

Editors Note

Lucky number 13. It has been quite difficult find material for this issue, but I have provided a fairly hefty article on the Rev Samuel Ford and the Poor Rate [Unusually for me not a murder in sight] and Brian Lett has provided more details on the Ricardo family in general and toleration in Minchinhampton in particular. As a blast from the past, I have added an article from Cyril Turk dealing with a rate dispute from the 18th Century [As that seemed to “fit”]

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Winston Churchill, the pastor and Major Ricardo.

By Martyn Beaufort



The 1902 Education Act [The Balfour Act] caused great controversy within non-conformist circles. The reason for this was because the voluntary schools run by the Church of England became funded with the rates which of course every ratepayer had to pay.

This became according to a Stroud pastor “A battle between puritanism and priestcraft” or put in another way:

“Nine-tenths of the money for the control of schools came from the public purse, yet Free Church teachers were excluded from the schools”

The reason for the latter was religious tests for teachers, which based upon Anglican principles could not be passed by an honest non-conformist. This meant also that any non-conformist children could never aspire to be teachers in the schools their parents considered they were forced to go to.

Because the rates were paid by individuals, and the County Council requesting payment of them, provided a break-down of where the money was spent, it became possible for non-conformists to “passively resist” the money going to Anglican schools by withholding the monies allocated to that purpose. As will be seen this was often a piffling amount of money, but it was *still* non-payment of a statutory obligation.

Indeed, many thousands of non-conformists did not pay. As can be seen from the Punch cartoon at the head of this article, some believed that non-conformists enjoyed being martyrs and that this was a pose. However, the level of resistance indicates that the belief was sincerely felt by many.

One of the most notable resisters was the pastor of the chapel at Minchinhampton – the Rev Samuel Ford.



He consistently refused to pay the rate or at least that part of it which was apportioned to the upkeep of Anglican schools. That sum was 1s 9d a year. [£13.81 today]

He first began to protest in August 1903, and the 1s 9d “Had been paid for him by a friend, whom he suspected to be a leading Nonconformist magistrate”

“In March 1904, he was again summoned, and on this occasion a distress warrant was issued. Whilst he was away from home a distress was levied, and a domestic servant was so distressed at the appearance of the officials that she went out and borrowed the money from a neighbour, leaving, however, the 1s. 9d.—the education portion—still unpaid. For

this small amount a large eight-day wall clock and an armchair were seized. Failing to get an undertaking from the authorities that they would refuse to accept payment from anyone else of small portion of the rate to which he objected Mr. Ford decided to decline to pay any part of the rate and dispossessed himself of all worldly goods which could be seized. In September. 1904, another distress warrant was issued but was held over until the following March when he was summoned for the fourth time, and was committed for seven days, the committal order being suspended for 14 days.

On this occasion also the rate was again paid by someone else. The total of Mr. Ford’s sentences is eight times to 14 days, once to seven days and last Thursday to two months.

Altogether he has been to Gloucester Gaol six times. On each occasion the police have kindly consulted his convenience, and the “arrest” has been more in the nature of a “surrender” at an appointed place”

In 1910 [14th of March] there was an election for the Minchinhampton Parish Council. Major Ricardo was in the chair at the Market House to oversee this process.



There were 13 seats on the parish council and 24 nomination papers. One of the nomination papers was for the Rev Samuel Ford.

Major Ricardo stated it to be his opinion that he did not think Rev Ford was eligible to be a parish councillor because he had been in Gloucester prison within the last year.

The reason for this imprisonment was non-payment of rates. This was an emotive subject because Rev Ford's non-payment of rates was not down to impecuniosity but because he objected to paying that part of the rates which paid for Anglican schools. He was a passive resistor.

This was obviously a very partisan matter. On the one hand there was uproar at the meeting at what

some evidently thought as Ricardo's incendiary comments.

Their argument was that Ford had not been in prison for a criminal offence and could have got out at any time on payment of the rates. Indeed, every time he went to prison [of which later] he did get out very quickly not because *he* paid the outstanding rates, but because some other unknown well-meaning person did.

Ricardo had to agree that his nomination could take place, but he had allies in the room.

Dr Church asked Ford if he was going to be inclined to pay his rates in future. People tried to shout him down saying "That's nothing to do with it." To which Church replied:

"It makes a great deal to do with this matter. It means whether we-2000 electors- in Minchinhampton cannot nominate thirteen to represent us on the Parish Council among the ratepayers"

There was both applause and dissent to this comment.

Ford confirmed that he considered he had "A perfect right to represent the ratepayers, but he did not intend to pay his rates as long as the Education Act was on the statute book"

It is understandable that this was an emotive subject, but it is easy to see the basic dichotomy in that comment!

Normally, the voting for parish councillors took place at the meeting. However, there was a facility for a general poll if that was not considered suitable. Dr Church put this forward to a vote and the voting went as follows:

Against a poll	98
For a poll	58

Not a majority, but because over one third of the meeting wanted a poll that was enough to force a general poll, and that course was adopted. The numbers above indicate that there was a non-conformist majority at the meeting, and that if the election had occurred at the meeting in all probability Ford would have been elected.

Samuel Ford was less than impressed by Ricardo's actions at the meeting and the following letter appeared in the "Stroud News" of the 18th of March 1910.

Sir--Will you kindly allow me the space of your paper in order to give expression to a personal grievance in regard to a recent parish meeting in this town presided over by Major Ricardo. At this meeting, held last Monday, Major Ricardo not only revealed lamentable ignorance of parochial affairs, but showed his utter ineptitude in acting as chairman of the parish meeting.

In his blundering, ungentlemanly fashion he not only acted wrongly but did me a great wrong. Evidently much prejudiced against me because of my imprisonment for conscience's sake he very ungraciously compared me with a criminal convicted of assault and then promptly declared me disqualified for nomination. As a chairman he should have known that he had nothing whatever to do with the qualification or disqualifications of those nominated. In a circular on the duties of a chairman issued by the Local Government Board I read:

"The duties of the chairman as to dealing with nomination papers are set forth in Rules 5 (5) 6, and 8 of the Order and the Board need not recapitulate them here. They may, however, point out that you are only to decide whether each candidate has been fully nominated by a valid nomination paper. You are not empowered to determine whether he is qualified or not for election. This is a question to be dealt with on an election petition under part iv. of the Municipal Act, 1832, and you must not reject a nomination paper on the ground that the candidate appears to you not to be qualified for election"

I am not a convict, and it is most insulting to compare me with a convict and on that ground to attempt to disqualify me. On other matters the chairman showed his unfitness to preside over the meeting, for instance as a candidate I had a perfect right to be present at and to speak at the meeting. But when I attempted to explain why I refused to pay my rates according to Rule 9, Part one of the First Schedule to the Local Government Act) Major Ricardo ruled me out of order and I was shouted down by his supporters. It is only common courtesy to the parishioners; of the parish, that if Major Ricardo wants to preside over the parish meetings he should first of all understand what are the duties of a chairman.

But, sir, this does not end my grievance as a Passive resister. The same gentleman who refuses me the right to explain my position at a parish meeting also sits in judgment upon me when I appear in the police court as a passive resister and refuses me there the right "to show cause why I have not paid my rate." In both instances I am condemned without a hearing. This, sir, is a glaring injustice, and it is quite time that other and less partial gentlemen occupied the magisterial Bench.

Eight times I have been committed to 11 days' imprisonment because I have refused to pay 1s.9d the sectarian portion of the rate. I have offered again and again to pay my poor rate if a guarantee

will be given me that no one shall allowed to pay the sectarian portion I object to. But, sir, on some fancy plea that concession is not allowed me, and I am therefore compelled to decline the whole rate to prevent the unwarrantable interference with my conscientious objections. [Editor – it seems to me that Ford is being unreasonable here, and could expect no such concession, even if it was possible to police it!]

I do not keep the rate money myself. I devote it to good purposes in the parish. and yet I am periodically sentenced to 14 days' imprisonment for the non-payment of a rate the bulk of which I am ready to pay, as if I were n drunkard who squandered his rate money in public houses.

But whatever may be the consequences I shall continue my passive resistance until the unjust Education Act is amended. Trusting this redress is not far distant.

I am. yours. etc. S. J. FORD.

Taking this letter in full, and assessing the allegations in it, it would appear that the newspaper report of the meeting was not complete. Where for example, does Ricardo compare Ford to a convict accused of assault?

In any case, Ricardo answered the allegations as follows:

“Sir, Mr. Ford has taken an entirely erroneous view of my action as Chairman of the late Parish Meeting.

Hadden's Guide for Chairmen says "The Chairman In not empowered to decide any question as to the qualifications or disqualifications of persons nominated. If the Chairman deems it desirable, he might point out for the information of the meeting any case where he considers that a person nominated is not qualified to act as a Parish Councillor - but any such action could be by way of advice only. [Editor – why then did Ricardo say he would “allow” the nomination which Ricardo had no right to do]

I was therefore entitled to bring Mr. Ford's position before the meeting as I considered it my duty to do so.

I am much surprised that Mr Ford so strongly resents any references to his sojourns in Gloucester Gaol. as I thought he gloried in suffering for conscience's sake, but I am not at all surprised to find that a large section of the electors look upon him merely as a persistent law breaker and are determined to oppose his re-election to represent them on the Parish Council.—

Yours, etc. H. G. RICARDO. Gatcombe, Minchinhampton,

March 21st, 1910.

It seems that many ratepayers agreed with Ricardo because there were 13 vacancies for Minchinhampton Parish Councillors, and Ford came 14th and lost out by 10 votes. The entire parish council was thereupon made up of conservatives.

A “RATEPAYER” put this view in the same newspaper as follows:

“Sir. - . I am much interested in a letter signed S. J. Ford which appeared in your issue last week. I am a layman, and therefore, I look to my spiritual pastors and masters to show me the efficiency of what they preach.

Does the Rev. S J Ford believe that we must “render unto Caesar the things which are Caesar’s and to the God the things which are God’s?” If so, why must I and other ratepayers not only pay his rate but also pay for his periodical holiday and rest-cure as a first-class misdemeanant? Does he believe that an eye for an eye and a tooth for a tooth is not the Christian precept? Does he Preach “Love your enemies, do good to them that hate you, bless them that curse you; to him that smiteth you on the one cheek, offer the other also?”

It would appear from his letter that he does not believe those Christian doctrines, or, at least, that he only believes them as applying to others and not to himself. Yours etc.

RATEPAYER

[Editor – Ford answered the “rest cure” comment as follows: - “Many of his Tory friends in Minchinhampton thought he had a fine time in Gloucester Gaol, and that it was simply an annual rest cure, but he could assure them that he had to work in prison. He felt sure that he earned his salt whilst he was there”]

Another said:

“Notwithstanding the indignant letter from Mr Ford, which appears in another column, I really do not see what ground he has for complaint. If you are determined to adopt the role of a hero or of a martyr for conscience’s sake, you ought to be prepared to accept all the consequences of your actions. You cannot be half a martyr or half a hero. It seems to me that Mr Ford's complaint against Major Ricardo is altogether childish. As chairman of the meeting, Major Ricardo was quite justified in calling attention to Mr Ford's disqualification, and to complain of the Major's action as a magistrate is surely absurd. Another committal order was made against Mr Ford yesterday, and personally I cannot help thinking that there is a good deal in the contention that a man who systematically refuses to pay his rates is hardly the man to claim a seat upon the governing body of the parish or he must accept the consequences of his action as every other lawbreaker has to do”

That was that as far as Ford’s political pretensions were concerned, but the problem was that he was again due to appear before the magistrates at Nailsworth, and the Chairman of those magistrates was Major Ricardo.

Due to the “spat” between them as evidenced above, arguably this made Ricardo possibly biased, and I suggest it would have been better if he had for this case devolved his responsibility upon some other person.

However, he did not. The bench of which he was chairman sentenced Ford to two month’s imprisonment.

This was not only the longest sentence passed upon a passive resistor, but also, according to the Law Times was more than judges could impose, so how could magistrates impose a longer sentence:

“That a sentence of two months’ imprisonment should be passed for non-payment of rates will doubtless come as a shock to the community at large, but a committal to prison for this period was imposed by the Nailsworth Petty Sessions on the Rev. S. J. Ford for refusing to pay an education rate of 1s. 9d., although he offered to pay £1 14s. 3d., being the amount of the poor rate included in the same demand. We are quite aware that this committal would be in respect of the whole rate demanded, but, at the same time, although no doubt the defendant had on previous occasions refused to pay the education rate, we say without fear of contradiction that the sentence passed was clearly excessive. Imprisonment for non-payment of rates is in the nature of civil process, and as the Home Secretary pointed out he was advised that he had no power to annul the sentence — which he described as “stupid and vindictive” —as the prerogative of the Crown does not cover cases of civil debt. We understand that Mr. Ford has been released owing to the money having been paid, but this case affords a good concrete example as to the law relating to imprisonment for debt. It will strike the layman as curious that justices should have the power pass a sentence of this description, whereas the term of imprisonment which can be inflicted by judges exercising jurisdiction under sect. 5 of the Debtors Act 1869 is limited to forty-two days”



Regarding the Home Secretary, this was none other than at the time Winston Churchill.

The matter of Ford was discussed in Parliament: “Major Ricardo’s Politics. FURTHER QUESTIONS IN PARLIAMENT.

In the House of Commons on Monday afternoon. Mr. Churchill, answering Sir George White, explained that in the case of Mr. Ford, Baptist minister, of Minchinhampton, the sentence was two months’ imprisonment for the non-payment of 1s. 9d. education rate. There had been enmity between Mr. Ford and Major Ricardo, the chairman of the Bench.

When the sentence was passed Major Ricardo, he was informed, was also the chairman of the Conservative Association. He was advised that enmity between the Major and Mr. Ford did not influence the

former. (Opposition cries of ‘Oh.’)

Mr. H-L. W. Lawson (interrupting): Mr. Speaker, on a point of order, is it a proper thing to make reflection upon a magistrate in answer to a question in this House? _

The Speaker: There is no reflection in saying he is Conservative. (Laughter.) [The speaker James Lowther was a conservative]

Mr. Lawson: The suggestion was that the magistrate acted with prejudice. (Opposition cheers.)

The Speaker: I understood the Home Secretary to say that being a Conservative did not influence him. (Opposition cries of “Why mention it then” and “Withdraw.”)

Mr. Churchill, continuing his answer to Sir George White said the sentence was concurred in by the five other magistrates who were on the Bench with Major Ricardo. Here the right hon. gentleman stopped and, looking across at the Opposition, remarked "Is there anything wrong in that?"

The Speaker: I must ask the right hon. gentleman to answer the question in the usual way. (Opposition cheers.)

Mr. Churchill (to the Speaker): With great respect to you sir I trust I may be heard with the usual courtesy. (Ministerial cheers.)

He was bound to observe that it would have been better for all concerned if Major Ricardo had withdrawn from the Bench on this occasion (cheers) instead of taking a leading part in sentencing a neighbour with whom he had been notoriously engaged in sharpest controversy on the very political and religious matters which were the cause of the refusal to pay the rate. (Ministerial cheers) The sentence itself would, he believed, be regarded in every quarter of the house as harsh, excessive, and conspicuously inappropriate to the circumstances of the case. (Ministerial cheers.) The rate had since been paid, though not by Mr. Ford with his cognizance, and the minister was consequently released on Wednesday last.

Sir Fortescue Flannery asked if the right hon. gentleman would back up what he had said by recommending the Chancellor to remove Major Ricardo from the Bench.' (Opposition cheers).

Mr. Churchill said he did not intend to withdraw or modify anything he had said. As to any further action could be taken, he was not prepared to make any statement.

Ford had thought that he had been released by order of the Home Secretary, but the above confirmed the rates had been paid by someone else [The Home Secretary "Had no power to limit or reduce imprisonment imposed for the non-payment of rates" according to Churchill's own words]

Ford's own opinion was that the term of imprisonment "Was undoubtedly due to political spleen and social bitterness, and mainly in consequence of the success of the social work I have done and am doing in the parish of Minchinhampton."

Dr John Clifford, who had been in the forefront of "Passive Resistance" called the sentence "bitterly vindictive."

He also moved the following resolution of the Baptist Union [Which was "Carried with enthusiasm"]

"That this assembly of the Baptist Union of Great Britain and Ireland places on record its surprise and indignation at the severe and indisputably vindictive sentence passed by the Bench of Magistrates at Nailsworth (Major Ricardo in the chair) on the Rev. S. J. Ford for his conscientious refusal to pay the sectarian rate levied in pursuance of the unjust Education Act of 1902. That this Union calls upon the Government to mark its condemnation of a judgment due, as all the circumstances show, to political antipathy, and entirely contrary to the best traditions of British justice."

Dr. Clifford also made a strong attack on Major Ricardo and thought that Lord Loreburn {Lord Chancellor at the time} “Who had maintained that on the whole justices of the peace performed their duties free of all political considerations. should take note, in some suitable form, of the state of affairs at Nailsworth”

When released, Ford was elected President of the Stroud District Free Church Council.

In general, the Free Council said: -

“The Free Church Council of the Stroud District expresses its surprise and indignation of the severe and patently vindictive sentence passed by the Nailsworth Bench of Magistrates on the Rev. S. J. Ford, for his conscientious refusal to pay the poor rate, which includes a rate for sectarian teaching. The sudden increase of the term of imprisonment, following as it did upon a political controversy which the Chairman of the Bench had been engaged in with Mr. Ford, bore the appearance of personal animus. The Council regrets that Nonconformist members of the Bench are said to have agreed with the sentence and records its satisfaction that Mr. Ford’s imprisonment is now at an end.”

Speakers at the meeting where Ford was made President also had observations:

“Two warrants were issued by the Nailsworth magistrates, and one had to do with Mr. Ford and the other with an ordinary rate defaulter. The warrant in Mr. Ford’s case was executed immediately, but the ordinary defaulter was allowed five days’ grace, and this showed the spirit which animated the sentence. Major Ricardo was to be congratulated upon the signal service he had done to the cause of passive resistance, and the Nailsworth magistrates had never before done anything in which the whole country had been so much interested as they were in the matter of the sentence on Mr. Ford”

As for the Rev George Hooper he thought it time that the country ““Did away with the great unpaid,” and was obviously referring to Ricardo in that comment [!] because “Had not these gentlemen shown that they were disqualified to administer justice because they had no sense of justice?”

The Magistrates’ clerk to the Nailsworth sessions in defence of this quite considerable criticism stated that

“The Nailsworth Justices having found that on many previous occasions a sentence of 14 days imprisonment had not produced payment of the rates, were unanimous that it was their duty to try the effect of a longer term of imprisonment”

That it was unanimous is undoubted, but as to the influence of any particular member, it says nothing, and it has to be imagined that as chairman Ricardo had some influence!

The clerk then tried to imply that not only was it unanimous, but that the harshness of it had “worked”

[The Justices] were glad to see that this longer sentence has had the desired effect, as the rate and expenses amounting altogether to £2 1s 5d, was paid to the Governor of the Gaol on the 20th inst. and Mr Ford thereupon released.

This was I would suggest a facile comment. Every time Ford had been put in prison he had been released early, because someone (but not him) had paid the outstanding rates. And this was what had exactly taken place this time, even though the sentence had increased.

Major Ricardo had his say as well

At Nailsworth Petty Sessions on Thursday morning. Major H. G. Ricardo said: Before commencing the business of the Court I should like to make a few remarks regarding a sentence given by the magistrates at the last Sessions on April 14th, in consequence of which most unfair attacks have been made against the Bench and especially against myself both in Parliament and in the Press. The sentence was one of two months' imprisonment for non-payment of rates amounting, not to 1s. 9d., as has been repeatedly stated, but to £1 15s. 6d. The magistrates have found that on many previous occasions a sentence of 14 days' imprisonment has not produced payment, and they were unanimously of opinion that it was their duty to try the effect of a longer term, and they are glad to find that the longer sentence has had the desired effect, as the rates and expenses were paid on the 20th inst. and the prisoner was released. [Editor – but by who?]

Conscientious objections to the payment of a duly levied rate have no place in a Court of Justice, and magistrates have no power to take cognisance of such objections even if they sympathise with them. Their sole and only duty is to administer justice and enforce the law, and that they will continue to do without fear or favour, quite undeterred by the attacks that have been made upon them. One word of personal explanation in conclusion. It has been said that I was prejudiced in this case and should not have sat on the Bench because I had had a previous controversy with the gentleman in question, but this controversy was only in connection with the payment of his rates, and my sole contention was that every citizen should pay his rate and had no right to evade payment on any grounds whatsoever. The charge made against me of prejudice is absolutely without foundation. It is monstrous charge—I am not sure that it is not libellous and it is a charge that never should have been made.

Major Ricardo and the Home Secretary. In a letter to the "Times" with reference to the sentence of the Rev. S. J. Ford, Major Ricardo gives the substance of the statement which he made at Nailsworth Police Court (reported in another column) and says: It does not appear on what grounds the Home Secretary saw fit to characterise the sentence as harsh, excessive, and, conspicuously inappropriate to the circumstances of the case." Surely the Home Secretary does not imply that the magistrates have any power to take cognisance of conscientious objections" or that they have any other duty to perform but enforce the law. The decision of the magistrates was unanimous, and any insinuation of political bias is, therefore, absurd, having regard to the fact that of the six magistrates two on the Bench are Liberals and Free Churchmen. The further charge against myself of personal animus is as libellous as it is untrue. I flatly deny that there has been any open enmity between myself and Mr. Ford, or that we have been engaged in the sharpest controversy on political and religious matters." There has been no such controversy but owing to my action in calling in question Mr. Ford's qualification for the parish council, the reverend gentleman has written some very abusive letters in the local Press, of which I have taken little notice except to intimate that he ought to pay his rates like any other citizen. I have no other difference with him, and there was therefore no possible reason why I should not adjudicate in his case. In conclusion, it would seem, therefore, that the Home Secretary's strictures are as unwarranted as they are unmerited, and, notwithstanding his position as a Minister of the Crown charged with the duty of administering an important Department, it would appear as if he had used the incident solely with

view to assisting a section of his party to make some little political capital. I can assure him, however, that the Nailsworth magistrates will not be deterred from doing their duty, but they will still administer justice and enforce the laws of the realm to the best of their ability without fear or favour.

All of which I have to say I find unconvincing because Ricardo keeps on going on about the dispute between Ford and him and rates, which rather reinforces the possibility of bias than diffuses it.

As for "libellous" this may well be bluster, because it is an implied threat of action with the reality that it would be very difficult for Ricardo to *prove* that he had no personal animus!

Just a few months later, Ford was back in court for non-payment of rates. Mr A T Playne was in the chair, but Ricardo was on the panel.

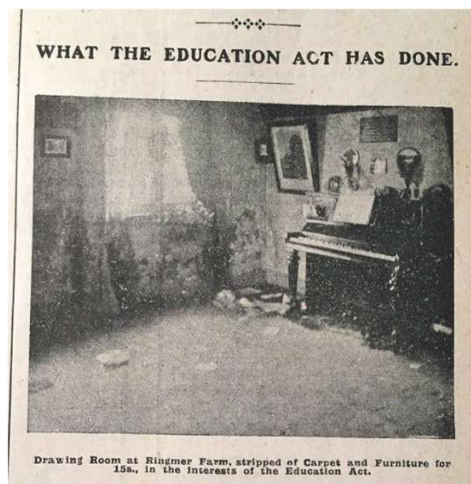
Ford asked that "Major Ricardo should retire from the Bench, on the ground that, in his opinion, in a previous case that gentleman's attitude towards him displayed prejudice and a vindictive feeling"

"The Chairman warmly declined to entertain the application"

Ford had

"Repeated his offer to pay to the Assistant Overseer the whole of the rate with the exception of the 1s 9d allotted to education, provided a guarantee was forthcoming that the smaller amount would not be received from any other source"

An order for a distress warrant was made, but as previous comments from Ford established, he had made this process useless by ensuring that there was nothing of value in his house.



When this failed the Nailsworth court again sentenced Ford to 2 months prison. [This was in April 1911] It was said to be unanimous, and I believe they could do no less, because if the sentence was [I have to say] a more reasonable one, this would look bad on the Nailsworth magistrates in general and Ricardo in particular.

Churchill [still Home Secretary] got involved again and made this observation:

"I will make inquiry into this matter without delay. After what occurred in Mr. Ford's case a year ago, I find it difficult to believe that the magistrates would have again imposed a sentence of two months to enforce payment of

a sum of 1s. 9d" *and*

"The sentence is stupid and vindictive" (Ministerial cheers) but I am advised that I have no power to annul it as the prerogative of the Crown does not cover cases of civil debt. Mr Ford must therefore suffer this ill usage, but it is to be hoped the moral will not be lost to the public"

Mr. Hicks Beach; Is it not a fact that that two of the magistrates who inflicted this “stupid and vindictive” sentence were Liberal Nonconformists?

No answer was returned.

Mr. Ashley: May I ask by what right the right hon. gentleman says the sentence was “stupid and vindictive”? (Opposition cheers, as Labour cries “Because it is.”)

Mr. Churchill did not answer.

Mr. W. Peel: Was the right hon. Gentleman’s answer official or Ministerial? (Opposition cries of “answer.”)

Mr. Churchill: I gave the answer as representing the Home Office and as a member of this house.

Mr Primrose: May I ask the right hon gentleman if he will induce his colleague the Lord Chancellor to rid the Bench of such magistrates.

No reply was returned.

In May this report appears:

“A Stroud correspondent telegraphs that the Rev. John Ford, the Minchinhampton passive resister, has been released from Gloucester Gaol, having served only a few hours of the eight weeks’ sentence by the Nailsworth justices. The money has been paid, and in an interview Mr. Ford suggested that the magistrates themselves had settled the debt, in order to prevent further inquiries by the Home Secretary. He was glad that in the Home Secretary the Nailsworth despots had found one man of whom were afraid”

I would personally be very surprised if the magistrates had bowed to such pressure!

When released, Ford made the following comment:

“Once more I am a free man. “Come on, the money is paid,” was a magic sentence which again terminated my captivity. By whom that money was paid I could not discover. The Governor would divulge no name. Who that unknown was remains for the present a secret. But one is tempted to hazard a guess. There are many who believe that twelve months ago the money was paid by the magistrates to prevent the inquiry by the Home Secretary. The Home Secretary has again promised to intervene, and once more the money is shuffled mysteriously into the treasury. Have the magistrates paid to prevent an inquiry? If so, one is pleased to find that in these days of magisterial despotism there is one man in the county of whom the magistrates are afraid. They will no doubt pose again as very injured parties and say that their only purpose in committing me for two months was to wring out the 1/9 which I had refused to pay, and, as the money has been paid, the end has justified the means. But people with common sense are not easily hoodwinked these days. But if this was their only purpose, is it not time these excessive sentences ceased? The magistrates are not rate collectors but are supposed to be justices administering justice indiscriminately. These sentences are most hurtful the to

the feelings of my friends, and in the interest of the public well-being ought not to be allowed any further repetition.

Will the magistrates a third time give me two months for 1/9? Time will tell. My position as a Passive Resister remains unaltered. I shall continue to refuse any portion of the rate unless the guarantee I ask for is given me by the overseer. I have no wish to wriggle out of obligations to the parish as a citizen, and I have paid the' £1 14s. 3d. into the funds of our Minchinhampton Institute, which stands to benefit the whole town. But I trust the struggle for religious liberty in our schools will soon end in victory for the Passive Resistance cause. Until it does, we fight on”

However, this was the last time that Ford would go to the magistrate’s court or be imprisoned for non-payment of rates. By this time, passive resistance was in any case on “its way out”

The reasons were not hard to see. In the ten years since 1902, passive resistance had achieved nothing. Yes, it had lost the Conservatives the 1906 General Election, but the Liberals attempt to amend the law failed, because the House of Lords at that point had power and were strongly Conservative. They could pass amendments on the putative replacement law back to the House of Commons as many times as they wanted.

As the years went on the passion that had engendered the movement faded as some people died and other people were growing up with no memory of the status quo before 1902.

Also, I have to agree with my colleague Brian Lett that in many ways the whole process was ridiculous.

Passive Resisters were put in prison and others generally paid the rates for them. There was even an Anti-Martyrdom league that was set up for this express purpose! The County Councils received their rates, including the court costs to take non-payers to court. So apart from a little annoyance what did this achieve? It did not encourage more people to join the “cause” – in fact the numbers dwindled. Let us look at the example of Rushden in Northants.

In Rushden in 1904 there were 50 resisters

The resisters were called before the magistrates every six months with the numbers remaining around 50 for two years, but by September 1906 the numbers had fallen to 36. In March 1906 the Rev. M. E. Parkin died, followed by Mr. Bromage in May of the same year. In August 1906 the County Council of the West Riding of Yorkshire decided that they did not have to pay for religious teaching in sectarian schools and deducted a proportion of the teachers’ salaries. They were immediately instructed by the Board of Education to pay the teachers in full, but the County Council took the case to the Court of Appeal and won. However, all this did not help the Rushden resisters and in September 36 were back in Court. The 6 monthly court appearances continued until by September 1909 the numbers had dwindled to 10. In October of that year the Rev. W. F. Harris left Rushden for Winchmore Hill, London. In November 1911, Mr. Leonard Percy Collins, who had been one of the earlier resisters, died following a tragic accident in Rushden High Street when he was thrown from his trap and fractured his skull. By March 1914 only 6 resisters were before the Magistrates, (and with the outbreak of war it no longer seemed appropriate. There were no further reports of court appearances*

Moreover, the distraint of goods became a farce. We have seen how Ford hid any goods that could be sold so he would make his point and be imprisoned. What also happened in cases where goods were distrained is exhibited in a book written by the journalist Kingsley Martin called "Father Figures" [1966]

"My father was involved in the passive resisters' fight against Balfour's Education Act of 1902. Each year father and the other resisters all over the country refused to pay their rates for the upkeep of Church Schools. The passive resisters thought the issue of principle paramount and annually surrendered their goods instead of paying their rates. I well remember how each year one or two of our chairs and a silver teapot and jug were put out on the hall table for the local officers to take away. They were auctioned in the Market Place and brought back to us"

And the latter process seems to have been generally the rule.

After 1911, we hear no more of Ford's passive resistance. We have to presume that he paid his rates from 1912 onwards.

*Passive resistance and the 1902 Education Act Gill Hollis - Rushden Research

The Ricardos and Religion

Dr Martyn Beaufort asked me whether I would contribute something for this month's newsletter and has allowed me to read his fascinating article about Sammy Ford and Henry George Ricardo before I did so. It occurred to me that it might be helpful for me to contribute something about religious tolerance in Minchinhampton in the nineteenth and early twentieth centuries, which was perhaps temporarily obscured [but only temporarily] by Minister Ford's protest.

However, before I begin, I feel bound to comment upon the problem that Minister Ford presented to the Magistrates Court at Nailsworth. The Law of England said that Mr. Ford had to pay the rate. Time and time again he refused to do so. The Magistrates were sworn to uphold the law. As a matter of sensible practice, a repeat offender [sometimes referred to in those days as an incorrigible rogue] had to be punished severely in order to force him to eventually obey the law. The Magistrates had to enforce the law as best they could, even if the law appeared to be unfair. As Thomas the Tank Engine once said: "The Law is the Law, and you can't change it!" [Well, you can in parliament, but not in the Nailsworth Magistrates Court].

What Minister Ford was in fact doing was making a mockery of the law. In order to protest against it, he would refuse to pay and thereby make his point. He would be sentenced. Somebody else would then pay for him. He would therefore be released having not served what eventually became a deterrent sentence. Complete nonsense!

But... the Minchinhampton affair reached the ears of the House of Commons, and in due course the law was changed. [Editor – in fact not until 1944! The Liberals tried but the conservative House of Lords still had the power to amend House of Commons Laws until 1910] The Passive resistance fizzled out, because it had no effect ultimately]

Henry George Ricardo was an experienced Chairman of the Bench. He had been appointed in 1888, before he had left the army. As a military man, he would have been used to obeying orders [i.e. the law]. He and his colleagues on the Bench must have hated the problem that Minister Ford was posing, and therefore...just perhaps...not have been too keen on him personally!

The interesting thing is that he and his family had been entirely sympathetic to the Baptist and other "dissenting churches" for very many years.

The Ricardo family were the Lords of the Manor of Minchinhampton from 1814 until 1939/40. As most will know, there were four generations of them: David the First, 1814-1823, David the Second, 1823-1864, Henry David, 1864-1873, and Henry George, 1873-1939/40. All four of them took their duties as Lord of the Manor seriously, and did an enormous amount to improve the well-being of the people of Minchinhampton.

David Ricardo the First was born into a Sephardic Jewish family, but, being a genuine free-thinker, he decided in adulthood not to subscribe automatically to his family's ancient religion, but to make up his own mind about what he believed. He fell in love with a Quaker, Priscilla Wilkinson, and they married in an Anglican church in Lambeth in December 1793. David the First later became a churchwarden of that church. Their children were all baptised into the Church of England. David the First initially became a Unitarian, but by the end of his life appears to have been comfortable with the doctrine of the Church of England.

The Baptist Meeting House and its community were a part of the Manor of Minchinhampton, of which David the Second became the Lord on his father's death in 1823. David the Second firmly believed that he had a duty to support all of those who lived on his manor, and a duty to help them to practice the religion of their choice. There was an existing Baptist chapel in Workhouse Lane [now Chapel Lane].

When in 1834, the Baptists wished to build a new Meeting House, David Ricardo the Second gave them some land on Tetbury Street on which to build it, at a nominal price of five shillings [about two days wages for a single labourer]. He apparently also gave them the stone to build it with (he owned a number of local quarries). His grandson Henry George apparently did much the same in 1902, when the Baptists wished to build their Institute.

David Ricardo the Second (who was the driving force behind the division of the Church of England parish of Minchinhampton into the four parishes of Minchinhampton, Amberley, Brimscombe and Rodborough, and provided most of the money for it) expressed his philosophy of religious tolerance in a pamphlet that he published in 1847 (in the absence of radio, television and the internet, pamphlets were a popular way of publicising one's views) saying: "If a Roman Catholic friend of mine had appointed me the Guardian of his children, it would be my duty to bring up those children as Roman Catholics without any reference to what I think as right, and in so doing I maintain that God would bless me in it. If I were to accept the Crown of Spain, a Roman Catholic country, it would be my duty to provide for the religious education of that people in the Roman Catholic Religion that they profess. If I were to accept the Crown of any country where people professed the tenets held by the Baptists or the Independents, I should consider it my duty to promote the education of those people as Baptists or Independents, as the case may be. In the same manner, if I were appointed a Trustee of the Tabernacle (now belonging to the United Reformed Church) in Rodborough, I should consider it my duty to promote there the preaching of the Doctrines held by the Independents without any reference to my own. I should, of course, tell them that they were all wrong, and that I alone possessed the truth – an assertion to which they would not agree. But my proposition is that if any person, whether as King, Guardian or Trustee does undertake the guardianship of others, he is bound not to act on his own opinions, but on the opinions of those who have delegated that Trust to him."

What essentially David the Second was saying was that, as Lord of the Manor, he regarded his duty in the same way that his father had. It was a duty to look after the spiritual and physical welfare of all those who lived on his Manor, and to improve their lot as best he could. If they chose to practise a different religion to his, that did not in any way remove or minimise his duty of care towards them.

The same was true of his successors, Henry David and Henry George. They were committed members of the Church of England, and yet supported the freedom of the people of Minchinhampton and its district to worship as they chose. David the First was a true believer in democracy, and wished to do everything he could to expand the electorate so that the House of Commons became a true reflection of the will of the people as a whole. In order to achieve this, he and his descendants worked continually to improve education locally, with the aim that with education and literacy, the people might be granted the right to vote, and use that vote responsibly.

He and his wife Priscilla set up schools in the Market House for both boys and girls. He also instigated a scheme of free health care in Minchinhampton and its surrounding villages for the working poor.

His descendants followed the same policy. The schools complex built in 1868 was built on land given by the Ricardo family, and the stone with which it was built was "Ricardo stone". It was in use until 1968.

David the Second built two entirely new churches, and paved the streets of Minchinhampton, Henry David was the driving force behind modern drainage [until the mid-1860s there was only one drain in Minchinhampton, down Well Hill with a link to the White Hart Inn – now the Post Office], and was the major contributor to the new schools built in 1868, Henry George gave the 1698 Market House to the town as a memorial to the Minchinhampton fallen in World War One. He also gave Lower Island to the town to house returning veterans, but sadly the buildings proved to be beyond refurbishment. He arranged the transfer of the Common [which he owned] to the National Trust, so that it is protected, and still there. Had he not done so, the truth is, perhaps, that we would walk up Bell Lane to be confronted by yet another housing estate.

We who live in Minchinhampton are indebted to Henry George Ricardo for our Market House and our Common.

But looking at what happened in Minchinhampton during Minister Samuel Ford's protest is interesting, isn't it? Thank you very much Dr. Beaufort.

Minchinhampton is, and always has been, a small town. Even smaller years ago, when it was run mainly by a small group of people who would inevitably meet and interact day by day. Sometimes they would fall out with each other quite noisily over some project, but then have to work together the following week on something quite different – because they were the group that ran the town.

An example of this was when the Graveyard Fever controversy raged in 1846/7. David Ricardo the Second, the Rector, the Churchwardens and Surgeon Doctor Turner were on one side, the Coroner, Doctor Daniel Smith and others were against them, and the most fearsome accusations were made [including that by negligence, the Rector had caused the death of his own wife and daughter!].

However, life had to go on. All the parties had to return to work together, and to fulfil their roles in Minchinhampton Town. Both after the Graveyard Controversy and after the Sammy Ford Protest, life went on, and everything settled down – and hopefully was forgotten...except by historians such as ourselves.

Brian Lett

Blast From the Past

A REVOLT AGAINST THE RATES IN MINCHINHAMPTON

By Cyril Turk

The Minchinhampton Vestry at successive meetings on April 24th and May 1st in 1758 noted that there had been little response to their notices in Church of a meeting for a new and regular assessment for the Poor Rate; they adjourned again to May 10th. At that meeting it was ordered that a notice should “be fairly written and affixed to the Church door the following Sunday” and that the following notice “should be read by the Clerk after Evening Sermon.” “Whereas at a Vestry held the 10th of May last for altering the Poor’s rate after several Vestries called for this purpose a General Rate was unanimously agreed upon for making the same upon an ‘equitable and just equality as near as may be according to the annual Value of every Parishioner’s Property in Lands, Houses, Mills and Woods liable to be rated in this Parish. “Therefore, all the said Parishioners for the more speedy and easie [sic] completing the said Rate are desired to give in the true annual Value of their respective Estates as near as may be to the Officers at a meeting to be held for receiving such Information on Friday 19th for accomplishing the same.”

What was the reason for this? To find out it is necessary to go back several years into the history of Minchinhampton Poor Rate. The method of assessment for rates in this Parish was a very unusual one. Each rate-payer - 87 for the Town, 97 for the Tithing of Box, Amberley and Rodborough, and 37 for Hyde and Chalford - was assessed at a monthly figure. Thus Samuel Sheppard, Lord of the Manor, was assessed at 9/7d a month; Thomas Pinfold, a clothier at 1/1d a month; William Cook, proprietor of the White Hart Inn, at 8d a month; John Hill, butcher, at 1d a month; and. so on down to the small cottagers, such as John Key, at ½d a month. When therefore the Overseers had decided how much money they needed for the care of the poor during the coming year - Easter to Easter - and had obtained the approval of the Vestry, they set a rate of so many months. In 1735, when the newly obtained workhouse at the far end of what is now Chapel Lane, was coming into use, they set a rate of 82 months. Thereafter for the next eighteen years the demand varied between 69 months and 90 months, with two high exceptions of 100 months in 1740 and 118-1/2 months in 1741; these higher rates being due partly to an increase in the workhouse account to over £270; but also to an increase in the number of those being given relief of rates because of poverty and of those poor whose rents were paid to their landlords by the overseers.

But in the 1750s the rate demands increased rapidly - 114 months in 1754, 114 months in 1755, 150 months in 1756 and 120 months in 1757 - with the workhouse account going up to £430 in 1756 because of the increase in the numbers of poor. In August 1756 the Vestry approved out-payments amounting to £8/15/0d a month to 46 poor, mainly elderly women and widows with children. In June of that year they ruled that in order to “defray the necessary Expenses” for the upkeep of the poor in the workhouse now “much more numerous than of late they were” the Overseer should pay monthly the Governor of the Workhouse “the several sums following”

The Town Overseer	£15
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The Tithing Overseer	£9
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Even so, in October, they had to order an extraordinary one month's payment to the Governor for the "immediate and necessary support of the poor." Discontent was beginning to show in 1754 when the Overseers recorded that they had not collected rates from seven people, among them John Hill, the butcher and Peter Perrett the Overseer in 1734. By 1757 the total of the defaulting ratepayers had reached 31, several of them quite substantial e.g. John Fowler a mercer, rated at 3d a month and therefore due to pay £1-10-0 that year; Daniel Keen, also assessed at 3d and an Overseer in 1741, Samuel Remington of the Tithing who should have paid £3. In 1758 with the rate again set at 120 months there was widespread nonpayment.

Robert Harar, Overseer for the Town, whose demand came to £321, showed £139/1/1d. not collected, Joshua Thomas for the tithing failed to collect £72/1/6d out of a total of £203/12/6d, whilst John Teale for Chalford collected only £34/18/4d out of a demand for £98/10/-.

By now, those not paying spread through the range of ratepayers. Samuel Sheppard paid £57/10/- in 1757, nothing in 1758. John Blackwell, a clothier in Chalford, paid nothing - he was rated at 9d a month. Others paying nothing ranged from Thomas Feuster, a breeches maker rated at 4d, John Hill at 1d and William Smith a clothworker, at ½d.

The Vestry tried, unavailingly to stop the revolt, and then on 10th May, with 12 members present, prepared the notice to be read in Church. At the same time, they tried to ease the Individual burden by extending the rate areas and making liable to rates a) b) c) lands of a yearly value of 20/- to be rated at ½d a month. ½d a month on houses and mills of a yearly value of 40/-. ½d a month on every four acres of woodland. (This was to cause trouble later on.)

On May 19th the Vestry met again, with 19 members now, and recorded that "very few of the Landholders have complied with the said Public Request" to declare the value of their Estate. They therefore adjourned once more to May 25th in order then "to choose and nominate proper persons to view and judge the annual value of each man's Estate". So on that date 35 leading parishioners were appointed to determine "each person's annual profit in Land, Houses, Mills and Woods" and were urged to begin work on May 29th.

Of these 35 Gentlemen, headed by Samuel Sheppard and Rev. Philip Sheppard, 14 had previously been Overseers, Edward Clutterbuck, was an attorney; three were substantial landowners like Samuel Heiron; six were clothiers such as Samuel Peach and Daniel Deverell; four were tradesmen such as the ironmonger Robert Pool and the mercer John Fowler; while one, John Clift, had been Sheriff's Officer.

But, on May 30th Quarter Sessions quashed the 1758 rate, and ordered that payers were either to have their money returned or to have it allowed against future rates. By now the shortage of cash in the Overseer's hands was beginning to show. Instead of receiving the ordered £35 a month, the Governor of the workhouse received in June £23/8/8d, in July £28/19/- and in August £19/10/8d; while from June no out-payments were made to the poor. There are no records of course, but one wonders the effect on widow Clark of the Tithing with five children who lost 10/- a month, on John Stratford, blind, and Ann Mellard, 90 years old, both of Chalford who lost 4/- a month and on Richard Casey, bedridden, of Minchinhampton with his 80 year-old wife who lost 7/- a month. Those are only a few of the 46 in receipt of outpayment whose lives, until the Poor Rate was settled, must have been one

of miserable anxiety. And they had a seemingly endless wait. The Vestry did not meet again until July 24th and promptly adjourned to the 26th and again to the 29th.

This suggests that the 'commissioners' were finding it difficult to get the information they sought. On November 20th the Vestry held a public meeting in the Crown Inn and agreed for "avoiding further difficulties and delays" that "the following seven be Chosen as a Committee for making and settling the said Rate upon the most equitable and just Proportion as they judge shall be most reasonable". The seven were Thomas Deverell, Nathaniel Perks, Samuel Whitmore, Samuel Heaven, Joseph Mayor, James Chambers, junior, and John Clift.

Now a solution was in sight. On January 15th, 1759, the charges for lands were agreed. On April 4th the Vestry accepted the Quarter Sessions order and at Easter 1759 the new Overseers, Thomas Saunders, Daniel Day and John Isles, levied a rate now no longer at a monthly value, but at 3/6d in the £. It is difficult to assess the impact of the charge on individual ratepayers. The number liable to rates increased - the Town list shows 25 new names. Some paid more - the Rev. Philip Sheppard, assessed at 7/3d a month paid £43/10/ in 1757, £43 in 1759 and a further £5/11/7d in 1759. John Blackwell, assessed at 9d paid £4/10/-- in 1757, nothing in 1758 and £6/7/4d in 1759; while John Fowler assessed at 3d paid £1/10/- in 1757, nothing in 1758 and only 9/7d in 1759.

So, the revolt was over. But the vestry was not clear of trouble. In April 1759 Samuel Sheppard appealed to quarter Sessions that his rate was too high and that his woods should not be chargeable. In July 1760 the verdict came. The charge of £13/2/6d on his houses and tenements was too high and should be £9/7/6d and no more. As to the woods, Sessions found he had 250 acres of woods, with no coppice; much beech was cut for firewood at 23/- to 26/- a cord; and such wood was 30 to 80 years old and 10 to 20 ins, square. It was sold also for gun stocks, saddle trees, cardboard and building and pigs ran in the woods. They found therefore that the woods were not liable to Poor Rate by law and the Vestry lost £11/1/-.

Dates for your diary

2026

Apr 17 – The Market House – Ian Mackintosh – Life and Times at: Longford Mills and Ham Mills

May 22 – The Market House – The Shop at No 6 High Street – Robert Smith

Jun 19 – The Market House – Stroud Workhouse – Charles Townley

Sep 25 – The Market House – Minchinhampton and the Civil War

Oct 30 – The Market House – John Putley – Witchfynder - History of witches and tales of Gloucestershire witches

Nov 6 – The Market House – Andy Meller – The Glosters at Waterloo.

Dec 11 – The Market House – Patrick Furley – Magic Lantern Christmas Show followed by AGM.

2027

January - Howard Beard – Talk TBA

Feb 19 – Gareth Howell – Medieval Medicine –

Mar 19 – Barry Simon – The History of Aviation in Gloucestershire

Apr ? Simon Draper - Lordship in the Landscape: Medieval Manors in the Cotswolds

May 21 – The Market House - Titanic - A 1912 magic lantern show and associated commemorative material

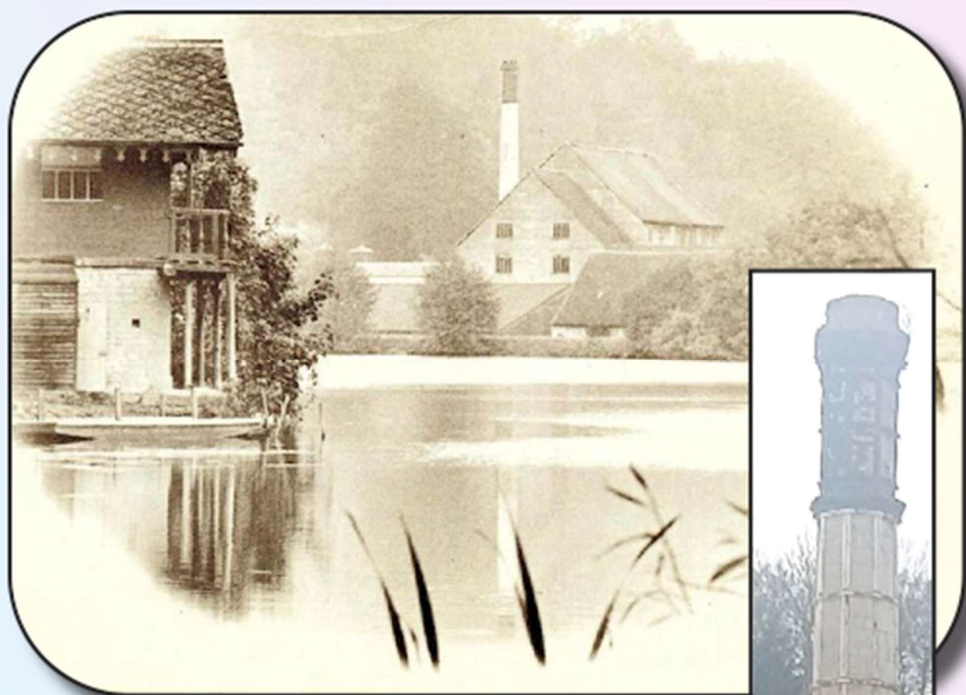
Sep 17 - The Market House – Tony Carver – Gloucestershire & Slavery

Oct 15 – The Market House – Funerary Monuments in Gloucestershire

Nov - TBA

Dec 10 – The Market House – Kirsty Hartsiosis – Christmas Ghosts of Gloucestershire

WOOL, WATER and



WEALTH

How Longfords Mill, Nailsworth, and its many neighbours in the Stroudwater Valleys moulded the world we live in.

A talk by retired history teacher Ian Mackintosh, a founder member of Stroud Preservation Trust and Stroud Textile Trust.

Friday April 17
Minchinhampton
Market House

Tickets £5 cash only from the Premier Market Store, Minchinhampton, (£4 for members of MLHG) or on the door, cash or card. Licensed bar. Doors open at 6.45pm, talk starts at 7.30pm.

