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A table of contents for *The Baptist Quarterly* can be found here:

[https://biblicalstudies.org.uk/articles\\_bq\\_01.php](https://biblicalstudies.org.uk/articles_bq_01.php)

# The Caleb Baily Charity

A SOMEWHAT unusual charity, now nearly 200 years old, is fortunate in having retained consecutive Account and Minute Books since 1800, and a good number of documents,<sup>1</sup> largely owing to the Treasurership<sup>2</sup> having been in the hands of one family throughout.

Caleb Baily\* of Berwick Bassett in the County of Wilts, who died about 1750, directed that eleven local gentlemen named in his Will of 1749, should by the sale of his goods and recovery of his debts, raise money and give the interest thereof to "persons who shall preach or study to be fit to preach to congregations of the Presbyterian, Baptist or Independent denominations".

The Trust involved property being "the Moiety of an Estate at North Bradley, Wilts" mortgaged in 1746 and 1748 for a total of £1,000, at 5 per cent, and because the interest payments lapsed, the Trustees took possession of the estate about 1761, having appointed one of their number, Richard Whatley "as their Attorney".<sup>3</sup>

Twenty years later almost all the original trustees had died and the Executor of three of them comes into the picture, by name Richard Thring. He suspected that something was seriously amiss with the Trust and instructed R. Griffiths of Marlborough to investigate. Mr. Griffiths found that by 1781 nearly £2,000 had been due to the Estate for Principal, unpaid Interest and Expenses for ejection and taking possession of the Estate. His full report dated 1783 contains many accusations against Mr. Whatley; for example: "It seems extraordinary that the greatest part of the rent has been swallowed up in repairs and taxes", that the "£310 charge for an 'accountant' should certainly be struck off", that a further £300 is not accounted for, and that Mr. Whatley's purpose seems to have been to "create as small a balance as could be in favour of the surviving Trustees". Evidently Whatley was charged with embezzlement in a Bill of Complaint as there is a detailed Answer to the charges, sworn by one John Jelly (or Jolly) in November 1784, and from it we gather that Whatley had died in the meantime.

Nothing daunted, however, Mr. Thring pursued his investigations until the whole scandal was cleared up and the Trust reconstituted in a new Deed of 1789 with more adequate safeguards. His death in 1830 is referred to as "the decease of the venerable and highly esteemed Trustee Mr. Richard Thring, to whose persevering and active endeavour, the Charity was after years of misapplication restored to its present state".<sup>4</sup> Thus the persistence of one man, unassisted by Public Auditor or Charity Commissioner, won the day. One wonders whether Mr. Thring considered not only Attorneys but Ministers of Religion might be tempted to feather their own nests, for the new

\* The original spelling, changed to Bailey in the 19th century and this has been the usage of the Charity Commission for many years.

Deed of Assignment of 1789 states "No trustee may be an Attorney at Law or a Minister of the Religious Societies" named in the Will.

During the years 1783-1789, Mr. Thring recovered £870 capital and collected £360 rent. He paid out £557 "to the several ministers as per receipts" and £600 was used to purchase £768 in 3 per cent Consolidated Bank Annuities.

A balance was struck in 1789 of £1,502 for Principal and Interest "the debt being at that time when the estate cleared about £50 p.a. more than the estate was worth".<sup>5</sup> Mr. Thring recorded that he had made an offer to the heir-at-law, Mr. Trenchard, to take to the Estate and "he declined having anything to do with it".

There is a map headed "Map of an Estate within the Parish of North Bradley in the County of Wilts with the Division or Partition of the same as made by the Commissioners of the Bradley Enclosure in April 1807 between Mrs. E. Crosdill and Mr. Richard Thring and Others". The Home Estate comprised 68 $\frac{3}{4}$  acres and the Detached Estate 87 $\frac{1}{2}$  acres, the latter now being vested in the Trust.

A minute of July 1807 records "partition of the Estate at North Bradley hitherto held in undivided moieties between the Trustees of the late Mr. C. Baily and Mrs. Crosdill being completed, it was agreed that Mr. Thring and Mr. Whitaker should sell what timber they saw fit in order to pay the expenses of the said partition" etc. "Also make new agreements with the several tenants at such advanced rents as they should think proper".<sup>6</sup> In July 1808 it is stated that the timber sold realised £266 and the new rents were:

William Francis	£52
Jeremiah Francis	£72
James Bennett	£16 £140 p.a.

the tenants paying all Rates and Taxes except Land and Property Tax.<sup>7</sup> However in 1823, these rents were reduced to £118.<sup>8</sup>

In 1880 the area known as Norris Hill Farm, about 31 acres, was sold for £5,000 to Mr. W. R. Brown.<sup>9</sup> A small area about 1 $\frac{1}{2}$  acres had been sold for £130 to the Wilts, Somerset and Weymouth Railway Company,<sup>10</sup> and in 1856 W. Stancomb purchased about 5 acres of woodland for £105.<sup>11</sup>

In 1892 Mr. J. S. Whitaker made a detailed report of the remaining property totalling 35 $\frac{1}{2}$  acres and recommended a reduction in rent to £60 p.a. tithe free (nearly £9).<sup>12</sup> Between 1908 and 1910 efforts were made to sell the property to the Tenant for £2,000, later reduced to £1,800, and to the Small Holdings and Allotments Committee for £2,000 but no sale resulted.<sup>13</sup>

The property had been vested in the Charity Commissioners in 1881<sup>14</sup> and as by 1919 the net income was only about £48 p.a. the Trustees obtained permission to sell the property.<sup>15</sup> The Auction took place in 1920 and so for the last time we read the names of the fields and the tenants that occur so often in the accounts:—<sup>16</sup>

	<i>Acres</i>	<i>Sold for:—</i>	<i>Buyer</i>
Drynham Pasture ... ..	8½	£725	Mr. Pocock
Slob Lease Pasture ... ..	5½	£390	Mr. Townsend
Woodmarsh Pasture ... ..	9¼	£810	Mr. Bristow
The Breach Pasture ... ..	10½	} £950	Mr. Francis
Ireland orchard & cottage ...	1½		
<hr/>			
£2,875			gross, £2794 net.

Thus over a period of 137 years, we can trace the economic details of the management of this property, set aside for charitable purposes—recording amongst other things not only property and land taxes, but items for thatcher and straw, mason and bricks, tyler (sic) and drain pipes,<sup>17</sup> “part of a well rope 1/3d,”<sup>18</sup> “standing of the hats,”<sup>19</sup> lady’s silver 4½d,<sup>20</sup> rates for new roads,<sup>21</sup> emigration rate 3d per acre,<sup>22</sup> and even “rebuilding” a cottage in 1853 for £40!<sup>23</sup>

So much for the property, but the administration of the Trust is equally interesting. The new Trustees appointed by the Deed of 1789 were six in number, two from each denomination, namely:—

Independent—Richard Thring, Wilton, and Henry Blatch, Winterbourne Dancy.

Presbyterian—John Moggridge, Bradford, and Thomas Nalder, West Kennett.

Baptist—Stephen Witt, Romsey, and Philip Whitaker, Bratton.

The first of the three Account and Minute Books dates from 1800.<sup>24</sup> It was the custom for the Treasurer to hand to each Trustee a one-sixth share of the net income available from the previous year (£18 in 1800). Each Trustee had a small notebook in which he entered the gifts made, and at the following annual meeting, this book was audited against the receipts produced and signed by the other five Trustees, as was the Treasurer’s account. We get an interesting picture of the six gentlemen travelling by horse transport to a succession of local inns<sup>25</sup> for a meeting at noon, with a meal about 2 o’clock, enjoying the social intercourse, but also, of course, holding serious discussion about some of the needy cases helped during the year, as well as about any problems connected with the property.

Several of the notebooks survive, the oldest beginning 1821. Unfortunately they give only the name and address of each recipient, with no details of the circumstances, but two letters exist, written to a new trustee in 1900 by the then treasurer.<sup>26</sup> These describe the working of the charity very fully, including advice not to distribute at once the whole of the year’s cheque sent him (£32) “as needy cases may present themselves as the year goes on” and that not more than £5 is usually given to the same person during the year. It was emphasised that students and lay-preachers could be helped as well as ministers and several of the notebooks have a reminder that gifts were made to people, not places,<sup>27</sup> showing that this was a very individual charity based on personal and often local knowledge. There were no strings attached to the gifts; true, they were often used to buy

books, especially by students, but lay-preachers also needed help in those days for bicycle repairs as well as books, whilst ministers had heavy expenses when illness struck in the home, or permanent disablement. Even today, in the era of the National Health Service, the gifts have helped to meet expensive travelling for hospital visiting. One £5 gift between the Wars paid for a Sunday suit, which alas would not be possible today!

Officialdom first appears in the record in 1833,<sup>28</sup> when Philip Whitaker, as treasurer, "attended" two of the Commissioners appointed under Seal to enquire concerning Charities, at the Bath Arms, Warminster. He says he exhibited all deeds and accounts of the Trustees, "explaining the manner in which the Charity was distributed, and proof connected with seventy years possession of the estate that no heir at law could claim it". The Commissioners were satisfied with the management of the charity but advised a new conveyance of the Estate to the Trustees of later appointment.

Over the years there are many cases where son has succeeded father as Trustee, but the outstanding record is that of the Whitakers. Philip, appointed 1789, served 58 years, being Treasurer until he died in 1847. His son, Joshua, already a Trustee since 1833, then became Treasurer. At his death in 1865, his son followed, named John Saffery Whitaker after his maternal grandfather, the Rev. John Saffery of Salisbury. J. S. Whitaker held office until he died in 1915 but his son, Philip John, served only two years before dying as the result of an accident. However the family link was not broken, for the successor was J. S. Whitaker's son-in-law, Robert J. W. Reeves, who was Treasurer/Secretary until he died in 1936, when his daughter followed, Kathleen M. Reeves.

After the sale of the property in 1920,<sup>29</sup> the Charity Commissioners suggested, in 1922, constituting three separate charities for the three denominations, apportioning the funds held equally between the three, and appointing as Trustees in each case, the central body of the Denomination.<sup>30</sup> As might be expected, this plan did not commend itself to the Trustees, and they replied pointing out that the charity had always been more or less a local or West Country concern, which they felt would have been the wish of the Founder, and that most of the recipients of gifts were known to them personally.<sup>31</sup>

The Charity Commissioners replied that they would not press for this alteration<sup>32</sup> and a new Scheme was made in May 1923.<sup>33</sup>

This stated the Stock held as:

£4962. 7.8    2½% Consolidated Stock  
 £3974. 7.     4% Funding Stock 1960-90

It reappointed the six existing Trustees for life:—

Independent—W. N. Haden, Trowbridge and J. F. Beaven, Holt.  
 Presbyterian—John Gardner, Swindon and J. G. Corfield, Portishhead.

Baptist—R. J. W. Reeves, Bratton and E. J. Lee, Melksham.

It provided that future appointments should be made at a special Trustees meeting, for five years only, but with reappointment per-

missible, no solicitor or minister of religion being eligible; trustees must meet at least twice a year and "the benefits of the charity shall be made" at Trustees' meetings and not separately by any individual Trustees; no remuneration to be made to Trustees, including any one of them appointed as Clerk.

So the six Trustees continued to meet regularly, but twice a year instead of once, and now they brought the names of those whom they would like to help and discussed the cases fully, after which the Treasurer wrote the individual cheques and sent them to the Trustees concerned for forwarding. Since 1881<sup>34</sup> the meetings had been held in a private room at the George Hotel, Trowbridge, with lunch there afterwards, but the 1939 War stopped this and meetings since have been at the Tabernacle Church in Trowbridge.<sup>35</sup> Until 1954, £5 was usually the maximum grant, though sometimes another Trustee would nominate the same recipient by arrangement and all along the Presbyterian Trustees tended to give £10 sums to their ministers. Each denomination had one-third of the available income to allocate, subject to the approval of the meeting.

Latterly, names have generally been suggested by Area Superintendent, Moderator or College Principal; sometimes gifts have been made to foreign students at college in this country and also to women ministers and deaconesses. It has become the custom not to make a grant to anyone no longer able to preach. The meetings have throughout the years, provided valuable inter-denominational intercourse.

In 1936 the income was £285 p.a. In 1962/3<sup>36</sup> the 4 per cent Funding Stock was changed to 3½ per cent 1999/2004 (income £332) and later in 1970<sup>37</sup> was invested in the Charities Official Investment Fund, involving a drop in income but "with a view to gradual appreciation of capital value". The 1974 income has been £312.

The uniting of the Independent and Presbyterian denominations in 1972 necessitated reference to the Charity Commissioners as to future procedure, and it has now been agreed that future Trustees shall be nominated by the central bodies of the United Reformed Church and the Baptist Union, through the Western Area leaders.<sup>38</sup> This will retain the local angle and presumably future meetings will be in Bristol, thus saving travelling expenses. The debarring of solicitors and ministers of religion is being dropped.

The writer regrets the close of a family connection extending through 185 years and has felt it fitting to put this on record before depositing the documents in the Wiltshire Archives.

#### NOTES

<sup>1</sup> *Categories of Documents*

- A Copy of Caleb Baily's Will 1749 and Deeds relating to Property 1745-48 with Accounts 1746-83.
- B Trust Deeds 1789/90, 1812, 1833.
- C Documents relating to property under the Trust:—
  - (a) Concerning Whatley/Thring dispute 1783.
  - (b) Division of Estate 1807 (including Deed and Map).
- D Accounts:—
  - (a) 1783-92. Mr. Thring.

