

Contention over the Town Pool 1854

In the south-east part of Market Place there was an unfenced insanitary pool known as "the Town Pool or 'Cook Stoole Pond', whose pollution by offal and other rubbish was a long-standing cause of complaint".¹ After unsuccessful attempts to fill in the pool in 1845 and 1854, it was finally done away with in 1861.

After the failed attempt in 1845, the matter was raised again in the context of a Vestry meeting in May 1852 to discuss the most efficient means of dealing with fires. A motion was proposed that a committee look into the feasibility of making the Town Pool into a reservoir. After a "strong" discussion, the chairman, Charles Faulkner, vacated the chair, which was assumed by his son, C.D. Faulkner (25). The motion was rejected by a considerable majority of ratepayers present.

A new attempt to fill in the stagnant pool was made in August 1854, prompted by the recent cleansing of the pool. At a Vestry meeting attended by 37 ratepayers chaired by Rev. Brogden, Mr. John Calcutt, the Postmaster and a prominent Wesleyan, proposed, seconded by C.D. Faulkner, that the pool be filled-up, and replaced by a well which could be used as a reservoir in case of fire.

This was opposed by Mr. Gibbard, a farmer, who proposed an amendment, seconded by Mr. Edward Hatten of the King's Arms, that the pool remain as it was. Another amendment, that the pool be filled-up altogether, was proposed by Mr. Samman, draper, and seconded by Mr. Scroggs, a local auctioneer.

The largest vote was in favour of the *status quo*, which when announced C.D. Faulkner demanded a poll of ratepayers. This was set for the following Friday between 4 and 8 o'clock at the Town Hall. How ratepayers voted was a matter of public record.²

In the poll the *status quo* prevailed because of the multiple votes (up to 6) cast by landowners (essentially farmers). 74 ratepayers voted, casting 138 votes between them. The official result was 71 votes for Mr. Gibbard's amendment that the pool remain as it was, 67 votes for Mr. Calcutt's proposition to fill-up the pool, and none for Mr. Samman's amendment.

During the poll several farmers "looking at the list of those who had voted, made use of very illiberal language, because these persons had voted against their (the farmers') views."

Had the farming community not been entitled to multiple votes, the result would have been 53 votes for filling-up the pool and 21 votes for no change.

It was immediately alleged that some votes had been illegally cast by ratepayers who had not paid their poor's rate. Mr. Calcutt demanded a scrutiny of the votes, which the Vicar refused.

¹ 'A History of Deddington, Oxfordshire', by (Sir) H.M. Colvin, 1963, p. 7.

² There was no secret ballot until the Ballot Act 1872.

Mr. Calcutt has been charged with intimidating one of the overseers to give up the Rate Receipt Book, which the Vicar wished to keep in his possession, and which has been denied by the overseer in question.

After inspecting the parish Rate Receipt Book, Mr. Calcutt circulated a statement giving a majority for his proposition of 63 (after discounting 4 illegal votes) to 57 (after discounting 14 illegal votes), but Brogden declined to re-open the issue.

The *Banbury Guardian* observed: "A good deal of feeling has been manifested by those who oppose the improvement, and an attempt has been made - most injudiciously - to stigmatise it as a dissenters' movement."

The open correspondence between Calcutt and Brogden immediately following the disputed poll was published *in extenso* by the *Banbury Guardian*:

- letter (26 July 1854) from Calcutt, seeking a meeting with the Vicar to discuss an appropriate mode of enquiring into the legality of the votes cast;

- letter (26 July 1854) from Brogden that he had nothing to add to his previous advice at Vestry that Calcutt should seek legal advice, that Calcutt had declined to call at his house to inspect the rate book, and declining a meeting;

- letter (28 July 1854) from Calcutt, posing a series of questions:

Did not Brogden instruct Henry Churchill (solicitor), the Vestry Clerk, to take counsel's opinion;

Did not Churchill decline to act unless instructed by the parish officers;

Did not Churchill refuse to allow the illegal votes until Brogden insisted contrary to his advice;

Were not such votes entered under formal protest by Calcutt;

When will legal advice be sought;

Is Brogden trying to evade making a legal and correct declaration of the poll, and to prevent a scrutiny ?

- letter (26 [sic] July 1854) from Brogden, headed "Close of the Correspondence", in which he sought to ridicule Calcutt, "a Protestant Dissenter of the parish", calling him "Sham Officer of the Pope" and "Grand Inquisitor of Deddington".

The *Banbury Guardian* report concludes with the text of a handbill published by Calcutt addressed to the ratepayers of Deddington who voted in support of his motion. Calcutt accused the Vicar of refusing to give straight answers, and cited the law that disenfranchises ratepayers who fail to pay the poor rate, which was stated by Henry Churchill at the time.

The *Oxford Journal* reported that party spirit ran very high on the occasion of the poll, and had given rise to the circulation of the following squib:³

³ A short piece of satirical writing.

DEDDINGTON POOL SWEEPSTAKES. - Mr. Gibbard's Rate-payer 1; Mr. Calcutt's Objection 2; Mr. Samman's Execution 3. This event came off on the 21st ult.; a good start was effected. Objection taking the lead, which he maintained to the distance post, when Ratepayer went in and won by a neck. A capital race. Execution broke down. Duplicity made a false start and bolted. Betting at starting, 3 to 1 on Objection, whose backers were very sanguine. Much money changed hands on the occasion, and all bets were paid at 'the Corner.' The 'Knowing ones' were taken in.

Copies of the correspondence and several handbills may be found in the Coggins Scrapbooks, Volume 2 (1855-1888), folios 98b-98h.⁴

There was a near fatal accident at the pond in April 1857. A child fell into the water, which was about 4ft. deep, but was rescued by the praiseworthy exertions of Henry Mullins, saddler, whose workshop faced the pond, who jumped in. This was not the first time that Mullins had had to rescue children from the pond. The *Banbury Guardian* correspondent commented: "In fact, the pond is a public nuisance, as well as being very dangerous. It ought to be properly railed in, and formed into a reservoir for water in case of fire."

The Town Pool was eventually filled-up in 1861, seemingly without contention, with an ornamental pump over. A metal cover on the green in Market Place, behind the bus shelter, now marks the spot.

⁴ There are transcripts in:

https://www.deddingtonhistory.uk/data/assets/pdf_file/0015/17016/Scrapbook2nonnewspapertranscripts.pdf