Ellen Hinde and the Old Prebendal House

A Storm in a Teacup?

Ellen Hinde was the daughter of Philip Reginald Egerton, Founder and first Headmaster of Bloxham School, and his wife, Harriet. Philip and Harriet were first cousins, and before marrying her he had asked his friend Bishop Wilberforce whether he should go ahead. Wilberforce's response was typical of the pragmatism of the Victorian church. He advised Egerton that he should ask himself three questions. One, was it lawful? Yes. Two, did he love her? Yes. Three, was her side of the family wealthy? Yes, while his was not. The marriage went ahead. Nellie, as she was known to her family, was born on 23 September 1863, and grew up at the school. The Wellingtonia which stands to the west of the school's Great Hall was planted by the Founder to commemorate her birth. She grew up as an only child and married her second cousin Frank Hinde, son of Major-General John Hinde, C.B., at St Mary's, Bloxham on 28 October 1890. They had two children, a son John and a daughter Margaret.

When the 1891 Census was taken, Frank and Ellen were living at Park Close in Bloxham, but by 1901 they were living at Sawbridgeworth near Bishop's Stortford in Hertfordshire, where Dr. Hinde was the local G.P. By 1911 they had moved to Aldington near Hythe in Kent. Her mother died in 1907 after years of coping with mental illness, and following her father's death in April 1911, Mrs Hinde became an increasingly important figure in the life of Bloxham School as its last remaining link with the Founder, regularly revisiting Bloxham to present prizes or attend the annual celebration of All Saints Tide. Wishing to return to the area, Ellen Hinde bought a house and 90-acre farm, complete with a tithe barn, in the village of Shipton-under-Wychwood in 1912, and this is where we come to the complex matter of prebends and prebendaries.

A prebend is the portion of the revenues of a cathedral granted to a canon as his stipend. During Henry I's reign the original church of Shipton was granted to Salisbury Cathedral as a prebend to provide an income for a canon; he would have been a prebendary and rector of Shipton, with title to the Shipton tithes, the churchyard and the church of St Mary the Virgin, which was mainly built in the 13th century on the site of the earlier church. It seems that a new house was built on part of the churchyard, and it is this house, much altered and expanded, which is now known as the Old Prebendal House. In 1892 the house and estate, then called Parsonage Farm, passed to Thomas Brookes, who was probably already the tenant, and on his death in 1909 it was put on the market.

Having bought Parsonage Farm for £3,625, the Hindes changed the name to the Prebendal House and embarked on a costly programme of building improvements. The architect Ellen chose was another of her cousins, Oswald Milne. His father William Milne had been Clerk of Works to the great Victorian Gothic architect George Edmund Street, who had been responsible for the original buildings of Bloxham School, and William had, as we have seen, carried on Street's work when he became preoccupied with his masterwork, the Law Courts in the Strand. The local firm of Alfred Groves & Sons was given the extensive conversion job, which involved building a porch

and front door at the east end and a new South East wing. When taken with gabled windows and newly-landscaped gardens the work had the effect of converting (in the words of Christopher Heath) 'a plain but substantial farmhouse into quite a stately home.'

On 1 July 1914 Bloxham School's Camera Club was invited to visit the Hindes, with half of the party cycling from Bloxham to Shipton and the rest taking the train to Chipping Norton where they were met by Mrs Hinde's motor. One of the participants left a detailed account of what happened that Wednesday afternoon, from which we know that the cyclists took two hours and forty minutes to get from Bloxham to Shipton, including a stop in Chipping Norton for refreshments, while the train party inspected the village church. He goes on to say:

Those members who had cameras then wandered about the grounds taking photographs, until we all eventually assembled under a big tree, where the Headmaster took some photographs of the group, causing much amusement owing to the number which he took. We then proceeded to have tea in a lovely old half open barn and, needless to say, we enjoyed it very much. After tea Mrs. Hinde escorted Mr. Wilson, the Chaplain, and most of the boys over the house. We marvelled at the size of the house, and wondered if we were ever going to see all of it; but what interested us most was the number of bedrooms.

11 I don't know if anyone spotted anthing significant about the date of the Camer Club's visit to Shipton; it came three days after the assassination of the Archduke Franz Ferdinand in Sarajevo. The poignant photograph taken under the tree that day records an idyllic tea party, but little could Ellen Hinde or any of the pupils in the photograph suspect that events unfolding in the Balkans would have such a massive impact on all their lives, by unleashing the July Crisis which resulted in the outbreak of the First World War. By the time the boys returned to school in September the war had been raging for a month.

Ellen's son John Egerton Hinde enlisted as a private in the Inns of Court Regiment, but was later commissioned as a 2nd Lieutenant in the Royal Field Artillery, being wounded in September 1916. His son, Hugh Hinde, recalled that towards the end of the war, John was wearing a *pickelhaube* picked up by another soldier as a souvenir when a shrapnel burst blew it apart on his head fracturing his skull. His own helmet was elsewhere and he had put on the one that was handed to him - this was just as well because he would otherwise have been more badly injured.

As for Frank, he served as a Temporary Lieutenant in the Royal Army Medical Corps, but it is unclear whether he was still living with Ellen by this time, as he was not listed as living at the Prebendal House, and the family confirm that the couple separated, with Ellen's extravagant spending being a major bone of contention. Frank is nowhere mentioned in the regular references to Ellen in the *Bloxhamist* magazine for the remainder of his life (he died in 1948).

Other than John's wounds, Ellen's life proceeded without incident during the war. Early in the war, part of the house was converted into a convalescent home for wounded servicemen. She acquired a new motor-car and it was used to collect wounded soldiers from the railway station

in Shipton. The presence of convalescent soldiers in the house must have had an unsettling effect on Ellen, as it certainly did on some of her housemaids, whose heads were turned by the young men. In other areas, too, the war had an impact on the daily lives of those living at the Prebendal House.

Life in Britain during the First World War was increasingly affected by the sweeping powers given to the Government under the Defence of the Realm Act, which passed through the House of Commons in five minutes with no debate and little scrutiny on 8 August 1914. DORA, as the Act was known, gave the Government the power to suppress published criticism, imprison without trial and to commandeer economic resources for the war effort. The beer was watered down, clocks were put forward for the first time, British people were forbidden to feed bread to dogs, ring church bells, fly kites, whistle for a taxi, loiter near bridges, buy binoculars or spread rumours about military affairs.

(Can you imagine the Government today interfering in its citizens' everyday lives to such an extent?)

While food rationing was not the prominent feature of British society during the First World War that it would be in the Second, the country did suffer from severe food shortages and price rises as the Germans' introduction of unrestricted submarine warfare in 1917 started to bite. **13** By early 1918, ration cards had been distributed for meat, butter and margarine and shop owners were asked to send details of tea, butter and margarine stocks to the Food Control Committee. Hotels and restaurants were informed that two meatless days a week were to be observed, Tuesday and Friday and Wednesday and Friday outside the capital. No more than 1 ½ oz. of bread, cake or bun could be served with afternoon tea, and guests had to provide their own sugar.

The appointment by Lloyd George of his friend Lord Rhondda as Minister of Food Control in June 1917 brought a new seriousness of purpose to the authorities' response to the country's dwindling food supplies; he was an energetic Liberal peer who as D.A. Thomas had been a successful industrialist and M.P. for Merthyr Tydfil, and he had been aboard the *Lusitania* when she was torpedoed in May 1915, surviving the sinking along with his daughter. His survival led to the headline in the Cardiff *Evening Express* that read 'Great National Disaster. D. A. Thomas Saved'. One of Thomas' old colliery workers, on being told that he been in the ship when it had gone down, declared, 'I will wait till tomorrow. He always comes out on top, and I promise you this: he will come to the top of the water again with a big fish in each of his hands.'

He was right. Thomas was given a peerage the following year. He was one of the businessmen appointed to the Cabinet by Lloyd George to introduce business methods and a sense of purpose to the government in war time. These 'men of push and go' (a term coined by Lloyd George in a speech in March 1915) also included the newspaper magnate Lord Beaverbrook (Minister of Information) and the railway boss Eric Geddes (Minister of Transport). Among the measures Lord Rhondda took to address food shortages was the vigorous prosecution of those suspected of

food hoarding. Lists of those found guilty and punished became a familiar sight in the last year of the war

Ellen Hinde's peaceful existence was shattered on 29 January 1918, when Superintendent Thomas Allmond, armed with a warrant from the Ministry of Food and accompanied by P.C. Page, called at the Prebendal House. Mrs Hinde was not in, having been away in London since October, but Supt. Allmond read the warrant to one of the servants and confiscated large quantities of tea, later established as being 112 lbs 4 oz. (10 lbs of tea were left behind), as well as 35 lbs of coffee and an unspecified amount of cocoa. Mrs Hinde was prosecuted under the Food Hoarding Order No. 117, dated 5 April 1917, and the case was heard at the Chadlington Petty Sessions (what would now be called the Magistrates' Court) the following month (13 February) before a distinguished group of magistrates, many of them doubtless known to the accused, including Lord Moreton, Colonel Hall, and the Chairman, Captain Waller M.V.O.

Mr Andrew Walsh appeared for the police and Mrs Hinde was defended by a well-known and presumably expensive King's Counsel, Mr J.B. Matthews, instructed by the fashionable London solicitors Messrs Bell, Broderick, and Gray. The case involving tea was heard first. Mr Walsh argued that it was impossible to see the accumulation of 122 lb of tea as 'anything but a collection or hoarding of tea in its worst aspect.' He asked for such a penalty as would act as a deterrent to others, as well as for the confiscation of the tea. Mrs Hinde's defence, apart from claiming to have been unaware of the Food Hoarding Order, was that she ordered her tea and coffee in large amounts, enough to last a year, because it saved her trouble, and that 'she did not see that she had been robbing poor people of supplies.' She stated that all the ordering of groceries for her household was done by her housekeeper, Miss Mary Evans. She also claimed to have given away upwards of 1,000 packets of tea to soldiers and neighbours, and to the poor in Bloxham and in the East End of London, where like her father before her, she was engaged in charitable work. The tea came from her tea merchants, Ridgways of London, who had informed her in September 1915 that they could supply her with tea more cheaply if she ordered it in larger quantities.

Two chests, each containing 100 lb of tea, had been ordered by the housekeeper, and despatched by Ridgways from Paddington on 12 November 1917, arriving at Shipton under Wychwood Station the following day. Mrs Hinde was in London when they arrived, and she only returned to Shipton when she received a telegram from her cook informing her that her home had been raided by the police.

Mr Matthews contended that the household consisted of eleven persons, not nine as the police stated, (in addition to Mrs Hinde and her son and daughter, there were eight servants), and that the 35 lbs of coffee seized was a reasonable amount considering the size of the household 'and the situation of the house locally.' The magistrates accepted this argument and the charges relating to coffee were dismissed along with those relating to cocoa. On the main charge, Matthews based his defence on the proposition that tea was a drink and not a food, and so was

not covered by the Food Hoarding Order. Unfortunately for Mrs Hinde, the Magistrates concluded that in their opinion tea **was** a food and therefore did come within the regulations. They fined Mrs Hinde £50, with £10 costs, and the tea was confiscated. The shock and humiliation of this verdict for a respectable lady and pillar of the community, handed down by her social peers, must have been considerable.

This was not the first case to turn on the question posed by Mrs Hinde's lawyer – could tea be classed as a food? In the same month as the police visited Shipton, a prominent Coventry businessman, Oscar Harmer, had been found to be hoarding 400 lbs of tea, 11 lbs of sugar, 37 tins of sardines, 14 hams, 26 ½ tins of tongue and 13 tins of butter, and he had been sentenced to one month's imprisonment, along with a £500 fine with £50 costs. There is a clear sense from the court records that the magistrates were determined to make an example of someone in Harmer's position in society, and in comparison, Ellen Hinde seemed to have got off lightly. However, an appeal by Harmer's lawyers on 20 April 1918 resulted in the dropping of the charges relating to tea, a reduction in the fine to £60 to cover the butter and sugar, and the quashing of the jail sentence (Harmer, a man of 70, had been out on bail pending the appeal). The editors of the magazine *Justice of the Peace* queried whether tea, coffee and cocoa could be considered food, pointing out that tea leaves were used in the preparation of liquid tea but were not themselves consumed. All over the country, other cases were raising questions about the hastily-introduced and poorly-drafted legislation issuing from the Ministry of Food.

Five days after Oscar Harmer's appeal, Ellen Hinde's appeal was heard on 25 April 1918 before the King's Bench Divisional Court by Justices Darling, Avory and Shearman. All three were eminent judges; Darling sat on the appeal of Dr Crippen while Avory had been prosecuting counsel in the trial of Oscar Wilde. One wonders whether Mrs Hinde, entering the **25** magnificent Royal Courts of Justice in the Strand, was conscious that the architect responsible for the buildings was the same one, George Edmund Street, who had built Bloxham School for her father fifty years before. Matthews, once again appearing for Mrs Hinde, based his defence case on the argument that the word 'food' meant something that was eaten, and one would not ask a friend to 'eat tea'. The judges were convinced, declared that tea was not a food under the meaning of the Food Hoarding Order, and quashed Ellen Hinde's conviction. The brand of tea at the centre of the case, Ridgways, is still made, but it now comes in teabags and is made by Typhoo.

Hinde v Allmond 1918 became a landmark case which lawyers still regularly refer to. It was the precedent cited in a case brought by Sainsbury's against the Customs & Excise in 1992, when the issue was over a concentrate added to the supermarket's soft bread rolls, and again when a tea merchant appealed to the Indian Supreme Court in 2003 against the government of the state of Tamil Nadu.

On that occasion the Times of India quoted the words of Justice Darling, who had said: 'No one sits down and eats tea... What one drinks is not the tea, but water which is passed through the tea leaves so as to make an infusion which is known as tea.'

A furious Lord Rhondda wasted no time in closing the loophole demonstrated by the Hinde case. The Food Hoarding (Amendment) Order was published on 3 May 1918 and made it clear that the expression 'article of food' included 'every article which is used for food' and 'shall include tea, coffee, and cocoa'. This order, which did not receive parliamentary scrutiny, was a good example of the greatly enhanced powers assumed under the Defence of the Realm Act by the British Government during the Great War, something which concerned many people at the time and since.

Ellen Hinde's case had been quashed, the fine and costs remitted and her tea returned to her, though Mr Justice Darling elicited laughter in the courtroom by interjecting, 'assuming that nobody has drunk the stuff meanwhile.' One wonders what impact the ordeal of her court appearance had on Ellen Hinde, especially after Mr Justice Shearman remarked that 'it was not very patriotic to have laid in such a large stock of the article.' Mr Justice Darling, clearly the court's resident comedian, concluded that 'I will assume she was hoarding it to give to wounded soldiers', leading to more laughter in court, though since her home was being used as a convalescent home, this seems a reasonable suggestion.

By now Ellen and Frank were leading separate lives. He went back to working as a Doctor in Aldington until 1920, and then returned to Oxfordshire, living in Hook Norton until his death in 1948. One of the main factors in their separation appears to have been Ellen's profligate spending habits, and even after they had separated he still managed her money, attempting to keep her on a tight rein. An initial attempt to sell the Prebendal House at auction in May 1918 was a failure, but it was eventually sold along with the farm and its contents in late 1922. The family's copy of the brochure produced for the auction bears a hand-written statement in Ellen's hand writing: 'Have spent £18,000 on this property since 1911', an enormous sum in those days and equivalent to about a million pounds in today's money.

It is interesting to speculate whether Mrs Hinde's decision to leave Shipton and move back to Bloxham after the war was in any way connected to what the *Banbury Advertiser* termed 'The Shipton-under Wychwood Tea-Hoarding' – it is the case that the house was on the market a month after the case ended would suggest so. She lived for the next 25 years at Bennetts in Rose Bank, close to the school, and provided funds to allow boys to attend Bloxham who could otherwise not have afforded to do so. Each year, she would send every boy in the school a packet of Banbury cakes on her mother's birthday, 27 November. She continued to be a generous benefactor to the school her father founded until her death on 9 April 1943.

The family continued to live in Bloxham, and in my first year at the school I had the pleasure of teaching her great grandson, Nigel Hinde. Those members of the family I spoke to who knew Ellen Hinde remembered her as a stern old lady, and certainly she has a forbidding look about her. In the village of Bloxham, her name is still kept alive in the form of the Ellen Hinde Hall, built

to mark her son's safe return from the Great War and gifted to the village in 1943. The hall has been used by badminton groups, child clinics, keep fit and dance classes, the Boys Brigade and many children's parties over the years. It continues to play an important part in the life of the village. The Prebendal House ceased to be a private house in 1986 and was restored and converted for its present use as a care home. I wonder how many of its residents know of the drama which took place there on that day in January 1918 when the Superintendent knocked on the front door.

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