

# CAKE AND COCKHORSE



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

# Cake and Cockhorse

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

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This edition of *Cake and Cockhorse* contains a continuation of the Banbury Theatre article. There are also two more articles which will be continued in future editions; "Banbury Races" and "The Chamberlain's Role in Banbury" are both interesting articles and deserve space to expand their themes, hence their serialisation.

"Copy of a Painter's Bill" is included not for its historical relevance but for its humour - I hope it is appreciated.

Following a very successful series of Autumn and Winter lectures, the Society is planning an interesting season of Summer visits. These are being organised by Dr Rivers and details will be available soon.

D.A.H.

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Cover illustration: Banbury Town Seal of 1574

## THE BANBURY HORSE RACES : a study of recreation in an Oxfordshire market Town.

No social history of Banbury would be complete without including an account of the horse racing which, appealing to the upper and lower classes alike, played an important part in the seasonal calendar of popular diversions.

Beginning in the early 18th century the races at Banbury were held at intervals over a twenty year period, followed by a lapse of ninety years. There was a revival in the second quarter of the 19th century when the sport had its hey-day, and the town became the scene for some lively and successful racing. In its early phase racing appears, on the slim evidence available, to have been the most prominent organised activity in relation to the social life of the town. This stands in direct contrast with the later period when new social institutions were in the process of transforming the entire pattern of popular recreation. At this time and until its cessation in 1846, racing, though still a great favourite with pleasure-seeking crowds, was only one among the many leisure pursuits carried on within the community.

To understand and appreciate the role that racing as a recreation has played in society generally, and in any one locality in particular, one needs to look first at the historical background and also the nature of the sport during its most important phase of development.

Racing owed its rise as a national sport to James I who recognised the need for improving the general quality of the English horse through the breeding of thoroughbreds for racing purposes. The racecourse was an ideal testing ground for speed, strength and stamina which were the main qualities looked for in the selective breeding of high-mettle racers. Encouraged by royal patronage horse breeding became the absorbing interest of the nobility and gentry, and race meetings were set up in many parts of the kingdom, notably at Epsom and Newmarket. In Oxfordshire races began to take place on Burford Downs in the 1620s, and were held on one occasion at Oxford in 1630.

Like many other recreational activities racing fell into abeyance during the Commonwealth, but saw a revival after the Restoration when it rapidly developed as a fashionable sport with Newmarket as its centre. So great was the enthusiasm of Charles II for the sport that it infected the whole country. All over England racing was restarted where it had been traditional and many new local meetings sprang up in the rural areas on the edge of market towns.

From the late 17th century onwards racing continued to grow in popularity, so that by 1727 annual meetings, according to the first racing calendar published by John Cheny, were being held near 112 English towns.<sup>1</sup> Between 1680 and 1740 there was such a proliferation of local events that Parliament was led to regulate the sport in 1711, and again in

1740, in order to 'restrain the excessive increase'.

Local or 'country' race meetings throughout most of the 18th century tended to be impromptu and undisciplined affairs, taking place on courses which were traditional or organised on the spot. There were few formal rules and this often led to confusion and chicanery especially when big money and prestige were at stake. Events, lasting from one to three days were of two kinds : matches between two horses; and plates, competed for by larger fields - a type of race that was becoming increasingly popular. In this second category were races run on the 'give-and-take' principle, whereby a big horse gave weight to a smaller one according to a scale of weight-for-height.

To ensure a full day's racing a well-contested plate was run in a series of eliminating heats; the first entrant to win the most heats was the winner of the event. As such races were usually run over a four-mile course, three heats, which were quite common, would involve covering twelve miles on the same day. The ideal horse for such gruelling contests had to be big, strong and mature, typically five to six year olds capable of carrying weights seldom less than ten, and often as high as twelve stone. For their owners much wealth could accrue from wagers, prizes, and the sale of the winner at the end of a race, which was frequently a condition of entry.

Apart from hunting, racing was the favourite diversion of the landowning classes who had the time and money to lavish on their animals as status symbols, and to indulge their passion for gambling which was the main attraction of all race gatherings. It was the nobility, squirearchy and gentlemen of means (farmers included), uninhibited by any central authority, who controlled local race events, which they organised for their own and their friends' benefit. They were both the competitors and promoters : providing the horses which they rode themselves<sup>2</sup> (though the hire of professional jockeys was increasing); and financing the prizes, to the value of up to 50 guineas, either in the form of a Plate (a silver cup, dish or bowl), or a Purse of coin.

In the wider social context race meetings represented a form of organised entertainment not entirely exclusive to the privileged leisure classes. The patrons of the sport, far from barring spectators were prepared to share their pleasures free of charge with the local populace for whom racing was one of the few highlights of their social calendar. Thus the rich man's indulgence became the working-man's popular holiday. Indeed it would have been impossible to keep out the crowds since meetings were held on any piece of rough open ground available : on commons, wastes, heaths, pastures or meadows which lay outside villages or towns.

In Oxfordshire racing was already well-established near several important urban centres by the end of the 17th century : at Oxford and Burford where the sport had royal connections; and at Woodstock and Chipping Norton. In the early 18th century meetings were started at

Goring, Henley, Bicester and Banbury.

The earliest official documentary evidence for racing at Banbury appears in John Cheny's published list of matches and plates which began in 1727. Meetings are recorded for 1727-9 when three-day fixtures were held in late July or August, with one race being run in heats on each day for Plates varying in value from £10-£40.

Owing to a fortuitous piece of evidence that has recently come to light, it is now known that racing at Banbury began much earlier than 1727. Among the pieces of plate auctioned at Christie's in London in 1941, was a George I plain silver-gilt punch bowl engraved with a racehorse and jockey and inscribed "Silver Tail'd Betty", and on the other side, "Banbury Town Plate, 1720", by Thomas Parr. The piece, which weighed 55 ozs. 12 dwts. was sold for £330.<sup>3</sup> From the inscription the prize would appear to be the sole reminder of racing in this period since no official record has survived. Valuable though this new piece of evidence is, it does not preclude the possibility that race meetings could already have been established prior to 1720.

Later racing activities continued to be covered by Cheny's calendar which records that races were renewed in 1734, when Banbury was one among six towns in the county to offer racing between June and October.<sup>4</sup> There was sport in Banbury from 1735-6, and again on July 25th, 1738 when at a poorly subscribed meeting, only two horses ran for a 50 guinea Plate. 1739 (September 4th-6th) marked the last meeting for nine decades when the event was graced by the presence of the Prince and Princess of Wales while on a visit to Wroxton Abbey, the family seat of the Norths, later Earls of Guilford. The town turned out to present the royal couple with a cake, and the occasion was later commemorated by an obelisk erected on a prominence in the Wroxton grounds.<sup>5</sup>

The introduction of racing to Banbury in the early 18th century must surely have some connection with the decline of the puritan domination of town life, and the corresponding rise of aristocratic influence of the North family as benefactors and political patrons of the borough. Throughout most of the 17th century when Banbury was a stronghold of religious radicalism there was little organised public entertainment, and it is likely that traditional ales, games, and dances were sternly frowned upon, perhaps even suppressed. For the ordinary townfolk social life revolved around the inns which served as recreational centres for news, refreshment, company and the opportunity for some petty gaming. Into this long subdued social environment racing made its first appearance as an arranged recreation associated with the town, no doubt providing a free spectacle for the inhabitants who would have gathered to watch the sporting elite at play. Where this took place is entirely a matter of conjecture, though two alternative suggestions are offered. A course may have been laid out on the commons, or in one of the several pasture closes or old enclosures surrounding the hamlet of Neithrop; or, which seems more



OXFORDSHIRE, 1739

BANBURY.

ON the 29th Day of July a 40 l. Plate was run for at Banbury, free for such as never won 80 Guineas, carrying 12 lb. 4 Guineas entrance.

	1	2	3
	H	H	H
Which Prize was won by the Hon } Mr. Bertes Chef. M. Lady Thigh. } Sir Humphry Monochi's Chef. H. } Stagbunter. } Mr. Cole's Bay M. Miss Nefbam. } Mr. Holdman's Chef. H. Golden- } grove. } Mr. Langrou's Grey H. Newton. } Mr. Shppard's Bay H. Darcy. }	1	3	1
	4	1	3
	3	2	2
	2	dr.	
	5	dr.	
	6	dr.	

On the same Course the following Day was a 10 l. Plate for Galloways, 9 lb. the highest give and take one Guinea entrance, which Prize was won by

	1	2	3
	H	H	H
Capt. Crouche's Chef. M. Creeping } Mally. } Mr. Holdman's Grey G. Skip-jack. } Mr. Bost's Bay M. Peggy greaves } me. } Mr. Kendrick's Grey H. Doncolina. }	1	3	1
	3	1	2
	4	2	3
	2	dr.	

On the same Course on the 31st ditto, was a free Plate of 20 l. value, but the winner to be fold for 30 Guineas, 2 Guineas entrance.

	1	2
	H	H
This Prize was won by Sir Ed- } ward O'Brien's Bay H. Harlo- } chrambo. } M. Tuting, Grey H. Star. } Duke of Ancafter's Grey H. Fer- } roster. } Mr. Bost's Bay M. Lady thigh. }	1	1
	3	2
	2	dr.
	dis	

Enter for all three on the 24th ditto.

76 OXFORDSHIRE, 1734.

BANBURY

Upon this Course, on the 27th of August, a 30 Guineas Purse was run for, wt. 12 lb.

	1	2	3
	H	H	H
Which Prize was won by } Mr. Cox's Bay G. Splint. } Lord Hamilton's Brown H. Sper. } Col Marimer's Bay H. Tyger. } Mr. Bradley's Chef. M. No-Name. }	1	1	1
	4	1	3
	3	3	3
	2	dr.	

The 10 Guineas for Galloways, on the following Day, 9 lb. the highest give and take, were won by Mr. Bratt's Grey M. Abouze-Ploufant, beating Mr. Eyley's Grey M.

And the 10 l. on the following Day, wt. 10 lb. by Sir Michael Newton's Brisk, beating only two Hacks to qualify him.

likely, on the Banbury or Grimsbury Moors which may have already become a traditional venue for races when they were held there towards the mid 19th century. This was an area of meadowland lying outside the Banbury town boundary on the Northamptonshire side of the Cherwell, north of the east end of Banbury Bridge. The Moors are referred to as old enclosed ground in the 1765 Enclosure Award for Warkworth and Grimsbury.<sup>6</sup>

For a clear idea of the character of the Banbury races in the early period one need look no further than Cheny. The fixtures which are taken from his calendar for the years 1729 and 1734 (see illustration) publish the conditions of entry, owners, horses, weights, prizes and results.<sup>7</sup> The events appear to have been simple affairs put on by and for the local gentry, gentlemen, farmers and a few members of the military and aristocracy, though there is no way of knowing who or how many rode their own horses.

In view of their influence as the most wealthy and powerful land-owning family in the region, the Norths of Wroxton must have played some part in the patronage of local sporting activities. Knowing of their reputation as great benefactors of the borough, one would expect that no small contribution was made towards the sponsorship of the race that was run for the "Banbury Town Plate" in 1720. Years later in 1739 when the last race meeting at Banbury was held in the presence of royalty, the Norths as their hosts would very probably have been responsible for the organisation of the event.

After 1739 there was to be no more racing at Banbury for nearly a century, the reason for which may be attributed to one or a combination of factors : the withdrawal of patronage or local support; a resurgence of puritan opposition to rowdy amusements; the lack of a suitable venue; or simply because the sport went out of fashion. As already mentioned local racing in the 18th century tended to be a spontaneous and haphazard activity, with meetings springing up in different localities, only to disappear after a few seasons. Nowhere is this better demonstrated than in Oxfordshire where racing in several towns followed the same brief and intermittent pattern : Bicester (1716-18, 1722, 1733-4); Banbury (in or before 1720, 1727-29, 1734-6, 1738-9); Goring (1731-32); and Henley (1732, 1734-5, 1738-39).<sup>8</sup> Out of these only Bicester and Banbury saw a revival of the sport in the next century.

The first official record of the renewal of racing at Banbury appears in Baily's Racing Register for 1831, though evidence from the local press indicates a slightly earlier date, as well as providing some interesting details concerning the organisation of the sport and its amenities. On April 24th 1830 a notice appeared in Jackson's Oxford Journal (hereafter referred to as JOJ) announcing that "A very liberal subscription has been commenced at Banbury, which has been assisted by all the respectable inhabitants, for the purpose of establishing and continuing the Banbury Races, which were last year so very numerously attended . . .". This was



followed by another announcement on July 31st : "The Race Course at Banbury has been very much improved for the ensuing races; it is now nearly two miles in extent, having been greatly enlarged since last year, and it is in excellent order. A grand stand will be erected for the accommodation of the nobility and gentry. An immense number of persons attended the races last year, and from the extensive preparations, and the excellent thorough-bred horses already entered, there is no doubt that the company on the present occasion will be very numerous". All hopes were fulfilled and the JOJ was able to report on August 14th that the races held on August 6th "... afforded much amusement to an immense assemblage of the neighbouring gentry and others". According to the Oxford University and City Herald the course was in excellent condition, and 8-10,000 spectators attended the event where "harmony and good humour prevailed".

The high-summer season in Banbury continued to be enlivened by similar meetings in the following two years. During this period racing was carried on against a background of momentous events that were to change the whole political and social climate of the town. These and the development of local racing in the 19th century will be discussed in the next issue.

Evelyn Brown-Grant

#### Footnotes

- 1 John Cheny : "An Historical List of all the Horse-Matches, and all Plates and Prizes run for in England and Wales (of the value of Ten pounds and upwards)". London 1727-49.
- 2 These might be thoroughbred or halfbred racers and hunters; hacks and also Galloways (a type of animal half-way between horse and pony, so-called because of their resemblance to small Scottish racehorses).
- 3 Hurst Collection (Dec. 3rd, 1941), Banbury Library.
- 4 June 11-13 : Woodstock  
August 27-29 : Banbury  
August 27-30 : Oxford  
September 10-11 : Chipping Norton  
September 24-26 : Bicester  
October 7-9 : Henley  
This was the fullest programme of fixtures to be arranged in Oxfordshire between 1727 and 1739.
- 5 Victoria County History, Vol. X, pp. 15, 17; Vol. IX, p. 173.
- 6 Bodl. MS. Top. Northants. b.6.
- 7 Bodl. Vet. A.4 e.640, pp. 103, 104 (1729); p. 76 (1734). By kind permission of the Curators of the Bodleian Library.
- 8 Bodl. MSS. Top. Oxon, d. 203 : P. Manning : "Sports and pastimes pursued in Oxford and neighbourhood down to about 1850 : Horse-racing".

Strictly Moral, Scientific, and unprecedentedly Novel Evening's Amusement.

**THEATRE, BANBURY,**  
On **THURSDAY** Evening next, **NOVEMBER 29th, 1838**  
*By Permission of the Worshipful the Mayor.*

THE CELEBRATED

**VENTRILOQUIST,**  
**MR. NEWMAN,**

(acknowledged to be the first Ventriloquist of the day,) takes this opportunity of announcing, that he will, on the above Evening, present his **NOVEL and POPULAR**

**SATIRICAL LECTURES,**  
**AND VOCAL-DIVERTISEMENTS.**

MR. NEWMAN WILL GIVE HIS IMITATION OF

**A Gang of Smugglers**

LANDING THEIR CARGO; there will be eight or ten different Voices heard at the distance of 100 Yards.

HE WILL ALSO GIVE HIS IMITATION OF

**A GANG OF THIEVES, LEAVING A WOOD;**

There will be eight or ten different Voices heard at the distance of 100 yards, as if they were coming to the

HE WILL ALSO RELATE HIS

**Travels in America, and different Parts of the Globe.**

HE WILL ALSO GIVE HIS

**IMITATION of HORNETS, BEES, and WASPS;**

Which he performed with such great satisfaction before his late Majesty at Brighton: with a great variety of other Performances during the Evening

To the Historical Student and Antiquary, Mr. N.'s Lecture cannot fail to prove a source of considerable interest, he will elucidate the arts which were resorted to in remote ages, to impose upon the superstitious multitude by the Pythians, or Priestesses of Apollo, as also the Egeastrimandi of the Greeks, mentioned by Cæcumenius and St. Chrysostom, and by the Smithsayers, Magicians, and Sorcerers of an History, assisted by Oracles, Idols, and other instruments of equivocation and deceit. The singular power by which the miraculous responses of the ancient Druids were effected, after having occasioned much controversy between the most eminent Physiologists and Alchemists in Europe, is now proved to be the gift of nature, conjoined in science, it being impossible to teach it; and by the exercise of which, strange voices may be heard from any given distance in the air, or under the earth.

**MRS. NEWMAN.**

**Dar. ; the Evening will sing several Spanish, Italian, & English Songs,**  
WITH GUITAR ACCOMPANIMENT.

*Doors open at SEVEN, and Performance to commence at HALF-PAST SEVEN o'clock.*

Boxes 2s. Pit 1s. Gallery 6d. Children half-price to the Boxes and Pit. Tickets to be had of  
Mr. Hill, Parson's Street, and of Mr. Risher, Market-Place.

J. G. RUSHER, PRINTER.

Playbill 1838

## BANBURY THEATRE

### PART 2

#### PLAYS, EXTRAVAGANZAS AND OTHER DIVERSIONS

Following the first article on the Theatre<sup>1</sup> this piece looks at the many uses of the Theatre and also at the types of entertainment presented. There are a number of original Playbills extant dating from 1798 to 1861<sup>2</sup>; these give an excellent description of the various entertainments which took place.

It is unclear whether the earlier playbills are advertisements for the Church Lane Theatre or its predecessor in Butchers Shambles. Unfortunately no local papers were established before 1831 and they are the only source which could give the date when one theatre replaced the other. It is not possible to say which playbills go with which theatre until 1832, when a playbill advertises the "New Theatre" Church Lane, Banbury, when previously they had been addressed as "The Theatre" Banbury.

The earliest playbill found in my search dates from 1798, it describes a programme of two tragedies entitled "Fair Penitent and Don Juan". The latter play is described as a grand tragic pantomimical entertainment, so it would seem "tragedy" is being used very loosely. This is in total contrast to the playbill for Millers Theatre of Arts, a company from London, who promised some spectacular entertainments in the form of theatrical paintings aided by developments in mechanics and special effects. These included:-

"Voyage to the North Pole" which will be heightened by floating icebergs, seals, whales, bears, sledges, dogs, etc., etc., and two sailors pursuing a bear which they shoot and carry away, also "A City in China". In the course of the piece will be introduced a number of palanquins carried by men, parties of travelling chinese on camels, with a variety of boats and barges on the river: To conclude with a representation of a beautiful elephant with a finale of a storm at sea and spectacular exhibition".

Although this playbill is undated it does make reference to the event of the opening of the new London Bridge as it appeared on 1st August 1831.

The 1823 poster for "Rob Roy" is more traditional to the type of entertainment which generally took place at the Theatre, the play is followed by a selection of songs finishing off with a farce.

The 1832 poster for "She stoops to Conquer" is crucial, since it is the first bill to mention Church Lane and also the Jackman Family including Mr. Fenton, Mr. Hartley, and Mr. Partleton who had all by now married into the Jackman family. Again we see the formula of a comedy, songs and a musical farce.

The next two posters for 1838 both advertise events at the Theatre when the Jackmans were not there. It must be remembered that they only

# THEATRE, BANBURY.

FOR THE BENEFIT OF

# MR. THORNLEY,

Who respectfully solicits the patronage and support of the Ladies and Gentlemen of Banbury and its Vicinity, trusting that the entertainments selected will ensure the approbation of those who may honor the Theatre with their presence.

ON WEDNESDAY EVENING, FEB. 14, 1844,

Will be presented the favorite Opera of

# LOVE IN A VILLAGE.

Justice Woodcock, Mr. STYLES. Sir William Meadows, Mr. MYERS. Young Meadows, Mr. THORNLEY, in which he will sing

"OH HAD I BEEN BY FATE DECREED." "STILL IN HOPES TO GET THE BETTER" AND THE DUET WITH MRS. CARLTON, "MOONLIGHT, MUSIC, LOVE, AND FLOWERS."

Hawthorn, Mr. HARTLEY. Eustace, Mr. SYMONDSON. Hodge, Mr. JACKMAN.  
Footman, Mr. CARLTON. Carter, Mr. JONES.

"My Dog and My Gun."—"There was a jolly Miller once."—and "We all love a pretty Girl under the Rose." by Mr. HARTLEY.

"A plague on these Venches." and "I know a Sheep's Head from a Carrot." by Mr. JACKMAN.

When I followed a Lass." by Mr. STYLES. "The Servant's Medley." &c. &c.

Deborah Woodcock, Mrs. JACKMAN. Rosetta, with Songs, Mrs. CARLTON.  
Luciada, Mrs. HARTLEY. Maids, Miss S. JACKMAN. Housemaid, Miss STANLEY.

## DANCING, BY MR. PARTLETON AND THE MISSES JACKMAN.

SONG.—"ADVICE TO MAIDENS." BY MRS. CARLTON.

SONG, "THE GREAT MEAT PIE," BY MISS STANLEY.

Duet, "Mighty Joke," from the "Barber of Seville," by Messrs. Thornley and Carlton.

A NEW COMIC SONG, BY MR. HARTLEY.

AIR.—"STILL SO GENTLY OER ME STEALING." from the Opera of "La Sonnambula," by Mr. THORNLEY.

COMIC SONG.—"THE GREAT MEAT PIE." BY MR. STYLES.

Playbill 1844

performed in Banbury for the first few months of the year, and so the Theatre was used by other companies for the rest of the year. The two evenings advertised both offered various exciting prospects of entertainment. Monsieur Ching, Illusionist and Magician Extraordinaire and Mr. Newman, the celebrated Ventriloquist, giving his imitations of a "Gang of Smugglers", a "Gang of Thieves leaving a Wood" and Hornets, Bees and Wasps. His wife sang several Spanish, Italian and English songs during the evening. This shows how the Theatre really was a family affair. A poster for "Love in a Village" dated 1844 again shows the talents of the Jackmans who sing, act and dance in the show. Another poster for 1846 again illustrates the unusual entertainments which filled the Theatre when the Jackmans weren't performing. "The Fairies" by Mr. J. E. Carpenter was billed as a "Musical Entertainment on popular fairy superstitions, traditions, history, antiquities etc., entitled "An Hour in Fairyland".

Many of the playbills are too large or fragile for reproduction, and unfortunately typescript cannot convey the impact and style of the original playbills. The poster for "Footpad Joe" dated January 31st 1848 was particularly interesting for a number of reasons. It describes the "New Drama dramatised for the purpose of showing the high training of Mr. A. Abel's dogs, Hector and Wallace" showing that they had live animals on stage in the 19th century. This was followed by another unusual act "Poses Plastique" where the performers assumed poses of characters from Greek and Roman Mythology. The name of the Theatre has also now changed to "Theatre Royal Banbury" until this time it had been called "New Theatre Banbury" or "Theatre Banbury". Further information on this playbill is particularly useful; it lists the nights of performance as Monday, Tuesday, Thursday, Friday. It is quite surprising that there were no performances on Saturday. The Doors opened at 6.30 and the performance commenced at 7.00 pm and terminated at 11.00 pm. It stresses that smoking is strictly prohibited and that officers would be in attendance to preserve order.

It was probably not uncommon for there to be a police presence. The Police Station was in fact beneath the Theatre until its removal to the Town Hall in 1854. The poster also lists many pieces which were in rehearsal, including "The Bottle", "The Black Doctor", "The Rag Pickers of Paris" and "How to settle accounts with your Laundress"!!

The last poster I have found for the Jackmans' appearances at the Church Lane Theatre is dated March 18th 1861, although newspaper reports give details of appearances in Banbury until 1863. By this time the company was being run by C. Jackman and F. Morgan. Again it has the old formula of a play, songs and a farce.

The playbills show that the Banbury audiences were able to enjoy a wide range of exciting entertainments.

It can be seen from the playbills, that apart from the Jackman family, there were a number of other well-known entertainers with a variety of talents, Lou Warwick<sup>3</sup> points out that in 1833, the famous

comedian Charles Mathews was going on to Banbury from Northampton. Similarly in December 1808, "Mr. Mudie respectfully informed the nobility, gentry and public in general of Banbury that he had fitted up the old theatre there in a superior style of elegance and was about to start a season". This is also interesting as it mentions the "Old Theatre" possibly in Butchers Row, or is it making reference to Church Lane as early as 1808? Mudie's sister was particularly well known as a dwarf child star performer.

The Jackmans also called in talent from the principal provincial and Metropolitan theatres. On a playbill for January 1846, Mr. Jackman introduces his acknowledged stars.

Mr. W. Walden - Theatre Royal, Olympic, London

Mr. Prescott - Theatre Royal, Manchester

Mr. Barry - Queens Theatre, London

Mr. Kirk - Theatre Royal, Windsor

Mr. Andrews - Theatre Royal, York

Mr. Stanley - Theatre Royal, Birmingham

Mr. Tannett - Theatre Royal, Portsmouth

Mr. Smythson - Theatre Royal, Windsor

Miss Kezia Love - English Opera House, London

Mrs. Tannett - Theatre Royal, Portsmouth

Mrs. Barry - Theatre Royal, Manchester.

Every season would begin with an introduction to the company such as this on the playbill or in the local paper informing the general public of whom they would be seeing in the Theatre in the coming season. Occasionally they would engage special guests for a limited period, for example, Mr. A. Abel and his Dogs. In a 1861 poster for "As You Like It" we see another such case "The managers have great pleasure to announce an engagement for a few nights only with the celebrated tragedian, Mr. Wybert Rousby, who will appear on Thursday evening, March 21st. Travelling companies like Holloways Theatre occasionally visited Banbury in the 1860's. Dramatic readings were popular and some of the professional readers who came to Banbury included Mrs. Ormande, R.K. Lucas and Barrow Blake. It is also believed that Charles Dickens once gave a reading on his works there. Even after the Jackmans had left, the Banbury Theatre still attracted top names in entertainment but for how long remains unclear.

Veronica Butt

#### References:

1. Cake and Cockhorse, Vol.10, No.1.
2. Banbury Reference Library, Hurst, Potts, Rushers Collections of Playbills and Banbury Museum.
3. Theatre Un-Royal, Lou Warwick 1974.

## From the early BANBURY GUARDIAN

### A case of Grievous Bodily Harm

The first report is in B.G. 24 December 1851. BOROUGH POLICE: Petty Sessions held in the Town Hall on 22 December.

"WILLIAM BRIDGEWATER, a boatman, was charged with having committed a most ferocious assault upon John Pebody, a boat builder. Pebody formerly lived at the yard near to the Hardwick Toll Gate, but has lately resided at Itchington: a brother attending to the business at Banbury.

On Thursday, the 11th instant, Pebody and Bridgewater were in company at the Packet public house, in Banbury, and had some words about some borrowed money. They fought one round and were separated by persons present and afterwards drank together. The dispute was renewed, and the prisoner threatened violence to Pebody. After some little time he started suddenly up, and seizing Pebody by the feet, dragged him from his seat and on his back partly across the house, then threw his legs violently over towards his head, turning the whole of his body over, excepting his head, which was consequently buried under his chest; the prisoner then threw himself upon Pebody with his whole weight, his knees pressing upon his shoulders. The whole was the work of an instant, and when the unfortunate man was raised by the bystanders he was senseless and motionless, and was to all appearances dead. He afterwards recovered sufficiently to be conveyed in a cart to his brother's where he still remains. Mr Chesterton [surgeon], who was in attendance upon him, described the injuries to the vertebrae of the neck as of a most serious character. When he first saw Pebody he supposed he was dying. His whole body below the neck was completely paralysed, but sensation had returned in a way he could not have anticipated. Still, he had not the use of his hands; and he could not report him out of danger. The prisoner was remanded until Monday next; an application for bail was refused."

The B.G.'s normal day of publication was Thursday each week, but because in 1851 Christmas Day fell on this day, the paper was brought out on the Wednesday, as happened on similar occasions. Petty Sessions in Banbury were held at the Town Hall on Mondays, so Bridgewater had probably been arrested not more than two or three days earlier. This argues that he fled from the scene of the crime, perhaps in the confusion caused when the bystanders went to Pebody's aid, and one of them, a certain Reuben Roberts, who had gone to the Packet with Pebody, and who later appeared as the prosecution's one witness, went to fetch the surgeon. From evidence given at the Quarter Sessions' hearing on 1 April 1852, it appears that Bridgewater was an Oxford man, and had been a canal boatman for more than 12 years: presumably he went home, but how he subsequently came to be arrested is not recorded.

The 'Packet', or 'Steam Packet', to give it its full name, was a beerhouse in Mill Lane, run since at least 1835, when it first appears in Rusher's BANBURY DIRECTORY, by Joseph Rainbow.

The story moves on a week, to the Petty Sessions on 29 December. By this time Mr Francis Francillon, lawyer, had been briefed by the prosecutor, and Bridgewater had retained an Oxford lawyer, Mr Carpenter, to appear on his behalf.

B.G. 1 January 1852.

". . . . a savage assault upon John Pebody, of Long Itchington, described in our last. Pebody, who is in a weakly and serious state from the injuries received, was unable to attend at the Hall; the Magistrates, consequently, adjourned to the Buck and Bell, to which place he was brought in a cart, for the purpose of taking his deposition. His declaration was to the effect that he was at the Packet public house with the prisoner, on the 11th of December. They had some words, and fought a round; they then refrained, and commenced drinking together: they were friendly, when all at once Bridgewater became violent, because he (Pebody) owed him 2s., and could not immediately clear it off." He repeated the story of the assault, and added that he had been confined to bed ever since; Reuben Roberts corroborated the statement, and as Carpenter declined to question, and advised his client to say nothing, Bridgewater was committed to the Sessions. Bail was not applied for.

B.G. 8 January 1852.

A report on Banbury Epiphany Quarter Sessions, held 3 January 1852: the case of Bridgewater was one of those to be heard, but: "The Recorder (Serjeant James Manning) was proceeding to charge the Grand Jury, when Mr Francillon said, he had an application to make previous to the delivery of his Honour's charge. It was in the case of William Bridgewater for assaulting Pebody; his client was too unwell to appear, and on that ground he begged an adjournment to the next Sessions. He also requested this on other grounds: although no weapon had been used, he could prove that Bridgewater had shown considerable skill in the assault, and it was not the first he had committed. The assault was of a savage and ferocious nature; not an ordinary assault, but with intent to commit murder." He then described what had happened, as above; and the surgeon, Mr S Chesterman, told how he was called and that he had believed he would die. "The last time I saw him was on Saturday. I am not satisfied that he may live now; he certainly cannot come here today; his whole body and every limb was paralysed."

Mr Carpenter, who appeared again on behalf of the prisoner, raised no objection to a postponement, but applied for bail, to which Francillon objected, and for the purpose of further proving his case, called



Pebody's wife. She said that she had left him that morning very ill in bed, and that she had taken him to his home at Itchington, [in Warwickshire], the previous Monday, and produced a certificate from a surgeon in Southam.

This journey of 14 miles seemed to Carpenter to be rather a reason to allow his client bail, since it was a long way in a common cart for such a sick man. The wife denied that it was "a common cart", but Carpenter still urged bail since Pebody "was taken last Monday in a van [presumably from his brother's house where he had been taken from the Packet] to the Buck and Bell, for the magistrates to take his deposition, and conveyed 14 miles thereafter". The inference, no doubt, was that Pebody was not, after all, as sick as had been said. The Recorder said that the case was too serious to allow bail. "If a man commits an assault with intent to commit murder, and the man died from want of care after, it does not in the least lessen the crime".

Francillon told the court that Pebody "was taken to the Buck and Bell, because the place where he was living was out of the jurisdiction of the borough magistrates". An interesting practical point, which however did nothing to stop Carpenter pressing his application.

The case was adjourned, and the Recorder refused bail, but said that if Pebody "be pronounced out of danger by his medical attendants", then an application could be made to the magistrates, who had power to grant it "at their own discretion".

B.G. 5 February 1852. Petty Sessions 2 February.

"Mrs Bridgewater again applied to the Magistrates to offer bail for her husband" . . . but "the Magistrates had received a certificate from the medical gentleman who attends Pebody, informing them that he is not out of danger, owing to which circumstance, the bail was refused".

B.G. 1 April 1852. Quarter Sessions, Town Hall, Saturday 27 March 1852.

"The business of these Sessions commenced at twelve o'clock today, and the court was very densely crowded, from the circumstance that the assault case, postponed from the last Sessions, was to be heard".

The two lawyers appeared, as previously. Public interest is reflected in the fact that the report of the trial fills more than a complete column, and is thus of considerable length. Though it is all of interest, there is no need to go through the whole story again, but some further details emerge to fill out the picture.

Pebody, though a boat builder, at the time of the attack lived at Long Itchington, where he kept the Two Boats Inn; he had known the defendant for about 12 years. There was some repair business between them, and "a little borrowed money on each side". He had not been aware at the time that he owed Bridgewater the 2s, which occasioned the assault, though he had since remembered it. Though physically much recovered, his shoulders and neck and right hand were still affected. Mr Chesterman,

the surgeon, had been much pressed by the sufferer and his friends to allow him to be taken home after three weeks, but at the trial he showed that this had displeased him, since in his view Pebody "had been in great danger of losing his life during the first week". Carpenter went to considerable lengths to discredit the prosecution witness, Reuben Roberts, and in his address to the jury poured great scorn on the assault case, saying that Pebody brought it all on himself, and should not have fought at all. He skated, however, around the question of the subsequent assault, which Francillon had said that nothing could justify. He appears to have overstepped what the Recorder thought proper, for in his summing up, Manning was not pleased.

"...and before going through the case, he said he must enter his protest against the law which had been laid down [i.e. by Carpenter], as it ought not to go abroad that any provocation [which Carpenter had alleged by implication], either by language or otherwise, would be a justification of an assault. If it had been shown that Pebody had assaulted Bridgewater, and that Bridgewater had done this in his own defence, he would have been justified; but there was no evidence of violent provocation whatever; but supposing there had been evidence of violent provocation, that would not have amounted to a justification, but would have afforded matter for consideration in awarding punishment - the verdict must be the same.

The Jury after a few minutes deliberation, returned a verdict of Guilty.

The learned Recorder, in sentencing the prisoner, said - William Bridgewater, you have been found guilty of a most ferocious assault - so ferocious an assault, that if death had ensued, I have no doubt your life would have answered your crime. Taking into consideration that you have now been in prison three months, I order and adjudge you to be imprisoned for 21 months, and kept to hard labour. "

The B.G. did not follow very many cases in such detail: it must indeed have caused a stir locally, and been worth a bit of a spread! Bridgewater will have served his sentence in Oxford County Gaol.

P. Renold

## The Chamberlain and his role in local government in Banbury, 1554-1835: Part 1

The Chamberlain, or Cofferer, Receiver, Chamber-reeve, or Treasurer, as he was called in some boroughs, was the oldest of the administrative officers gradually accumulated by municipal corporations.<sup>1</sup>

In the early days of the borough the sole responsibility for its administration, including finance, was exercised by the head of the corporation, whose title might be Reeve, Portreeve, Boroughreeve, Alderman, Bailiff, Warden, or Mayor;<sup>2</sup> then, as the administrative burden increased with the movement towards the replacement of the King's officer - the Sheriff - and the eventual establishment of genuine self-government, other officers were appointed, either directly by the head of the corporation himself, or after election by the governing council, or even the whole body of freemen. The increasing financial aspects of borough administration, especially the acquisition of property by the municipality (one of the main gifts bestowed on a borough by incorporation), were put into the hands of the Chamberlain; in Salisbury, for example, a royal licence of 1406, which authorised the city to acquire lands of an annual rental value of 100 marks, would appear to have led to the appointment of the city's first two chamberlains in 1408-9.<sup>3</sup>

In the greater cities of London and Bristol the chamberlains were legally 'corporations sole', and besides wielding wide powers, enjoyed also the privilege of perpetual succession.<sup>4</sup> The Bristol Chamberlain in the sixteenth century was the council's chief administrative officer,<sup>5</sup> 'the manager of the corporation, its Chancellor of the Exchequer and Minister of Works',<sup>6</sup> besides being responsible for 'the admission of burgesses, the control of "strangers" and their goods, the administration of the laws of apprenticeship, the sealing of weights and measures, and the custody of municipal records'.<sup>7</sup>

Additionally, as at Cambridge, the Chamberlain received the fines of newly-admitted freemen and 'the rents and farms of lands, tenements and grounds' belonging to the town,<sup>8</sup> and was expected to meet a variety of charges - £1 a year to the Mayor 'for his robe', repairs to town property, numerous presents to all sorts of people visiting the town, who expected 'a pike, a tench, a bream, a gallon of claret or of malmsey or even hard cash' - and expenses and fees involved in the granting of new charters, or arising from the litigation so frequently entered into to maintain the status and privileges of the borough.<sup>9</sup>

All these and any other 'expences necessarie' were dealt with by the York Chamberlains, whose number fluctuated between four and twelve, to some extent according to whether or not the city was short of funds; for, as a freeman elected as Chamberlain was required to pay a fine 'of exoneration of office' of £6. 13s. 4d. if he had not held any of the minor civic offices, or £4 if he had, a multiple appointment could provide a

valuable source of revenue in lean times. The council made no bones about it in January, 1558/9: 'Consideryng ther is at this present but very lytle treasure in the common coffers of this Citie and that not onely this instant parliament but alsoo warres lykely to be this yere wilbe great chardges to this Citie, it is therfor devysed and agreed by this worshipfull assemble that iij mor Chamberleyns shalbe chosen unto the iij Chamberlayns that nowe are and to pay to the chamber use their exoneracions accustomed'. All twelve chamberlains chosen in the Armada year, 1588, had to pay the full fee and the York coffers benefitted by £80.<sup>10</sup>

The titles given to the head of a corporation and to his chief financial officer recall both manorial and gild associations. It was the influence of the gild on the borough institutions which was particularly strong; in the twelfth century borough proceedings were dominated by members of the Gild Merchant, and in the thirteenth the officers of the gild and those of the borough might well have been one and the same.<sup>11</sup> 'The gild alderman anticipated the elected mayor or bailiff, the gild organisation, the borough assembly and town council, and the gild purse the borough treasury';<sup>12</sup> in Leicester, in fact, the first reference to the Chamberlain is as a gild officer.<sup>13</sup>

In Banbury, by the Charter granted by Mary Tudor in 1554, two of the Capital Burgesses, John Barnsley and Roger Jacson, were chosen by the Common Council as the borough's first Chamberlains.<sup>14</sup> The formal procedure for choosing the Bailiff and other officials was established four years later and set out in the Banbury Book of Orders, Enrollments, Constitutions and Decrees on 14 May, 1558: 'On the day of Saint Michael the Archangel yearly' the Bailiff, Aldermen and Capital Burgesses meeting in the Town Hall 'shall proceed to the election of... two chamberlains... to serve for the year following'.<sup>15</sup>

Although an annual appointment, a chamberlain could be re-elected, with no restriction on the number of years he could serve, and, during the period from the town's first Charter of 1554 to its second in 1608, of 26 chamberlains whose names are known (the holders' names for the years 1574-83, 1586-87 and 1598-99 are lacking) all but six served for two or more years consecutively. John Barnsley and Roger Jacson served a second year (1554-56), as did Mathew Wiget and Simon Hatheway (1584-86), Henry Showell and Humfrey Hadley (1587-89), John Nicoles (1599-1601), Thomas Webb and Robert Russell (1602-04), John Halhed (1604-06) and Edward Man (1606-08); William Nicoles (1590-93) and Nichodemus Edens (1599-1602) served for three years, Thomas Foster (1589-93) and John Wyng (1604-08) for four, Edward Eddon and George Nicholes (1593-98) for five. William Bentley (or Penthelyn) served for nine consecutive years (1564-73) and Bartholomew Eglesfield for ten (1563-73). Those who served for just one year during this period were John Knight, mercer (1561-62), John Vivers (1573-74), Thomas Pymme (1583-84), Anthony Clarkson (1589-90) and John Webb (1601-02). Robert Yedens served twice, each

time for a year, in 1573-74 and 1583-84.

Banbury's second Charter, granted in 1608, stipulated, in Section 21, that in future the Chamberlain - and there was now to be only one (Section 7) - was to be chosen by the Council from among the Aldermen; the Charter named William Knight, gent., as the first Chamberlain under this new arrangement, which was to govern the appointment and duties of the Chamberlain until the demise of the close corporation in 1835.<sup>16</sup>

In compiling a list of the names of chamberlains who served the Corporation between 1554 and the town's third Charter in 1718, our only source of information is the record of the audit of the accounts of individual chamberlains included in the Corporation Accounts.<sup>17</sup> Usually, the Chamberlain presented his account for audit (by fellow aldermen) at the end of a year in office; but not every year is accounted for; from 1633 audits take place a year or more later, and, in the latter part of the seventeenth century - a period of national unrest, which was reflected in local affairs - a chamberlain was sometimes several years in arrears in presenting his account: for example, the accounts of Samuel Reynolds, Chamberlain from 1675 to 1688, were sometimes audited a year or more late, while those for 1676-77, 1677-78 and 1678-79 would appear to have been audited together, as, indeed, were those for 1679-80 and 1680-81.<sup>18</sup> As a result, it is not always possible to establish with certainty the sequence of office-holding.

William Knight and John Austen were two of the longest-serving chamberlains in the borough's history: Knight gave twenty years of service from 1608 to 1628, and was succeeded by John Austen, Chamberlain until at least 1649, and, additionally, during that time, Coroner (1632-33) and Mayor (1633-34). It has been suggested that either he continued until 1655, or that William Allen held the office at some time between 1649 and 1655,<sup>19</sup> but the evidence<sup>20</sup> is not convincing, as John Webb 'made his account as Chamberlain' on 26 January, 1655/6, 'for the several years unaccounted for',<sup>21</sup> and it is reasonable to assume that the 'years unaccounted for' were those prior to 1655 when Webb himself was Chamberlain, which office he held until 1662. Nathaniel Wheatly was Chamberlain from 1662 to 1666, Henry Smyth from 1666 to 1675, with Samuel Reynolds taking over in 1675.

The reigns of Charles II (1660-85) and his brother, James II (1685-88), were particularly trying times for the boroughs. In both reigns the Crown's concern was with the loyalties of the Members of Parliament returned from the boroughs, and, as early as 1661, a policy of interference with municipal corporations aimed at controlling Parliamentary elections seems to have been contemplated. Such a policy could only be implemented through the issue of new charters, or the revision of charters voluntarily surrendered.<sup>22</sup> The arbitrary forfeiture of existing charters could not be justified, but Charles was advised that it was possible to enquire into their validity by the issue of a writ of 'quo warranto' and that most of them might be annulled as a result.<sup>23</sup> In 1681, after the dissolution of the 'Oxford' Parliament, 'arose the audacious policy of wresting charters

from corporations in order to new model them, by introducing such restrictions as might render the members from the boroughs in future Parliaments entirely devoted to the interests of the Crown'.<sup>24</sup>

Banbury surrendered its charters of 1554 and 1608 in the autumn of 1683 and a revised version was issued in December of the same year<sup>25</sup> (but, the surrender not having been enrolled, the Corporation resumed its ancient charters, under the proclamation of James II, in 1688, for restoring surrendered charters.<sup>26</sup>)

In this warrant for the incorporation of the borough the Crown had reserved the power to replace any of the borough officials whose political sympathies were suspect, and James II, as concerned as his brother to ensure support for his policies in the House of Commons, dismissed eleven of the town's twelve aldermen and five of its six capital burgesses and replaced them with his own nominees; on 3 February, 1687/8, Samuel Reynolds was replaced as Chamberlain by John Austen.<sup>27</sup> However, on 25 October, back-tracking frantically, in the hope of salvaging something of his ill-judged and unpopular religious policies, James restored the status quo ante and John Austen, in his turn, yielded place to Samuel Reynolds, who continued as Chamberlain for two more years.

Further disruption occurred in 1716, at a time when Hanoverian and Jacobite feelings were running high, when Charter Day passed without a decision being reached on who was to succeed as Mayor on Michaelmas Day; as no procedure had been established for dealing with such a situation, the Charter was deemed to have automatically lapsed.<sup>28</sup> The inhabitants of the town petitioned the Crown<sup>29</sup> and a new Charter was granted to the borough on 16 July, 1718; its provisions were substantially the same as those of the Charter of James I, and it was to remain the town's governing charter until the end of the close corporation in 1835. It laid down that 'The Mayor, Aldermen and Capital Burgesses were to elect one of the Aldermen as Chamberlain, so to remain for his life, or until he should relinquish or be removed from office by the Mayor, Aldermen and Capital Burgesses. The Chamberlain was to receive rents, fines, revenues, profits, &c., due to the Corporation, and to render annual account to the Mayor, Aldermen and Capital Burgesses at the Feast of St. Matthew or within four days after. Should he be removed from office or relinquish the post then he must render a full account to the Mayor, Aldermen and Capital Burgesses within a month. Thomas Ward, Alderman, was to be "the first and modern Chamberlain". To take corporal oath upon the Holy Evangelist of God well and faithfully to execute the aforesaid office'.<sup>30</sup> Thomas Ward may well have remained in office until 1726/7.

From the Corporation Accounts, the Banbury Journal, 1722-61, the Corporation Minute Book, 1764-1812, the Chamberlain's Account, 1747-1816, and the Corporation Journal, 1812-35,<sup>31</sup> it is possible to trace the succession of chamberlains for the remainder of the Corporation's life:

1726/7-1745: James West; acting as Deputy Chamberlain until April, 1728, 'in Mr. Ward's absence'.<sup>32</sup>

1745-1747: William Greenall; William Greenall was Mayor and one of five candidates (the others were Messrs. Clarson, Box, Stokes and John Bradford) nominated for the office of Chamberlain on 8 July, 1745, to succeed James West who had died; but he resigned on 17 June, 1747, as the result, so it would seem, of some 'disputes over the legality of his election to the said office', although this particular part of the entry in the Banbury Journal has been amended to read simply 'on account of some disputes'.<sup>33</sup>

1747-1752: Edward Box; Henry Clarson refused to serve (for which refusal a fine of £1 was imposed)<sup>34</sup> and Edward Box was elected by a vote of 8 - 0 on 17 June, 1747.

1752-1758: William Greenall; on Edward Box's death in 1752 William Greenall was elected on 30 March and served until his own death in 1758.

1758-1765: Francis Goodwin; Thomas Bradford, elected on 1 November, 1758, by a unanimous vote of 12 - 0 and sworn the same day, resigned on 17 November. Francis Goodwin was sworn on 20 November, 1758, and may well have remained as Chamberlain until 1765, although the gap in our sources for the years 1761 to 1764 makes it impossible to be sure.

1765-1771: Dr. Edward Burford; Dr. Burford was certainly Chamberlain in 1765 and remained so until his resignation in 1771.

1771-1773: Charles Hide; elected and sworn on 11 February, 1771, he served until his death in 1773.

1773-1780: Rev. Dr. Mathew Lamb; Charles Wyatt, who had been chosen in a close vote (6 - 5) on 18 January, 1773, and who had already been fined £5 in the previous year for refusing to accept his election as Mayor, refused to serve as Chamberlain and Rev. Dr. Lamb, who had been elected Mayor on Wyatt's withdrawal on 7 September, 1772, took over as Chamberlain as well.

1780-1802: Robert Knight, then Mayor, was elected and sworn on 1 February, 1780, on Rev. Dr. Lamb's resignation; there is no reference to an election for Chamberlain after 1788 until 1802, so Knight could have continued in office until this latter date.

1802-1814: William Judd the Elder; elected on 3 May, 1802, he resigned as Chamberlain and as Bridgemaster on 19 November, 1814.

1814-1834: John Pain, elected 19 November, 1814.

1834-1835: John Golby Rusher, then half-way through his mayoral year, was elected on 14 February, 1834, on the death of John Pain.

John Golby Rusher was the last of Banbury's Chamberlains before the Municipal Corporations Act of 1835 began the process of sweeping away existing types of local government based on small oligarchical bodies and transferring control to Town Councils elected by the whole body of adult ratepayers, and with their members re-elected at fixed intervals.<sup>35</sup> In 1836 the office of Chamberlain was replaced by that of Borough Treasurer,

a part-time appointment at first, but which became full-time in 1942.<sup>36</sup>

R. W. Gilkes, M.A. (Oxon)

### References

1. S. & B. Webb, *English Local Government: the Manor and the Borough*, 1908, Pt. I, p.324.
2. *Ibid.*
3. V.C.H. Wiltshire, 6:98.
4. S. & B. Webb, *op.cit.*, p.325, n.2.
5. D.M. Livoock, ed., *City Chamberlains' Accounts in the Sixteenth and Seventeenth Centuries*: Bristol Record Society XXIV, 1966, p.xii.
6. R.C. Latham, ed., *Bristol Charters 1509-1899*: Bristol Record Society XII, p.11.
7. *Ibid.*, p.12.
8. F.W. Maitland, *Township and Borough*, 1898, p.205.
9. *Ibid.*, p.206, 4.
10. Deborah Sutton, ed., *York Civic Records*, Vol.IX, Yorkshire Archaeological Society, Vol.CXXXVIII, 1976, pp.3-5.
11. Colin Platt, *The English Medieval Town*, 1976, p.128.
12. James Tait, *The Medieval English Borough*, 1936, pp.233-4.
13. M. Bateson, *Records of Leicester*, i, 25.
14. 26 January, 1 Mary (1553/4); Patent Roll (Chancery), 1 Mary, part 10 membrane 34 (3). Abstracts: A. Beesley, *History of Banbury*, 1841, pp.219-222; E.R.C. Brinkworth and J.S.W. Gibson, *Banbury Corporation Records: Tudor and Stuart*, Banbury Historical Society Vol.15, 1977, pp.1-5.
15. E.R.C. Brinkworth and J.S.W. Gibson, *op.cit.*, pp.19, 21, ff.197, 197v.
16. 28 June, 6 James I (1608); Patent Roll, 6 James I, part 19 number 10 Abstracts: A. Beesley, *op.cit.*, pp.254-8; E.R.C. Brinkworth and J.S.W. Gibson, *op.cit.*, pp.98-102.
17. E.R.C. Brinkworth and J.S.W. Gibson, *op.cit.*
18. *Ibid.*, pp.156, 228.
19. *Ibid.*, p.290.
20. *Ibid.*, p.181, f.93.
21. *Ibid.*, p.195, f.105.
22. E. & A. Porritt, *The Unreformed House of Commons*, 1903, Vol.I, p.393.
23. *Ibid.*
24. *Ibid.* M. Weinbaum, *British Borough Charters, 1307-1660*, 1943, pp.xii-xiii.
25. S. P. Domestic, *Entry Book 60*, pp.306-8.
26. Appendix to 1st Report from the Commissioners on Municipal Corporations in England and Wales, 1835, Part I, p.9.2.
27. Privy Council Registers 2/72, ff.534-5, f.590.
28. 10 Modern Reports 346; 88 English Reports 758. The actual decision in the Banbury case, viz. that a failure to elect a Mayor causes the corporation and charter to lapse, was reversed by statute in 1724 (11 Geo.I., cap.4). See also A.N. Newman, ed., *The Parliamentary Diary of Sir Edward Knatchfull, 1722-30*, Camden 3rd. Series, Vol.XCIV, p.31.
29. Petition of the Inhabitants of Banbury to George I, 1717, Banbury MS; A. Beesley, *op.cit.*, pp.514-6.
30. 16 July, 1718, 4 George I, translation of Charter, Banbury MS.
31. All Banbury MSS.
32. E.R.C. Brinkworth and J.S.W. Gibson, *op.cit.*, p.266, f.216v.
33. *Banbury Journal*, 1722-61, p.188.
34. By-laws of the Corporation, 10 March, 9 James, 1611/12; A. Beesley, *op.cit.*, p.259; E.R.C. Brinkworth and J.S.W. Gibson, *op.cit.*, p.108.
35. Sir William Savage, *The Making of Our Towns*, 1952, pp.77-8.
36. V.C.H. Oxfordshire, Vol.X. *Banbury Hundred*, 1972, p.80.



Copy of a PAINTER'S Bill, presented to the Vestry, for  
Work done in a Country Church.

- TO filling up the Chink in the Red Sea, and repairing the Damages of Pharaoh's Host.
- TO a new Thief on the Cross.
- TO cleaning six of the Apostles and adding an entire new Judas Iscariot.
- TO a new Pair of Hands for Daniel in the Lion's Den, and a Set of Teeth for the Lioness.
- TO a new Alteration in the Belief, mending the Commandments, and making a new Lord's Prayer.
- TO repairing Nebuchadnezzar's Board.
- TO mending the Pitcher of Jacob's Daughter.
- TO a Pair of Sleeves for Susannah's Shift, and repairing the Breeches of one of the Elders.
- TO cleansing the Whale's Belly, varnishing Jonah's Face, and mending his left Arm.
- TO a new Skirt to Joseph's Garment, and a lascivious Eye for Potiphar's Wife.
- TO a new Sheet-anchor, a Jury-mast, and a Long-boat for Noah's Ark.
- TO adding some Scotch Cattle to Pharaoh's lean kine.
- TO making a new Head for Holophernes, and cleaning Judith's Hands.
- TO making perfect the Eunuch attending on Esther.
- TO giving a Blush to the Cheeks of Eve, on presenting the Apple to Adam.
- TO mending the Net in the miraculous Draught of Fishes.
- TO a perspective Glass for David viewing Bathsheba, and mending his right Eye.
- TO painting a new City in the Land of Nod.
- TO cleansing the Garden of Eden after Adam's Expulsion.
- TO finishing the Tower of Babel, and furnishing most of the Figures with new Heads.
- TO painting a Shoulder of Mutton and a Shin of Beef in the Mouths of two of the Ravens feeding Elijah.

Public Advertiser  
29 December 1784

## BOOK REVIEW

Nicholas Cooper *Aynho: A Northamptonshire Village*, Leopard's Head Press: in conjunction with Banbury Historical Society, Vol. 20, 1984 £9.75 pp. xii, 339 (available from BHS, c/o Banbury Museum, @ £11.00 incl. postage, in UK).

Of all the villages in South Northamptonshire, Aynho is surely one of the most attractive. Even casual visitors are impressed by the great House, the unusual 'Classical' Church and the stone cottages with their famous apricot trees. In many respects Aynho comes close to the picture book, even chocolate box ideal of the English village. Mr. Cooper's fascinating and carefully researched book explains how present day Aynho has come into being. The writing of village history is often handicapped by the absence of an appropriate body of archival material. Aynho is fortunate in that the Cartwright Papers, now at Delapré Abbey, enable a writer with the skill and insight of Mr. Cooper to reconstruct getting on for the totality of village life over a substantial period of time. Reading the details of the cottages, furniture, farming practices, trades, births, marriages, diseases, deaths, ups and downs and brushes with authority, one half supposes oneself in Ladurie's Montaillou - though at a later date and without the Inquisitor.

Although containing some interesting material from earlier periods, *Aynho* gets into its stride with the acquisition of the major by Rowland Shakerley in 1540. Its real centre of gravity is formed by the Cartwright years from 1615 until the outbreak of World War One, a period of almost exactly three hundred years. Reliance on the Cartwright Papers might have led an author less able than Mr. Cooper to produce a history of Aynho very much from the squire's eye view. This danger is recognised and avoided. At different times we can see Aynho through the eyes not only of the occupants of the big House but also from the standpoints of parsons, schoolmasters, yeomen, craftsmen, traders, tenant farmers and parish officials, although rarely - and through no fault of the author - from that of the agricultural labourers.

Amidst the welter of description it requires careful application on the part of the reader to appreciate that Mr. Cooper is advancing a distinctive thesis. In essence he postulates that the Lords of Aynho in the Middle Ages were largely absentees and this allowed the village farmers to run what amounted to a self governing community. Authority appeared in the shape of the Shakerley family but this dynasty proved improvident and correspondingly short lived. The serious business of the imposition of squirarchical control came only after this false start and with the arrival of the Cartwrights. Yet, although Richard Cartwright is accurately described as 'The New Broom', the village did not surrender its independence at once. Perhaps the most interesting point made by the book is that the process was so extraordinarily protracted. Richard Cartwright made a

good start by effecting a partial enclosure on his arrival but, thereafter, powerful resistance by Parson Drope and several of the leading freeholders, the disruption of the Civil War and an extended minority in the last quarter of the seventeenth century, meant that it was only after 1700 that progress could be resumed. The eighteenth century was a time of steady advance. Low agricultural prices before 1750 favouring larger producers and the failure of the male line in most of the yeoman families assisted the Cartwright's drive to control virtually all of the land in the village. The process culminated in the new Enclosure of 1792 which swept away the Common Fields and introduced a class of tenant farmers paying rent to the squire. Once the land had been secured, the next step was to acquire most of the cottage properties. It was only then that Aynho could be described as a 'Close Village'. According to Mr. Cooper the hierarchial ideal of a dominant squire and a deferential village, far from being the historical norm, was really only a short lived phenomenon of the nineteenth century. Indeed, almost as soon as it was achieved, it began to be eroded by improved communications and agricultural depression.

In the space of a short review, it is difficult to do justice to such a multi-faceted work. Although it would have been helpful if the author had been able to make some comparisons with other communities in the area, in general it is hard to fault this splendid reconstruction of Aynho's past. In many ways **Aynho: A Northamptonshire Village** is a model of its kind. It is essential reading for anyone interested in the history of this area and its relatively modest price should make it accessible to a wide public.

J. C. Clarke  
University of Buckingham

## BANBURY HISTORICAL SOCIETY - ANNUAL REPORT, 1985

Your Committee have pleasure in submitting the 28th Annual Report and Statement of Accounts, for the year 1985.

During the year the Society suffered the loss of two of our earliest and best-known members, Bishop David Loveday, who had been a Vice-President many years, and Gwladys Brinkworth, long-serving committee member and recent Chairman. Obituaries of both have already appeared in *Cake and Cockhorse*; we remember them with gratitude. The name of Brinkworth will be perpetuated by the generous gift of two thousand pounds to establish a Prize Fund, in memory of Gwladys and her late husband Ted, who was responsible for the founding of the Society in 1957. The Fund will be administered by the Society, and the income will be used to award prizes for school projects related to the history of the Banbury area. The long-running teachers' dispute has delayed implementation of the scheme, but it is hoped to make the first awards during 1986.

The A.G.M. saw the departure from the Committee of Gillian Beeston and John Roberts, whilst the Chairman, Geoffrey Parmiter, resigned on his departure from Banbury late in the year. We are grateful to them all for the service they have given.

There has also been a change in the Society's officers and structure of responsibilities. Nan Clifton, Secretary since 1979, and Mary Stanton, Treasurer since 1981, have relinquished those posts, though happily both are still on the committee. We owe them both a great debt of gratitude, Nan for organising annual programmes of talks which have included dozens of interesting subjects and distinguished speakers, Mary for taking on an essential chore at very short notice and then dealing so competently with it for five years. Sarah Gosling, for many years Membership Secretary, has now become Secretary of the Society, whilst still doing much the same job as before. A new post of Programme Secretary is now filled by Penelope Renold. As Treasurer we have Alan Essex-Crosby, one of the Society's longest-term members, but only recently living in Banbury. New committee members are Mrs J.P. Bowes and Dr J.S. Rivers. On Mr Parmiter's resignation, David Fiennes was elected Chairman of the Committee.

Meetings in 1985 included Leo de Freitas on "The Chapbooks of Banbury" and James Bond on "The Parks of Oxfordshire". Nick Allen's "Stonehenge" was snowed off, but was eventually presented early in 1986. The autumn had a mythical, or at least controversial, flavour, with "King Arthur and the Round Table" (Martin Biddle), "The Supernatural" (Christine Bloxham), "The Richard III Society" (Jeremy Potter) and "Some Aspects of the Pyramids" (Dr Edwards). As usual we are most grateful to all our speakers, many of them now old friends.

The village meeting was held at Horley, when Mrs Bowes spoke about the village and its history and we had what we sadly must accept as

a positively last appearance from our long-running architectural guru, Geoffrey Forsyth Lawson. The A.G.M. was held rather outside Banburyshire, at Kiddington Hall, where Lady Robson made us very welcome, and explained the long history and Jacobean origins and core of the apparently Victorian house.

As forecast in last year's report, "Banbury Wills and Inventories, Part One, 1591-1620", with Miss Dannatt's exhaustive introduction, has at last made its appearance, and has already received a number of favourable reviews. Miss Renold's "Banbury Gaol Records" is on schedule and will be issued later in 1986.

"Cake and Cockhorse" maintains its high standard. Articles have appeared by (in addition to members of the committee) Mary Bodfish, Veronica Butt, Ted Clark, Malcolm Graham, Pamela Horn and R.J. Ivens.

In the Accounts it will be seen that subscription income has dropped by £200, implying a falling membership, though this is in no way borne out by attendance at meetings, which continues high. Both for those living locally, who can attend meetings, and those further afield, for whom the publications are the main benefit, the Society's subscriptions give remarkably good value and by present day standards are not high. Despite the fall in income, and substantially higher cost of the magazine, we achieved a small surplus on the Revenue Account. As expected, issue of another (substantial) volume has depleted the Publications Reserve. There should be sufficient funds to produce the Gaol Records volume, towards which we have been promised a generous grant by the British Academy, but there may be problems in funding subsequent volumes.

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Banbury Charities in conjunction with Banbury Reference Library are in the process of microfilming the complete original manuscript of "Beesley's History of Banbury". These massive volumes have gradually become damaged through use.

The provision of the microfilm and viewer will preserve the original and make access to their contents easier.

The microfilm will soon be available in the Banbury Reference Library, Marlborough Road.

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**BANBURY HISTORICAL SOCIETY**

**Revenue Account for the Year ended 31st December 1985**

1984		Income		
	1848	Subscriptions	1,652	
1287	<u>561</u>	Less Transfer to Publications Account	<u>473</u>	1,179
	69	Income Tax refund on covenants		116
	164	Interest on Deposit Account		124
	5	Donations		-
<u>1525</u>				<u>1,419</u>
		Expenditure		
	790	Cake & Cockhorse Typing, printing, etc.	964	
	<u>129</u>	Postage	<u>110</u>	
	919		1,074	
	90	Less Sales	<u>90</u>	984
	<u>829</u>	Lecture and meeting expenses:		
	182	Postage, secretarial and administration	191	
	<u>133</u>	Hire of halls, entertaining, etc.	<u>110</u>	
	315		301	
	<u>293</u>	Less Donations at meetings	<u>20</u>	281
	11	Subscriptions to other bodies		11
	32	Insurance		36
<u>1165</u>				<u>1,312</u>
<u>360</u>		Excess of Income over Expenditure		<u>£ 107</u>

**Publications Account**

1984			Income	Expenditure
Income	Exp.			
2,250		Opening Balance as at 1.1.85	1,433	
561		Proportion of Subscriptions	473	
		Sale of Publications	998	
		Less Discounts and purchases	<u>312</u>	
			686	
			<u>90</u>	
248			596	
		Banbury Wills, Part 1 - Marc Fitch Fund Grant	230	
	1,025	Banbury Burials, Part 3		-
	901	History of Aynho: Repayment of loan		87
	-	Banbury Wills, Part 1: Printing		1,613
	-	Postage		105
	-	Banbury Wills, Part 2: Reprinting		298
	<u>1,433</u>	Balance as at 31.12.85		<u>629</u>
<u>3,359</u>	<u>3,359</u>		<u>2,732</u>	<u>2,732</u>

**Balance Sheet as at 31st December 1985**

1984 Liabilities		1984 Assets	
	Capital Account, as at 1.1.85	450	Cash at Nat.West. Bank, Banbury
450	Add Surplus	<u>108</u>	558
	Publications Reserve	1,433	140
	Deficit	<u>804</u>	1950
1,433		629	35
11	Subscriptions in advance	132	-
232	Sundry creditors	332	-
-	Brinkworth Prize Fund	2,000	-
<u>2,126</u>		<u>£ 3,651</u>	<u>2126</u>
			£ 3,651
			491
			1,150
			-
			10
			2,000

We have audited the above Balance Sheet and the annexed Accounts and certify them to be in accordance with the books and records of the Society.

21st February, 1986

Ellacott, Stranks & Co., Chartered Accountants

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

The *Magazine Cake and Cockhorse* is issued to members three times a year. This includes illustrated articles based on original local historical research, as well as recording the Society's activities. By 1985 there had been 88 issues and at least 230 articles. Most back issues are still available and out-of-print issues can if required be photocopied.

Other publications still in print include:

Booklets -

*Old Banbury - a short popular history*, E.R.C. Brinkworth

*New Light of Banbury's Crosses*, P.D.A. Harvey

*Banbury Castle - a summary of excavations in 1972*, P. Fasham

*The Building and Furnishing of St Mary's Church, Banbury*,

N. Cooper

Pamphlets -

*History of Banbury Cross*

*The Globe Room at the Reindeer Inn, Banbury*

The Society has also published twenty or more volumes in its records series (list available of those still in print). These have included *Banbury Parish Registers* (in seven parts: Marriages 1558-1837, Baptisms and Burials 1558-1812); *Banbury Corporation Records: Tudor and Stuart*; *Banbury Wills and Inventories, 1591-1650* (Part 1, 1591-1620; Part 2, 1621-1650); *A Victorian M.P. and his Constituents: The Correspondence of H.W. Tancred 1841-1860*; *Shoemaker's Window: Recollections of Banbury before the Railway Age*, by George Herbert (now available in Gulliver Press edition); *South Newington Churchwardens' Accounts 1553-1684*; *Wigginton Constables' Books 1691-1836*; *Bodicote Parish Accounts 1700-1822*; *Victorian Banbury*, by Barrie Trinder (with Phillimore); and *Aynho: A Northamptonshire Parish*, by Nicholas Cooper (with Leopard's Head Press). Volumes in preparation include *Banbury Gaol Records 1805-1852*, edited by Penelope Renold, and *Baptisms and Burials 1813-1838*. An edition of letters to the 1st Earl of Guilford (of Wroxton, father of Lord North, Prime Minister and M.P. for Banbury) is also planned.

Meetings are held during the autumn and winter, normally at 7.30 pm at the North Oxfordshire Technical College, Broughton Road, Banbury, on the second Thursday of each month. Talks are given by invited lecturers on general and local archaeological, historical and architectural subjects. In the summer, the AGM is held at a local country house and other visits are arranged.

Membership of the Society is open to all, no proposer or seconder being needed. The annual subscription is £8.00 including any records volumes published, or £5.00 if these are excluded.

Application forms can be obtained from the Hon. Membership Secretary, c/o Banbury Museum, 8 Horsefair, Banbury, Oxon.

