	5	Daughter
Hannah	3	Daughter
Robert	1	Son