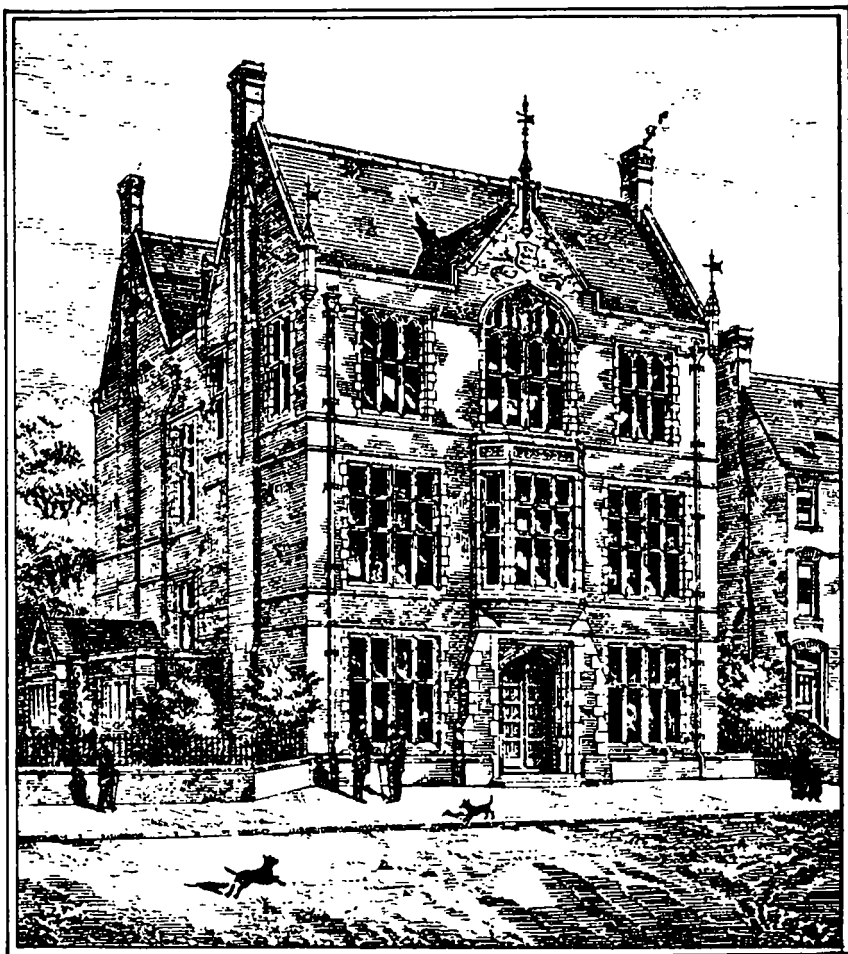


CAKE & COCKHORSE



BANBURY HISTORICAL SOCIETY

SPRING 1985. PRICE £1.00

VOLUME 9. NUMBER 8

ISSN 0522-0823

Banbury Historical Society

President:

The Lord Saye and Sele

Chairman:

Mr G. de C. Parmiter, 72 Bloxham Road, Banbury.

Tel: Banbury 62921

Deputy Chairman:

J.S.W. Gibson, Harts Cottage, Church Hanborough, Oxford. OX7 2AB.

Magazine Editor:

D.A. Hitchcox, 1 Dorchester Grove, Broughton Road, Banbury.

Tel: Banbury 53733

Hon. Secretary:

Mrs N.M. Clifton,
Senendone House,
Shenington, Banbury.
(Tel: Edge Hill 262)

Hon. Treasurer:

Miss Mary Stanton,
12 Kennedy House,
Orchard Way, Banbury.
(Tel: 57754)

Hon. Membership Secretary:

Mrs Sarah Gosling,
Banbury Museum,
8 Horsefair, Banbury.
(Tel: 59855)

Records Series Editor:

J.S.W. Gibson,
Harts Cottage,
Church Hanborough, Oxford OX7 2AB.
(Tel: Freeland (0993)882982)

Committee Members:

Dr E. Asser, Mrs G. Beeston, Mr D.E.M. Fiennes
Mrs Clare Jakeman, Mrs G.W. Brinkworth, Mr J.F. Roberts

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

Printed by: Overthorpe Printing Company Limited, 20 Thorpe Place,
Banbury.

CAKE & COCKHORSE

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

Volume 9	Number 8	Spring 1985
R.J. Ivens	Medieval Building Trades	222
Malcolm Graham	The Building of Banbury Library in 1884	237
David Fiennes	The Expansion of Broughton Castle 1550-1554	240
P. Renold	From the early Banbury Guardian	243
	Annual Report and Accounts	246

This issue has a building theme with three articles on the subject. Banbury Mechanics Institute Building which has recently celebrated its centenary, David Fiennes has contributed a further episode on Broughton Castle, and R.J. Ivens gives us a fascinating insight on the way in which building work was carried out in medieval times.

One or two observant readers were able to point out that Page Numbers 208/209 had been transposed in our last issue. As this was in the list of articles our printers have reproduced a corrected version for members to insert.

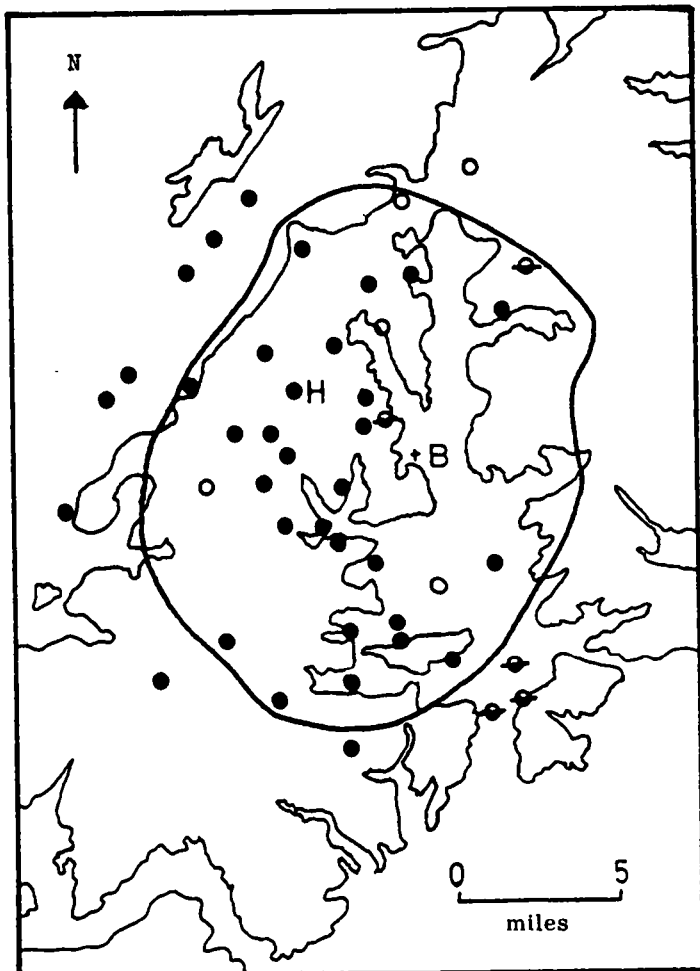
Founder member and contributor to this magazine, Jeremy Gibson has been elected a Fellow of the Royal Historical Society. I am sure I speak for all members when I congratulate him on receiving this honour. His work on our Records Volumes will leave an invaluable legacy to local history researchers.

D. A. H.

Cover illustration: The Banbury Institute.
Drawing by W. E. Mills, Architect.

H Horton

B Banbury



The Medieval Use of Marlstone in the Banbury District

- Four Hundred Foot Contour.
- The Banbury District (after Wood-Jones 1963).
- Twelfth Century Marlstone.
- Thirteenth Century Marlstone.
- ⊕ Marlstone with much other stone (12/13th Century).

MEDIEVAL BUILDING TRADES

The standing medieval buildings of the Banbury area have been well served by architectural historians. However, there exists a wealth of information relating to the building of these monuments and to the craftsmen who worked on them which has not been so exhaustively studied. It is hoped that this note will stimulate more detailed local studies, not only into the buildings themselves but also into the history of building.

The craftsmen involved, directly and indirectly, in the erection of a substantial medieval building were legion. Generally they may be thought of as workers in stone, and as workers in wood. There were also many specialist craftsmen concerned in the construction of any large building: tilers, slaters, thatchers, glaziers, plumbers and painters; and still others with the preparation of the raw materials: quarrymen, lime-burners, blacksmiths, and brick and tile makers; not to mention those even less directly involved, such as carters, lightermen and the like. This complexity of necessary skills could often only be met by importing craftsmen, and consequently skilled craftsmen were often highly mobile.

For the student of buildings, particularly if concerned with regional styles, the work of the mason is of the greatest importance. On the one hand because their activities are better documented than their fellows, and on the other because their work has survived to a greater extent. Their raw material too has its own distinct regional (geological) characteristics.

The regional use of building stone is probably best illustrated via church architecture, as these have survived more often and in better condition than have most secular buildings. There are for example some 280 known medieval churches and church sites within the bounds of the present county of Oxford.¹ While the present form of these churches owes much to recent (particularly Victorian) restorations, there is still much medieval work to be seen. Much of this is late medieval in date, such as the great spires and windows of the fourteenth and fifteenth centuries, which grace so many local churches (Bloxham, Adderbury and King's Sutton). Concealed amongst this later work are the remnants of earlier churches, often still *in situ*, but sometimes only in the form of re-used windows and doorways. At Aston Tirolde, the church of St. Michael contains a re-set Saxon doorway in a mainly twelfth century and later structure; the church in the Northamptonshire village of Sulgrave shows a similar feature, though in this instance set the wrong way round. Fragmentary evidence of this nature when carefully pieced together can yield a convincing structural and architectural history of an individual building, and even of the general development of church architecture, as well as valuable information regarding the types of building materials used. It is not within the bounds of this article to consider the detail of the styles and development of church building. However, some of the more mundane

aspects of such buildings can illuminate the crafts, industries and trade patterns of the middle ages. From the buildings themselves information regarding the raw materials and the craftsmen's skills can be derived. More explicit information can be acquired from the study of surviving medieval building accounts.

Rural churches in Oxfordshire are commonly built of local stone; in the north around Banbury the soft ochreous marlstone is the most usual material. At Adderbury, when New College, Oxford, built a chancel on to the village church (1407-19) much of the stone was quarried within the village, and one quarry was specially opened in the grounds of the rectory (it was filled in when the work was complete).² Small quarries of this nature can be found scattered around almost every village in this area, though it is rare that there is such clear evidence for their date and purpose. To the south and west of Oxford the lower quality of the local building stone has resulted in less well preserved and more heavily restored church buildings. Enough has survived however to allow local variations to be clearly identified, for example, there are the chalk structures of the Vale of White Horse, and the coursed flint and dressed stone buildings of the Chilterns, such as those at Bix Band and Pishill with Stonor.³

In addition to these local materials many churches contain finer quality imported stone, used especially for dressed sections: quoins, string courses, parapets, copings, and window and door mouldings. Information about the use and origin of these imported materials can be learned from the detailed study of the buildings and the petrographic analysis of the stone. Arkell and Jope have carried out several local studies of this type and Jope's map of fine Saxon building stone is of particular interest.⁴ This map clearly demonstrates marked regional preferences for one type of stone or another, a preference which seems to be directly related to the distance to the different quarries. Thus the areas around such famous quarries as Barnack, Taynton, Quarr, Ham, Box and Bath all show a marked preference for their local stone. To the east and south of Oxford, stone from the quarries at Wheatley was popular during the middle ages.⁵ While around Banbury marlstone was commonly used (Map I). 'Marlstone' was used quite extensively in the middle ages for finer decorative work, and has worn surprisingly well. Good examples of eleventh and twelfth century work may be seen at Shennington, and of the thirteenth century at Alkerton, and good sixteenth century tracery in the chancel at Shennington. The term 'Ironstone' must be used cautiously; it has sometimes been used rather embracively to include iron stained stones from the Inferior Oolite.

The geographical spread of these fine freestones appears to be a direct result of the distance from the source quarry, in turn a measure of the cost of transport. Transport costs were a major expense. In 1296 stone purchased by Merton College for use at Iffley cost 18/9d; the

carriage of that stone cost 22/11d.⁶ Transport costs thus had a considerable influence of building in stone and this was a good reason for using as much local stone as possible. The decline in the use of Wheatley stone from the later fourteenth century (in Oxford buildings) and the growing use of the inferior but nearer Headington stone may well be due to these high transport costs.⁷

Medieval building accounts, of which the Merton examples are perhaps the earliest, yield much information that cannot be deduced from the buildings themselves. The New College accounts relating to the building of Adderbury chancel provide a good example of this approach. Two sources of stone are mentioned, in addition to the village quarry.⁸ The Taynton quarries are by far the most frequently mentioned and references to the selection, purchase and cartage of Taynton stone occur regularly through the eleven years it took to complete the chancel. The only other named quarry was in Oxford (perhaps Headington), though only one entry refers to the bringing of seven cartloads of stone from Oxford. A very small amount when compared with the 96 cartloads recorded along with many other unspecified amounts as coming from Taynton. There are also many entries which refer only to stone from the quarries; these may have been local, or at Oxford, or at Taynton, or some other place(s) altogether.

From these same accounts a certain amount of information as to the methods and procedures of the medieval building industry may be gleaned. The Taynton stone was evidently quarried professionally; however, the master mason or one of his assistants periodically visited Taynton to select the stone, particularly for the more important parts. The quarried stone was transported to Adderbury by cart, the normal medieval method; though there are several entries in the Merton Accounts which indicate that Taynton stone was carted to Eynsham, and then shipped down the Thames to Oxford,⁹ no doubt this reduced the overall transport costs. The transport of stone to Adderbury seems to have been largely the responsibility of the vicar, though occasional payments for the purchase or repair of carts suggest that other tenants of the college transported some. The general payment for carrying one cartload of stone from Taynton to Adderbury was 2/6d. Since the college appears to have been paying for the purchase and maintenance of the carts as well as buying the stone separately, this sum of 2/6d. must have been the carters fees and travel expenses. Whatever the precise arrangements, it is clear that transport was not the responsibility of the quarrymen, nor that of the masons, but of the client, in this case the vicar acting as agent for the college. It may be that the vicar hired professional carters, though the records only note one such case during a short period in 1414-15.

A century or so earlier the Merton College Rolls reveal a slightly different method of stone purchase. Although stone from several different quarries was bought at various times: Elsfeld, Milton and

Bladon for example, the vast majority came from Taynton and Wheatley.¹⁰ During the period 1290-1311, most if not all the Wheatley stone was purchased from one Thomas Prat. On no occasion is he ever described as a mason or master, and it seems probable that he was little more than a builders merchant and quarry owner, who was paid on a piecemeal basis for the stone which he provided (often for the transport as well); nor is there any evidence of any form of contract between Merton College and Thomas Prat. The Merton Rolls generally only record the Taynton stone as coming from Taynton, though there are occasions when individuals may be detected. In 1331/32 John Payn was paid for work in a quarry; sixteen years earlier a certain Payn was paid for freestone from Taunton.¹¹ References to masons being paid for work in the quarries are fairly frequent, and this form of payment suggests that Merton may have owned quarries or at least some rights in quarries, and may also explain the payments for the cartage of stone which never appears to have been purchased.¹²

In both examples given the respective colleges were responsible for the purchase and carriage of stone. The masons' responsibility seems to have been limited to working the raw material; though the Adderbury mason does seem to have exercised some control over the selection of the stone, perhaps because no middleman such as Thomas Prat was involved. In both these cases the direct labour system was employed, and there is no evidence of contract masons, although this latter system was certainly used from the early fourteenth century but not widely until much later.¹³

For the erection of Adderbury chancel two distinct types of stone were purchased from Taynton: freestone and ashlar. The references to ashlar are particularly interesting as the master mason is recorded as shaping these stones at Adderbury. It would seem that ready dressed, square or rectangular blocks of standard sizes were prepared at the quarry, and then trimmed for their particular purpose at the building site. The Merton Rolls record the purchase of carved and uncarved stone on many occasions. In 1293 Thomas Prat provided 21 feet of buscell for the great pillars as well as 100 feet of unsculpted talston (flat stones for string courses etc.), four feet of skew ashlar for pillars, and nine feet of sconchon (splayed stones).¹⁴ Similar entries recording the purchase of a variety of sculpted stone from Wheatley occur over the following years, and include: voussoirs, mullions, jambs and vaulting ribs. The fact that so much pre-carved stone was produced at both Taynton and Wheatley demonstrates that skilled stone-carvers were at work in the quarries; even if the master mason did carry out the final dressing at the building site, as the Adderbury evidence suggests.¹⁵ The find at Deddington Castle of a completed block of ashlar, marked out with an incised compass drawn circle and tangents, delineating the lines of partially cut chamfers provides some archaeological evidence confirming this interpretation (from unpublished 1979 excavations).

The periods at which stone was purchased for particular buildings can give some indications of the organisation involved. During the period of the construction of Adderbury chancel most of the Taynton stone was purchased during the first and final building stages. Much of that bought during the latter stage is specified as being for such elements as copings and parapets, while the greater part of the earlier purchases appear to have been for the great east window. A large and complex piece of work such as this would need lengthy preparation, and it is hardly surprising that these should start early in the building process.

The purchase of tools and equipment also adds to our knowledge of the organisation of the building trades. The evidence from the Adderbury accounts indicates that the mason arrived with the minimum of equipment, as there are regular payments for the purchase of a variety of tools, from wedges up to the typical windlass or small crane of the medieval builder, even the scaffolding was purchased (from Wychwood forest) as required, and all this at the expense of the college. It would seem that tools and other equipment were purchased by and probably remained the property of the client rather than the mason supplying them himself; this might be taken as an indication of the shortness of the useful life of such tools and equipment.

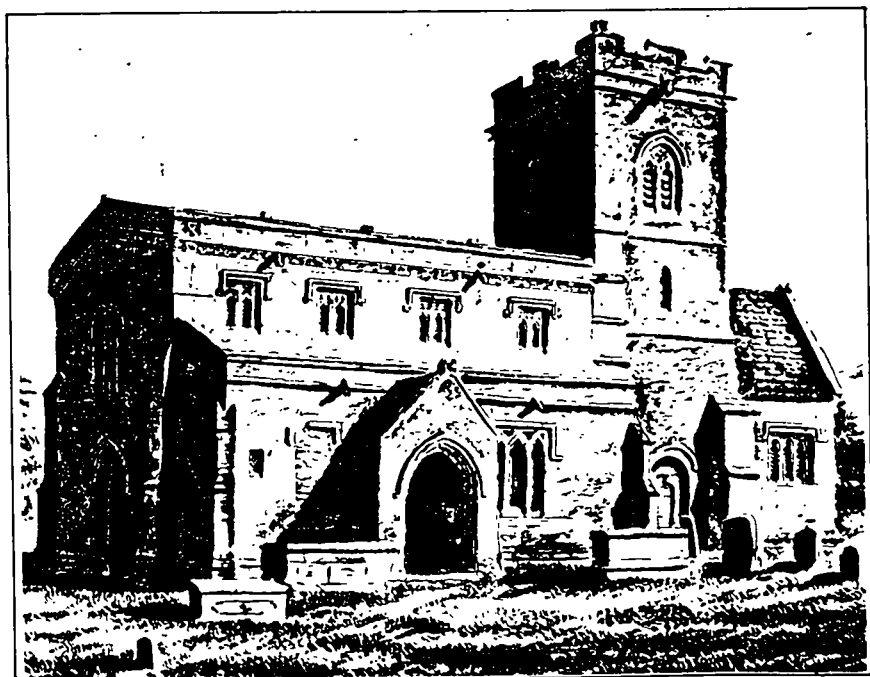
So far little has been said of the highly skilled, stratified and mobile class of artisans who actually carried out the stone-working, namely the various grades of mason, ranging from the humble and unskilled mortar-mixer to the master himself.

Out of all the names of craftsmen rendered in the earliest Merton College Rolls only one, William Frauneys, can also be found in the 1279 Hundred Rolls for Oxford.¹⁶ Few can really be identified for they are often only referred to as a carpenter or a glazier. Sometimes a christian name is included, such as John Carpenter or Ralph Slatter.¹⁷ The inclusion of a surname can be regarded as something of a bonus, and as these often take the form of a place-name may indicate the craftsman's hometown. In the Merton Rolls are such mason names as: Blebury, Dantesbronne, Swinford, Chinney, Abingdon, Fresford and Bellgrove.¹⁸ This variety of names emphasises the mobile nature of the mason class, and is strengthened by the small number of resident masons. Only two mason names, Reginald and Stephen le Mason are recorded in Oxford in the 1279 Hundred Rolls;¹⁹ there was also a certain Edmund le Mason holding land in Woodstock, the only mason name in that town.²⁰

Of the many references to various grades of stone-worker in the Merton Rolls those for the year 1331 are by far the most extensive. This Roll gives the names of 40 workmen and lists their weekly earnings from July 28 to December 23. At the head is Thomas Latomo, magister, who consistently earned 2d. per week more than the next highest paid worker. Four other men are also styled masons: John Boreford, John Chinnerhurst, William Boylin' and William de Keynesbonnie; the first two of



SHENINGTON CHURCH.



ALKERTON CHURCH. S.W.

these are recorded as working in the quarries for the three weeks following September 21, so perhaps they were carving stone or acting as supervisors. Thomas Latomo had a normal weekly wage of 2/5d (rising to 2/5½d in September); the men styled mason normally earned 2/3d. (2/3½d from September). Four other men appear on this mason scale: Richard Krandon, Ralph Berford', Robert de Freston and Philip de Barkam', though not described as masons it may be supposed that they were of the same status. Next follows a group earning between 2/- and 2/2d. per week (also rising by ½d. in September): Walter de Bokemhul, Thomas de Iffley, Walter de Haneborne, Stafi de Brandon, Ralph de Kidlington and Robert de Middleton, these were presumably less skilled or experienced craftsmen. There are also a considerable number of men employed on a rather erratic basis, mainly in October, November and December: John de Iffley, John de Cowley, Peter de Colone, Ralph de Barford, John de Bristol, Peter de Berkamsted, Thomas Blackthorn, Lammuno Latomo, Walter Baldyondon and John de Weston. The wages of this group suggest that they should be classed with the 2/3d. masons, though as their wages varied from week to week it would seem that they were employed on a daily basis. A number of persons are also listed at much lower wages, never more than 1/2d. per week, and their wages did not increase in September. These were presumably the lower grades of building workers, the mortar mixers and hod carriers, and include: Adam de Abindon (servanti), John Cobeler, Robert de Dorchester, Richard Prontis, Andrew of the parish of St. Clements, Dik' de Scocia, John de Hebrickston, John Molindaria, Alexander de S. Cuicis, Walter de Finstock, Geoffrey de Manndebi, John Coneli, William Weston, Richard Foresthull, John Episipo and John de Oxon' Libero Latomo (he was employed for one day only, and should be seen as a mason employed on a casual basis rather than as an unskilled workman).

It has not been possible to identify all these surnames with their places of origin, but about half can be identified with some certainty.²² Three can be associated with Oxford: de Oxon', St. Clements (an Oxford parish), and S. Cuicis (usually known as Hollywell, also an Oxford parish). The majority of the rest can be identified with places in Oxfordshire: Cowley, Iffley, Blackthorn, Kiddington, Dorchester, Chippenhurst, Forest Hill, Baldon (Little, Toot or Marsh), Bucknell, Handborough (Church or Long) and Barford (St. Michael or St. John); common names such as Middleton and Weston could also be Oxfordshire places and in view of the large number of local names this seems likely. There are also a few names originating outside the county: Abingdon (only just over the border), Bristol, Ireston (Staffs.) and Berkampstead (Herts.). Since the task of identifying non-local names is much more difficult it is quite probable that more remote places lie concealed amongst the unidentified names.

Although some of these Merton masons were a considerable distance from their home towns the majority were of quite local origin

(for a map showing the places of origin of the masons involved in the building of Merton College see: Jope, E.M. 1963 'The Regional Cultures of Medieval Britain' Fig. 71, in Foster, I. LL and Alcock, L. (eds.) Culture and Environment (London: 1963)). These local masons and their use of local fine building stone may be thought of as combining to develop local or regional building styles. In the local origin of so many of these Oxford masons we perhaps see some reflection of the local organisation of guilds.²³

With the completion of the stone walling the carpenter took charge of the construction of the roof, or at least of the supporting framework of the roof. In the case of a timber framed building the carpenter would have been in charge from the start, and even in the case of masonry buildings may have been involved early on, in the construction and erection of scaffolding and other supports and temporary structures. The carpenter, who on a building of any size would have been a master of his trade, was responsible for cutting and framing all the timbers, whether for a whole building or just for the roof.²⁴

Medieval building accounts are not over-informative about the work of the carpenter, and often only record that a carpenter was paid for some unspecified work. There are exceptions, as the very complete accounts for the building of part of King's Hall College, Cambridge, in 1338, and those for a shire house built in Ipswich illustrate.²⁵

The entries referring to carpenters in the early Merton Rolls are singularly uninformative, e.g., that for 1315 merely notes that a carpenter was paid for repairing carts and roofing;²⁶ in 1296 a carpenter was paid 1/3d. for 3 days work in preparing a window in the great kitchen;²⁷ in 1307 John Carpenter was paid 2/8d. for a trunk;²⁸ in 1208/9 some 14/10d. was spent on wood for palings, and some weeks later two carpenters were hired for five days, for fencing and other repairs.²⁹ The majority of entries are of this nature but occasionally we do learn something of the sources and types of wood used. In 1335/6 boards of poplar, elm and white poplar were purchased in Abingdon, and boards of oak were taken by ancient right from the Royal Forests and common woods.³⁰ In 1291 fifteen boards were purchased from Arden for use as mason's templates,³¹ and in 1313 carters fetched timber from Alremanston.³²

Other entries of interest refer to the buildings at Hollywell Grange. In 1310 John Carpenter was paid 5/4d. for boards for the door, and sums of 5/-, 20/- and 30/- for timber for the vestry.³³ It would seem that John Carpenter constructed the timber for this vestry in his yard and then had the prefabricated parts hauled to Hollywell, for in 1311 three men were hired to haul the wood and raise the vestry.³⁴ This John is the only carpenter named in the early rolls and it may be that he was the College carpenter. In the years following 1309/10 a certain John Colewell regularly supplied timber, laths, lead etc. to the College, but he appears to have been a merchant rather than a carpenter.³⁵ On only one occasion

did a large sum of money pass from the College to a man called Carpenter. In 1378 Robert Carpenter was paid £10, though the reason for the payment is not specified it may indicate some form of contract work; however, as this man is noted as coming from Wheatley he may have been a mason or quarry owner, perhaps descended from carpenters.³⁶

No matter how important the carpenters role in building the roof supports, the construction of the roof itself was the task of other craftsmen - thatchers, tilers and slaters - who can be classed together under the name of cooperatores. The vast majority of medieval roofing was of straw or reed thatch, and as this material has not survived it is not considered here (the same may be said of wooden shingles).³⁷ The most commonly surviving roofing materials of the Banbury area are stone slates (and to slight degree ceramic tiles), and the following account is limited to these materials; they also have the advantage of an identifiable source.³⁸

Although the use of stone slates and ceramic roof tiles was common in the Roman period there is no evidence that they continued in use through the Saxon period. It is not until the earlier part of the thirteenth century that the use of slates and tiles is documented, for example, the building regulations issued in London in 1212 specifically mention tiles as a roofing material.³⁹ Archaeological finds of ceramic tiles and stone slates at Deddington Castle and in Oxford confirm that both were available locally in the earlier thirteenth century.⁴⁰

Over much of Oxfordshire laminated stone suitable for splitting into slates may be found. Mainly these belong to the Great Oolite beds which run north-east into Northamptonshire and include the famous Colyweston quarries, as well as the later Oxfordshire slate-pits at Stonesfield.⁴¹ There are important differences between medieval slates and the Stonesfield slates of later times; the early slates were presents, i.e. hammer split along natural cleavage planes, and had drilled holes; Stonesfield slates were frost split, and the peg-holes were made by tapping through with a light hammer.

As these stone slates were made from highly fossiliferous rocks they are potentially an ideal material for the study of the distribution patterns of local building materials. The widespread and frequent outcrops of these laminated beds means that one can rarely be sure of their exact source, even with the aid of petrographic analysis. However, there is a little information available which indicates at least some of the sources. John Morton noted that stone slates were dug at Brackley and Aynho (in the later seventeenth century);⁴² petrographic analysis of some of the slates found at Deddington Castle shows that they were made of the Shaps Hill beds, which outcrop in the parish (and elsewhere in the county). Analysis of a number of slates from Northampton has shown them all to be of a north Northamptonshire origin.⁴³ As with building stone it would seem that stone slates were used within a limited area around the source quarry.

The Merton Rolls record a number of purchases of stone slates:

1,750 were bought in 1309/10;⁴⁴ in 1315 Gilbert Slatter was paid for many thousands of slates, and in the same year the carters of Cuxham spent five days carting slates for the College.⁴⁵ In 1307 Ralf Slatter was paid on three separate occasions for drilling 3,000, 2,000 and 4,500 slates, at the rate of 6d. per thousand;⁴⁶ a year earlier a man was paid 1/1½d. for drilling for five days;⁴⁷ and in 1300 one man was paid 10d. for drilling for four days.⁴⁸ In 1300 the driller was paid 2½d. per day, in 1306 fractionally more (2.65d.). If Ralf was paid at the same rate in 1307 then it would seem that it took about 2½ days to drill 1,000 slates. Merton also paid Gilbert of Woodstock 3/- for making 2,000 slates and William of Woodstock 12/- for making 15,000 slates, in 1307.⁴⁹ Since Gilbert and William of Woodstock are described as making slates it seems reasonable to assume that they were working in Woodstock, and that they were the medieval forerunners of the Stonesfield slaters; an Adam Slatter of Woodstock is noted in 1279 Hundred Rolls.⁵⁰

There is a significant difference in price between the slates made by Gilbert and those made by William, and this may be a reflection of the size of the slates; stone slates are carefully graded by size, with the largest used on the lowest part of the roof and the smallest next to the ridge.

The several references to the separate manufacture and drilling of slates seems to indicate that the drilling of peg-holes was not part of the slate-makers task. Indeed the find at Deddington Castle of a partially drilled hole may indicate that this work was carried out at the building-site.

It is not always possible to distinguish between floor and roof tiles in medieval documents, as both are often described as tile (*tegule*). In the Oxford area tiles are known to have been made at Penn, Brill,⁵¹ Potterspury,⁵² Olney Hyde and Lyveden.⁵³ Tiles in fabrics other than those produced at these kiln sites are also known but at present cannot be attributed to a source, for example of the five types identified amongst the roof tiles found at St. Peter's Street, Northampton, only the products of Potterspury could be attributed to their source.⁵⁴ The Merton Rolls mention tiles but rarely, perhaps because of the local availability of stone slates; however, in 1315 tiles were purchased for roofing a chamber in Brill (where tiles were made).⁵⁵ The Merton Rolls' emphasis on slates stresses the distinction between the west and east sides of Oxford; for the west with its plentiful supply of stone suitable for slates made much less use of ceramic tiles than did the east which largely lacks suitable laminated stone. There was some admixture however, with decorated ridge tiles in particular being used in areas commonly using stone slates.⁵⁶

Both stone slates and ceramic tiles were hung in the same way. Wooden pegs were driven into holes set near the top edge of the slate/tile, which were then hung on laths with each layer overlapping the one below so that the roof was held firm by its own weight. The slates were bedded

on moss to windproof the roof and were sometimes pointed or even rendered with mortar as well.⁵⁷

While the masons, carpenters and cooperatores were responsible for the greater part of a medieval building there were also a number of other craftsmen who contributed to the finishing stages, and in some cases made important contributions to the main work.

The blacksmith was one of the most important of these, for not only was he responsible for making and repairing the tools of the other craftsmen, but also for the considerable amount of ironwork used in the construction work.⁵⁸

As an alternative to thatch or slates a roof could be made waterproof by covering it with sheets of lead. This type of roofing had the advantage of being completely impervious to water, and could therefore be set on a very shallow pitched or even flat roof. Lead could also, if necessary, be stripped and recast, and was also rather more fire resistant than thatch or shingles. Against these advantages the very high initial cost had to be set. Merton College spent £10 : 2 : 2d. on four carts of lead in 1334/35,⁵⁹ about the average cost for the time and sufficient to cover about 640 square feet of roof.⁶⁰ Lead was also used for gutters, spouts and pipes, as well as for solder, and in considerable quantities for lead grilles which held the many fragments of glazed windows. Most of this work with lead was carried out by the plumber, though the glazier was generally responsible for the framing and soldering of windows. Lead was quite extensively traded,⁶¹ but the fact that it was re-used and recast so often means that its sources cannot be traced from the surviving artefacts.

For finishing, plaster, whitewash and paint were used; there is little to add to Salzman's account of these decorative practices,⁶² except to point out the archaeological evidence for the mortar rendering of stone walls. Enormous amounts of this material were found during the course of the excavations at Deddington Castle, some still *in situ*, suggesting that virtually all the stone buildings were rendered both inside and out. The importance of mortar to the medieval builder is well illustrated by the very large quantities of lime purchased by Merton College. Generally the entries only record the amount paid, but on three occasions the lime burner is named: Robert de Witney in 1309/10 and 1315,⁶³ and Dionysie de Witney in 1330;⁶⁴ lime burning was a comparatively skilled task and it is not improbable that these skills were passed from father to son.

The last class of building craftsmen to be discussed here - the glaziers - became increasingly important as the middle ages progressed. Like the masons, the glaziers were highly mobile, and probably for the same reason that there was too little work in any one place. Again, like the mason, the master glazier can be found working in many and widely separated parts of the country, though there also seems to have been a rather less ambitious class working a more localised area. This latter

class is represented by men such as William the Glazier of Thame, who in 1310 glazed the vestry,⁶⁵ probably of St. Peter's in the East, in Oxford. Minor works and repairs were also probably carried out by such local craftsmen, such as the three windows repaired for Merton in 1293/94, by an unnamed glazier.⁶⁶

It is in the great painted windows that the schools of master glaziers may be detected, and these schools ranged across the length and breadth of the country. One such school was centred in Oxford. Thomas of Deddington, sometimes described as Thomas of Canterbury or Oxford was probably born in Deddington, the son of Nicholas of Deddington, between 1330 and 1340. Thomas is first recorded as a glazier in the 1350's, assisting his father to glaze St. Stephen's Chapel, Westminster. Some years later he was at work in Windsor, as a result of which he came to the notice of William of Wykeham who in due course appointed Thomas principal glazier to his foundations of New College, Oxford and Winchester College. Apart from his work in Oxford, Winchester, Windsor and Westminster the influence of Thomas of Deddington was felt as far north as York, where one of his pupils, John Thornton of Coventry, worked as a painter of glass. In his later years Thomas worked from Oxford, manufacturing his windows there and shipping them to Winchester.

Although Thomas was the most famous of the Oxford glaziers he was by no means the earliest of that school. Nicholas of Deddington certainly carried out repairs to the windows of the chancel of Merton College in 1359/60.⁶⁷ During the thirteenth century a number of glaziers lived and worked in Oxford, for example, Jordon (died 1204-1211), and his brother Thomas (died c. 1236) who left his house of business to the Hospital of St. John (the house was in School St., now St. Mary's Entrey). At about the same time Osney Abbey acquired a property of one John Pilet, also in School St., described as 'Glasenhall' or domus vitrarii. Another Thomas Glazier (died c. 1303) was probably a descendant of the first Thomas, for in 1277/78 he made over to his daughter, Agnes, a house in High St., near to Magpie Lane, which had formerly belonged to the first Thomas. Two other glaziers, Walter and Geoffrey, appear as contemporaries of the elder Thomas, and if they were not of the same family then at least they attest the extent of the glass trade in thirteenth century Oxford.⁶⁸

The evidence for thirteenth century glaziers living and working in Oxford is incontrovertible, but was glass made in Oxford? The process of creating a painted window is complex. Initially a life size cartoon was laid out, with the colours indicated. Sheets of white and coloured glass were then matched to this and broken to the required size. This was done by marking the glass sheets with a hot iron, thus producing cracks which could be broken along. Following the cutting and assembling of all the pieces of glass the details were painted in. Metallic oxides were generally used as paints and were fused on to the glass in an annealing furnace. The window was then ready for final assembly, the pieces were laid out and

held together by T-headed closing nails, strips of lead were then laid about each piece of glass and their junctions soldered. Finally the window was set in its frame, or in the case of those destined for distant buildings packed into specially made cases ready for shipping.⁶⁹

There is no real doubt that all these processes were carried out in Oxford, but it is not certain that glass was actually made there. There is no documentary evidence that coloured glass was made in England before the second half of the fifteenth century, for in 1449 Henry VI brought John Utynam from Flanders to make coloured glass and to teach the art.⁷⁰ Coloured glass must have been imported into England for most of the middle ages, from Burgandy, Flanders, Normandy and Lorraine.⁷¹ White or plain glass was probably made in England from the thirteenth century, for glass factories were set up by immigrant Norman craftsmen in Surrey and Sussex, and they developed an industry around the Weald which dominated English glass-making until the seventeenth century.⁷² It may be that glass was made in Oxford, at present there is no evidence for or against this view. For the moment it is probably safer to assume that glass was not made locally, but was imported from the continent and in the case of white glass perhaps from the Weald.

R.J. Ivens

References

1. These figures are based on information contained in Woodstock Museum's Sites and Monuments Index.
2. Hobson, T.F. (ed.) 1926 'Adderbury Rectoria', The Oxford Record Society 5 (1926) xvi.
3. Lambourn, E.A.G. 1936 'The Churches of Bix', Oxonienia 1 (1936) 120-139.
4. Arkell, W. 1947 The Geology of Oxford (Oxford, 1947), Arkell, W. 1947 Oxford Stone (London, 1947), Jope, E.M. 1964 'The Saxon Building-Stone Industry in Southern and Midland England', Medieval Archaeology 8 (1964) 91-118, especially Fig. 25.
5. Jope, E.M. 1956 'The Archaeology of Wheatley Stone', The Oxford Record Society 37 (1956) 17-26, especially Fig. 7.
6. Merton College Accounts (M.R.) 4060. I am grateful to Prof. E.M. Jope for allowing me to make use of his transcripts of these Rolls.
7. Jope 1956 op. cit. 24.
8. Hobson op. cit. All the following references to Adderbury Chancel are taken from these building Accounts.
9. M.R. 4083, 4081.
10. M.R. 4102.
11. M.R. 4084, 3642.
12. M.R. 4102.
13. Knoop, D. and Jones, G.P. 1936 'The Rise of the Mason Contractor', J. Royal Institute of British Architects 43 (1936), 22-24.
14. M.R. 4059. Buscell is of uncertain meaning, Salzman, L. (1952) (1967) Building in England (Oxford, 1967) 114, suggests that it is a complete slice of a circular pillar.
15. Salzman op. cit. 123 for a further discussion of this point.
16. Rotuli Hundredorum ii, 822b, 855b.
17. M.R. 3635.
18. The first six appear in 1290/1 (M.R. 4054), the last in 1292/3 (M.R. 4059).
19. Rot. Hund. ii, 739b, 800b.
20. Ibid. 840b.
21. M.R. 4084.
22. These identifications can all be confirmed in the relevant volumes of the Place-Name Society.

23. Salzman op. cit. 33.
24. Ibid. 195-252. Thompson, R.H.G. 1956 'The Medieval Artisan' in Singer, C. et al (1956) A History of Technology II (Oxford, 1956) 383-396.
25. Salzman op. cit. 206-209.
26. M.R. 3642.
27. M.R. 4060.
28. M.R. 3635.
29. M.R. 4069.
30. M.R. 4086.
31. M.R. 4054.
32. M.R. 4071.
33. M.R. 3636.
34. M.R. 4058.
35. M.R. 4070.
36. M.R. 4102B(c).
37. Salzman op. cit. 223-229 for a discussion of thatch and shingles.
38. Blue slates are not known from medieval Oxfordshire but for England generally see Jope, E.M. and Dunning, G.C. 1954 'The use of Blue Slate for Roofing in Medieval England', The Antiquaries J. 34 (1954) 209-217.
39. Salzman op. cit. 223.
40. Jope, E.M. 1951 'The Development of Pottery Ridge Tiles in the Oxford Area', Oxoniensia 16 (1951) 86-88.
41. Salzman op. cit. 232-233. Collyweston slates were produced over a wide area in the neighbourhood of Collyweston.
42. Morton, J. 1712 The Natural History of Northamptonshire (London, 1712) 109.
43. Williams, J.H. 1979 St. Peter's Street Northampton. Excavations 1973-76 (Northampton, 1979) 327.
44. M.R. 4070.
45. M.R. 3642.
46. M.R. 3635.
47. M.R. 4065b.
48. M.R. 4062.
49. M.R. 3635.
50. Rot. Hund. ii, 840a.
51. Ivens, R.J. 1982 'Medieval Pottery from the 1978 Excavations at Temple Farm, Brill', Records of Buckinghamshire XXIV (1982), 167.
52. Unpublished finds of uncertain date from the kiln site.
53. Steane, J.M., Bryant, G.F. and Webster, P.A. 1975 'Excavations at the Deserted Medieval Settlement at Lyveden. Fourth Report', Northampton Borough Council Museums and Art Gallery J. 12 (1975) 97-105.
54. Williams op. cit. 322-325.
55. M.R. 3642.
56. Hoskins, W.G. and Jope, E.M. 1954 'The Medieval Period' 103-120 in Martin, A.F. and Steel, R.W. (ed.) 1954 The Oxford Region: A Scientific and Historical Survey (Oxford, 1954), 115.
57. Salzman op. cit. 233-4.
58. Ibid. 286-317. for an account of the smith's contribution.
59. M.R. 4085.
60. Salzman op. cit. 263.
61. Carus-Wilson, E. 1962/3 'The Medieval Trade of the Ports of the Wash', Medieval Archaeology 6-7 (1962/3) 188-9.
62. Salzman op. cit. 149-172.
63. M.R. 4070, 3642.
64. M.R. 3660.
65. M.R. 3636.
66. M.R. 4055b.
67. M.R. 4099.
68. The passage concerning the Oxford glaziers is based on Garrod, H.W. 1931 Ancient Painted Glass in Merton College Oxford (London, 1931) 36-43.
69. Salzman op. cit. 178-181.
70. Ibid. 183.
71. Ibid. 183.
72. Harden, D.B. 1965 'Glass and Glasses' 311-347 in Singer et al. op. cit.

THE BUILDING OF BANBURY LIBRARY IN 1884

The observant passer-by in Marlborough Road is informed by a shield and scrolls in the gable of Banbury Library that the building originated as The Banbury Institute and was erected in 1884. Banbury Mechanics Institute was founded in 1835 and, in the following year, moved into purpose-built premises in Church Passage.¹ The Institute provided members and their families with a library, began drawing and music classes, and organised lectures, entertainments and railway excursions; in 1838, it also set up a small museum but this fell victim to a financial crisis in 1851. The fortunes of the Institute improved thereafter and its membership doubled from 230 in 1852 to 460 in 1880.²

Additional accommodation became necessary and the Institute committee sought financial help from Bernhard Samuelson, M.P. for Banbury and, as owner of the Britannia Works, the town's largest employer. Samuelson was a constant advocate of the need for education, especially technical education, and was well aware that Britain lagged behind its industrial rivals in this field. His concern led to his appointment as Chairman of the Royal Commission on Technical Education which published its report in 1884. Locally, he had financed the building of the Cherwell British Schools in 1861 and, five years later, he presented a library of scientific works to the Institute. Now he decided that the time had come for a new and larger Institute and, in 1883, he bought land for the purpose on the Beech Lawn estate in Marlborough Road; his offer to erect there 'a handsome and commodious building' and provide the Institute with a rent-free home was gratefully accepted.³ The new building was designed by the Banbury architect, Walter E. Mills and was opened at a formal ceremony in the reading room, now the Reference Library, on the 2nd July 1884. Samuelson declared that the object of the Institute was 'simply the promotion of literature and science' and Anthony Mundella, Vice-President of the Committee of the Council on Education, declared the building open. His announcement that the Queen was to confer a baronetcy on Samuelson in recognition of his services to education was enthusiastically received. The unveiling of Samuelson's portrait, copied from an original by Herkomer, was a formal gesture of appreciation by the Institute committee. Celebrations continued with a luncheon for about 200 people at the Town Hall and a soiree of vocal and instrumental music in the reading room; guests could also view paintings and drawings loaned by the South Kensington Museum and local inhabitants, and samples of work by the Britannia Works Machine Drawing Class.⁴

The building, opened with such pomp and ceremony, was built of red brick with Hornton stone dressings by the Banbury builder, Albert Kimberley. Early Tudor in style, it possessed, and retains, a Tudor doorway surmounted by an oriel window; above this, a small gable added to the dignity of the facade and housed the informative date-stone

previously described. Inside, the three-storeyed building provided accommodation on two floors for the Banbury Institute - the word 'Mechanics' had been dropped from the title - and rooms on the top floor for the Banbury School of Science and Art, another of Samuelson's interests. The ground floor comprised a hall with an attractive floor of Broseley tiles which is still in use to-day; doors led off to a ladies' reading room on the left, to a reference library on the right and to a lending library straight ahead. A stone staircase gave access to the first floor reading room and an adjacent conversation room which was used for chess. Contemporary reports drew attention to the furniture and fittings which the architect had designed, and to the high quality of workmanship that was evident, for example, in the door to the reading room. The attention to detail extended to the provision of cathedral glass in the upper parts of the windows so as to secure 'a softened light' for reading.⁵ Members had their first opportunity to appreciate these features when the library opened for business in the new premises on the 7th July 1884. A local appeal for funds had helped to swell the bookstock by 1,230 volumes to a total of 7,000, and membership rose dramatically from 470 in 1883 to 1,004 in 1885, partly because a number of men from the Britannia Works were encouraged or persuaded to join. Many failed to renew their subscriptions, but the number of members had reached 1,004 again by 1889.⁶

At the formal opening of the Institute, Samuelson had hoped that the library would become a free library 'before long';⁷ similarly, the Banbury Advertiser trusted that people would respond generously to the bookfund appeal because, although 'the books will, for a time, belong to a particular society, they must eventually form the nucleus of a public library.'⁸ In fact, the very existence of a major subscription library, available only to members and their families, perversely retarded the establishment of a free public library in Banbury. It was not until July 1945 that Banbury Borough Council agreed to an application from the Institute Committee and took over the management of the library.⁹

Malcolm Graham

References

1. Alan Crossley ed. A history of the County of Oxford, vol. 10 (1972) p.123. The building survives in what is now called Tink-a-Tank.
2. Barrie Trinder. Victorian Banbury (1982) pp.67-70, 135; E.R.C. Brinkworth. The Banbury Mechanics Institute and the beginnings of the public library (n.d.) pp.3, 5. Unpubl. ts. in Banbury Library.
3. Barrie Trinder. op.cit., pp.82-4; Alan Crossley op.cit., p.13; E.R.C. Brinkworth op.cit. pp.5 - 6.
4. Banbury Advertiser. 3 July 1884; Banbury Guardian 3 July 1884; E.R.C. Brinkworth op.cit., p.6
5. Banbury Advertiser 3 July 1884; Banbury Guardian 3 July 1884.

6. E.R.C. Brinkworth op. cit., p.7 .
7. Banbury Advertiser 3 July 1884.
8. ibid. 28 February 1884.
9. E.R.C. Brinkworth op.cit., p.9. Since Local Government Reorganisation in 1974, the library has been administered by Oxfordshire County Libraries.



THE EXPANSION OF BROUGHTON CASTLE 1550-1554 WHERE DID RICHARD FIENNES FIND THE MONEY?

On every other occasion when Broughton has undergone major renovation or minor reconstruction the cost has been financed by the sale of land. But for the greatest reconstruction of all there is no obvious source of the money to finance it.

The reconstruction was truly great. The date on a chimney, 1554, identifies the year of completion of the building, though internal work may have continued afterwards. The building must have taken three years, perhaps four including the hewing and carting of stone, the felling of trees and their trimming to fabricate the great beams and floor timbers. The state chambers formed the new west wing, now the Oak and White Rooms. The Great Hall was divided horizontally by a ceiling, forming on the second floor the Long Gallery and the rooms off it; the Hall floor was raised a foot above the medieval earth and paved. Overall a top storey was added, now the barracks or attics, and a new roof constructed. Bays were thrown out to north and south to form a new entrance porch and to hold the two broad-planked stairways. The work must have cost a fortune of money. Where did it come from?

Harry Gordon Slade¹ has shown that the inspiration was in the short-lived court style of the time of King Edward VI (1547-1553). His article revealed connections with the Court and with the architect Sharnington which sufficiently explained the birth of the idea for major modernisation in the mind of Richard Fiennes, who was a well-off but by no means rich country squire in a remote area of north Oxfordshire. It had to be assumed that the Wykeham inheritance of the Broughton estate, with manors in Hampshire and Somerset, had thrown up a large surplus of cash during four minorities including that of Richard himself. That assumption went contrary to all historical experience; it was possible that guardians of minor heirs had honestly served their wards and husbanded the inheritance; but it was much more usual for them to milk the estates of their wards and leave them with little more than the land of which they could not be deprived.

Recently further research has shown another and by far the most likely origin of the inspiration and the money. No contemporary documents or accounts have survived; what follows can be no more than hypothesis based on circumstantial evidence.

Richard Fiennes was born in 1519 and came of age in 1540. His father Edward died in 1528. During the 12 years of Richard's minority he had a guardian; the Complete Peerage strangely does not mention the fact, but the State Papers show that in 1530 Henry Norris was appointed guardian.²

Henry Norris was a courtier and one of the most intimate friends of King Henry VIII. But they were dangerous times. He was accused of intimacy with Anne Boleyn, having picked up and wiped his face on her

handkerchief, and was executed in 1536. He married Mary daughter of Thomas Fiennes of Herstmonceux in Sussex, Lord Dacre of the South, a distant cousin of Richard Fiennes.³

By Mary he had a son, also Henry, born about 1525. It may be assumed that Richard Fiennes, as a minor, spent much time at the home of his guardian in Berkshire and was an intimate of his near-contemporary the younger Henry. This Henry became an attendant in the private Chamber of King Edward VI, was MP for Berkshire in 1547, signed in 1553 the letters patent drawn up by the Duke of Northumberland in order to limit the succession to the crown to Lady Jane Grey. He was eventually ennobled by Queen Elizabeth as Baron Norris of Rycote. The relevance to Richard Fiennes and Broughton is that he was an intimate associate of King Edward VI and of the people in power at his court.⁴

Richard Fiennes married Ursula, one of the ten children of Richard Fermor of Easton Neston. If the children are listed in order of age, she was the eighth. Her date of birth is not known; but her next elder sister Anne married to William Lucy of Charlecote, was stated in an annotation to the 1619 Visitation of Warwickshire (reprinted by Harleian Society) to have been aged 15 in 1525 and already married, i.e., born in or about 1510. Ursula may therefore have been born about 1511 or 1512.

The Complete Peerage gives the date of birth of Richard's son and heir Richard as about 1557. He was however probably born 1554/55, based on his age on entry into Winchester College in 1569. The marriage of Richard and Ursula has been assumed to have taken place about 1556, based presumably on the Complete Peerage's date for the birth of the younger Richard. That date is plainly wrong. The will of Richard Fermor makes clear that they were already married in 1551, as does that of Ursula's brother-in-law William Lucy.⁵

More dramatically Leland's notes for his itinerary say:- "Richard⁶ Farmer's daughter hath married the heires of these Finez. . . . " These notes appear to have been made not later than 1543, though one cannot be absolutely certain that there was not a later interpolation. If they were married as early as 1543, it is a mystery why the eldest surviving child was not born until 1554/55. However the point relevant to this discussion is that Richard and Ursula were already married when the reconstruction of Broughton started.

Richard Fermor, Ursula's father, was an exceedingly rich man as a London merchant of the staple of Calais.⁷ He also married a rich wife, Anne daughter and coheir of one of the two William Brownes who were also merchants and mayors of London. A branch of the Fermors lived at Somerton in Oxfordshire and knew the Fienneses; Richard's father Edward in his will (1527) names William Fermor of Somerton, who was brother of Richard Fermor and also prominent as Clerk of the Crown.

Here then, in the pockets of the Fermors, was all the money Richard might need to reconstruct Broughton. The Fermors would also

add to the renaissance inspiration and provide Italian connections; Richard Fermor had visited Florence in 1524; as a merchant he may have travelled regularly. Richard was already married to Ursula Fermor.

But if Richard Fermor, before he died in 1551 or 1552, did in fact finance the work at Broughton, he must have had a very special reason for doing so. Ursula was a younger daughter; her husband had no obvious claim on Fermor money in priority to Fermor sons and other sons-in-law.

He may have had such a special reason. In 1540 Richard Fermor, who with his brother of Somerton and all his family was a dedicated Catholic, was imprisoned and stripped of his property. On release, he lived quietly presumably on family charity. In 1550 he had his property restored by King Edward VI and his government. That restoration of a catholic's property by an extreme protestant government must have had a compelling explanation. What better explanation than that Richard Fiennes used his influence with Henry Norris who used his influence with the court to have Richard Fermor returned to prosperity? The work at Broughton, perhaps conceived while he stayed with his daughter at Broughton during his impoverishment, would have been his thankyou. The dates fit; the circumstances fit. Additionally it is of interest that the younger Henry Norris not only had a Fiennes mother but his great-aunt Elizabeth Norris was wife of William Fermor of Somerton, brother of Richard Fermor.⁸ Their tombs and brasses are in Somerton church.

Perhaps sometime someone, investigating the finances of the Fermor family, will confirm or disprove this hypothesis.

David Fiennes

References

1. Broughton Castle, Oxfordshire by H. Gordon Slade in *The Archaeological Journal*, Vol. 135 for 1978.
2. *Letters and Papers Foreign and Domestic Henry VIII* 4 pt 3 1529-30. I am indebted to Dr David Starkey for pointing to this reference.
3. *Dictionary of National Biography*.
4. *Dictionary of National Biography*.
5. *Genealogical Collections of Roman Catholic Families*.
6. *Leland Itinerary* ed. Smith, Vol. ii, p.14.
7. *Dictionary of National Biography and Genealogical Collections of Roman Catholic Families*.
8. Dugdale's *Baronage* under Norris.

From the early BANBURY GUARDIAN

New Poor Law v. the Old Poor Law

B.G. 27 July 1843. A Court Report and editorial comment.

The report, given below, was inserted in the Banbury Guardian in accordance with the promise of its editor, William Potts, in its first issue on 6 July 1843, that he would give full reports of Assizes, Sessions and Meetings for the district covered by all the places named in the paper's full title, because of the importance of all local news to readers of a provincial journal. Why Potts found this particular case of interest is outlined in his comment on the reported trial, and the point made about the superiority of some of the provisions of the 1834 New Poor Law, has considerable interest for the modern reader. Much has been written of late years about the harshness of the provisions of this Act, but comments on individual cases are often anachronistic, being made, unconsciously perhaps, from the standpoint of modern theories and practice. The passage here reproduced is not the only one in the pages of the Banbury Guardian at this period, to afford a glimpse of the Poor Law administration under the 1834 law. What happened in individual cases was often, in fact, an improvement on what might have happened at an earlier period.

"Crown Court, Worcester, July 18th.

Samuel Maund, aged 45, wheelwright, stood charged with bigamy. Mr Selfe prosecuted, and Mr Allen defended the prisoner. Mr Selfe having opened the case, called as the first witness,

William Arton, who deposed: I am the inspector of police at Evesham. I produce a certificate of a marriage copies from the register at Alton, Herefordshire. (The copy was here put in and read; it stated that Samuel Maund was married in 1825, to Ann Probert, by the Rev --- Thomas, with the consent of her lawful father, John Probert). I also produce a certificate of a marriage celebrated at the parish of All Saints, Evesham. (This was also put in. It stated that Samuel Maund was married to Elizabeth Clarke by banns, by the Rev John Marshall, in 1831). By the Court: Maund's family by his last wife is now chargeable to the parish of St Lawrence, Evesham. This prosecution is brought at the instigation of the brother of his last wife.

John Arden: I live at Armistree, Herefordshire. I am an uncle to Ann Probert, and I was present at the marriage of Samuel Maund to Ann Probert. I cannot say that the prisoner is that Samuel Maund.

Fanny Arden: I am the wife of the last witness. I was also present at the marriage of my niece with Maund, and I was one of the witnesses to it. I am sure that the prisoner is the person who married my niece. They did not live together long. During the time that they did so, I saw them

several times. I saw my niece about 4 years ago, but I do not know where she is now. Her father is gone abroad, and her mother is dead.

Cross-examined by Mr Allen: I recognised the prisoner immediately. I saw him before the magistrates at Evesham. The policeman who came for me told what it was that he wanted me for at Evesham.

Mary Clarke: I am a sister to Elizabeth Clarke, and was present at her marriage to Samuel Maund in 1831. My sister was confined last Sunday with her seventh child.

Mr Allen addressing the jury, intimated that the witness, Fanny Arden, might have been mistaken in the identity of the prisoner, but they, with very little delay, found the prisoner guilty. Six months imprisonment.

The above trial is inserted because it has a local and a general interest:— A local interest because Maund and his second wife lived between 2 and 3 years in this town and at Neithrop, and are known to many persons, by whom the wife was much respected, and in Neithrop their first child, now a girl of 10 years, was born: the case has a general interest because it illustrates the ignorance of many men whose trade it has been to clamour against certain clauses of the New Poor Law Bill.

The law pronounces the father of the little girl not to have been the husband of her mother, and unhappily for herself, she was born before the passing of the Act [in 1834]; the law was not retrospective and her birth settlement is the place to which she must be sent; if the circumstances of her mother will not maintain her, this little girl under the provisions of the old law must be torn from her mother and her little brothers and sisters, and sent to pass her life, a pauper among strangers. Not so her more fortunate brothers and sisters, they had the good fortune to be born after the passing of the act; one of the humane provisions of that act makes their mother's settlement theirs; and whatever the mother's lot they will share it with her. What a distressing situation is the mother's, she knew not that her husband was a married man: what an aggravation of her distress would it have been if instead of only one of her children, all the rest had been; for all were born in different parishes, and not one in which the mother had her legal settlement and to which [for poor relief] she would go.

The other clauses of the act will bear a comparison with the old law and greatly in their favour too. 'Hear ye that, ye women of England! "

Women beyond the Game Laws.

B.G. 10 December 1846. A curious Report.

"It now appears that the Duchess of Marlborough may enjoy her 'dog and gun', bringing down as many head of game as she can, without a license. When the Game Laws were passed, the legislature had no recollection of Diana and her nymphs, sporting ladies of the Pantheon:

Nymphs with quivered backs,
And clear elastic limbs of nub-brown hue,
Or like tanned wall-fruit, ripening and compact.

It was thought that the female mind would, in the matter of game, never look beyond the kitchen and dining room. To draw, to truss, to cook, to eat the spoils of sporting man, was considered to be the sole mission - if we may use a word, fast rising in repute - of the gentler sex: leaving the task of slaughter to the lords of the earth. And therefore, the Duchess of Marlborough triumphs over the attempt, so ungalantly made, to fine her, for sporting without a license. The statute - says the *GLOBE* - only introduces the masculine gender 'he', and therefore 'she' escapes its operation. Great news this for the fair sex; and, until Parliament opens, we earnestly advise all ladies with sporting tendencies to take advantage of the discrepancy of the Act; for, of course, Mr Grantley Berkeley, as the self-installed guardian of the game of England - as the chancellor for all unprotected hares and pheasants - will immediately cause a reform of the law, that it may circle with its terror the hitherto privileged petticoat. For the vulgar wives and daughters of vulgar labourers - such people are so influenced by high example! - may, animated by the doings of the Duchess, and sustained in the moral wrong by the inefficiency of the law, take to shooting without a license, the husband and father poacher remaining, for awhile, at home."

I have not been able to find any other mention of this curious affair in the *BANBURY GUARDIAN*, so cannot say where the case against the Duchess was heard. It seems to have been a nice instance of a woman getting the better of "the law", before which, certainly married women were of little consequence in their own right, to a considerably later period than this report. There were, however, evidently loopholes and anomalies, of which this case was one. There were some advantages, too, in that married women could not be sued for debt, being reckoned as one person with their husbands. From at least the 17th century, because of the ambivalent status of women and children before the law, it proved very difficult to punish them for offences committed in a riot. As far as poaching goes, as mentioned in the report, it would be interesting to know if any "vulgar wives and daughters" did take advantage of the difficulty of bringing them to book.

P. Renold

BANBURY HISTORICAL SOCIETY - ANNUAL REPORT, 1984

Your Committee have pleasure in submitting the 27th Annual Report and Statement of Accounts, for the year 1984.

After the heady entertainment of our Silver Jubilee year, events were more muted, though (see publications report below) the year was still significant.

On the Committee, Geoffrey Parmiter succeeded Gwladys Brinkworth as Chairman, and the editorship of *Cake and Cockhorse* passed from David Fiennes to David Hitchcox.

Meetings in 1984 included talks by distinguished historians (now resident in Banburyshire and members) Professor Christopher Hill on "Puritanism and Politics in 17th century England" and, later in the year, his wife Bridget Hill on "Women in 18th century England". Our former Chairman Alan Donaldson brought back memories with his illustrated talk on "The Banbury and Cheltenham Direct Railway"; and there were archaeological talks by Tom Hassall, "St Frideswide and the Religious Houses of Oxford"; Nick Griffiths, "Recent Archaeology in London"; and George Lambrick, "The Rollright Stones". John Rhodes provided the excuse for a Christmas party with "Malting and Brewing in Oxfordshire" (though it must be admitted that the mince-pies were washed down with coffee!).

The village meeting was held in Warmington parish church, and the chill was more than made up for by the talks by Mr Painting and Mrs Newman about the village's history and prize-winning W.I. scrapbook, and the very welcome return of Geoff. Lawson with his illustrated comments on his own and others' architecture. For the A.G.M. we returned after many years to Canons Ashby (former home of Sir Henry Dryden, bart., the President of our predecessor the North Oxfordshire Archaeological Society), where decades of concern at its deterioration have been ameliorated by its acquisition by the National Trust and exquisite restoration. Gervase Jackson-Stops gave a brief talk and answered questions as members toured the house.

So far as publications are concerned, 1984 was an *annus mirabilis*. *Banbury Burials, 1723-1812*, announced as imminent for several years, appeared in April, whilst *Aynho: A Northamptonshire Village*, by Nicholas Cooper, which had been gestation for 25 years, was at last available at our A.G.M. With one true 'records' volume (which has, incidentally, by the standards of such, proved a best seller) and one absorbingly readable local history, retailing at £9.75, records members have been well-rewarded for their patience in years when no volume was issued. What is more, by the time this report is read, the long-announced *Banbury Wills and Inventories, Part One, 1591-1620*, will at last have made its appearance, and its Introduction by Miss Dannatt, we beg to suggest, makes it in its own way as readable as *Aynho*. Part Two was

issued as long ago as 1976, but it is only now that the enormous work that Ted Brinkworth did in transcribing so many documents, in the two parts together, can properly be appreciated. The volume has been entirely typed by Jeremy Gibson, who also edited it, a tremendous saving in cost which has enabled the Society to produce a volume of this size. The next volume will be Miss Renold's **Banbury Gaol Records**, which is near completion.

The first three issues of **Cake and Cockhorse** under David Hitchcox's editorship have seen articles by (in addition to members of the committee) Tim Allen, Colin Harris, R.J. Ivens, John Porterghll and Penelope Renold. The 25th anniversary of the magazine's first appearance was marked by a full list of the articles which have appeared in the 90 preceding issues.

Subscription income was up a total of almost £450, approaching 25%, a gratifying result of a modest rise in subscription and increasing membership. Rather more pages in the magazine have meant a proportional rise in cost. Other expenses have remained level. However, the production of two volumes at a cost (including postage) to the Society of over £1,900 has meant a fall in the publications reserve of £1,117. The remaining reserve, of £1,433, will largely be absorbed by the cost of the **Wills and Inventories** volume. As such reserves were accumulated in years when no volumes were issued, it is proper that they should be so expended, but it does mean that the Society will no longer receive the benefit of substantial bank interest - £164 in 1984 - and that the cost of our next records volume may be hard to meet. As records members for their £3 additional subscription receive one or more volumes which cost at least £5, often more, to produce (plus £1 in postage), and retail for substantially more, an increase may be in order shortly.

BANBURY HISTORICAL SOCIETY

Revenue Account for the Year ended 31st December 1984

1983	Income		
	1404	Subscriptions	1,848
264	450	Less: Transfer to Publications Account	561
47		Income Tax refund on covenants	69
146		Interest on Deposit Account	164
6		Donations	5
1153			£ 1,525

Expenditure

715	Cake & Cockhorse: Typing, printing, etc.	790	
151	Postage	129	
866		919	
776	90	90	829
	Less: Sales		
	Lecture and meeting expenses; Printing, postage, secretarial and administration expenses	182	
185		133	
120	Hire of halls, entertaining and speakers' expenses	315	
305		22	293
280	25		
11	Less: Donations at meetings		
29	Subscriptions to other bodies		11
	Insurance		32
407	Silver Jubilee and Christmas parties		
406	Less: Donations		-
56	Excess of Income over Expenditure		360
1153			£ 1,525

Publications Account

1983	Exp.	Inc.	Income	Expen.
450	Proportion of subscriptions		561	
197	Sale of publications (less discounts and C&CH)		248	
31	Banbury Burials, Part 3			857
57	200 Aynho: A Northamptonshire Village			901
	Postage (on two volumes)			280
759	Deficit for year transferred to Publications Reserve		1,117	
847	847		1,926	1,926

Balance Sheet as at 31st December 1984

1983	Liabilities	1983	Assets
217	Subscriptions in advance	11	36
15	Sundry creditors	232	
1791	Publications reserve, 1.1.84	2,550	
2550	+759	1,117	586
	Less: Deficit for year		
34	Capital account, 1.1.84	90	2250
56	Add: Surplus for the year	360	
2872		450	1,950
		£ 2,126	2872
			£ 2,126

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

20th February, 1985

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* (1621-1650 published; 1591-1620 for publication 1985); *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.

