

THE RAILWAY LINE THROUGH SUTTON PARK: the 1872 debate

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Introduction

There is no doubt that the great majority of Victorian businessmen saw the development of the railway system as beneficial, and to be encouraged at every opportunity. Railways brought employment both in their construction and operation, but more importantly, through the ongoing trade which they generated. By 1872 over 13,000 miles were in use in Britain [1] and 100,000 men were employed in railway operations [2]. Whilst the first flush of railway building had passed, steady development of the network was continuing; over 20,000 miles of railway were to be operational when the first World War broke out in 1914 [1].

In 1871, Sutton Coldfield (pop 5938) [3] was governed as it had been for the previous 343 years by an unelected corporation entitled the Warden and Society. These prominent local men would be well acquainted with what the railways offered having seen at first hand the rapid evolution of the "railway age" from the late 1830's. It was into this environment proposals for a line through Sutton Park were launched late in 1871.

Early opposition

Authority was given in June 1865 for the construction of a railway line from Wolverhampton to Walsall [4]. This line connected onto both the LNWR and GWR, and had been partially subscribed to by the LNWR [5]. The December 1871 proposals presented to the Sutton Coldfield Corporation were to connect the Walsall end of the Wolverhampton and Walsall Railway with the main Midland Railway line at Castle Bromwich. Such a line would give the Midland access between its heartland and the Black Country, a prime growth area of mid-Victorian England. With construction of the Wolverhampton and Walsall well underway by 1871 - and with the Midland having running powers over the route - the concept of an extension to Castle Bromwich was a logical development.

Three schemes were tabled: "Midland and South Stafford", "Midland and South Staffordshire", and "Wolverhampton, Walsall and Midland Junction". The two former lines were almost coincident in their route through Sutton Park, skirting around the inner side of Wyndley, Powells and Longmoor Pools. The WWMJ line cut through the North of the Park by Bracebridge and Blackroot Pools. This was not the first time proposals for railways crossing Sutton Park had been made, though earlier schemes had for various reasons come to naught [6]. The Corporation discussed these schemes as evaluated by its Estates Committee on 8 January 1872 and accepted the Committee's recommendation that all be dissented from [7]. A fuller account than the Corporation's minute book is, however, given in Aris's Birmingham Gazette, and from this source it appears the dissent was to allow more time to consider which route was best to adopt and ultimately to make a selection [8]. It is not surprising then to find Warden Thomas Eddowes speaking on behalf of the WWMJ at a meeting of the inhabitants and ratepayers of Sutton Coldfield, and even less surprising that the meeting duly approved the line.

Opposition to the idea of a line through the Park was, by degrees, awakening and on 12 February 1872 two important local men - Rev W K R Bedford and Mr Charles Beaton - presented to the Corporation a petition signed by 194 inhabitants urging that the Park be avoided. In order to build new railways, promoters had to present a Bill to Parliament

which in its preamble set out the need for, purpose of, and intended effect of the line. Opposition by counsel challenged the line of route and it was such opposition which Rev Bedford and Mr Beaton sought. The Corporation agreed to consider this and when they reconvened on 17 February they resolved "that petitions be presented and counsel retained with a view of opposing the completing railways through the Park in order to obtain the best possible accommodation for the Town and to watch over the interests of the Corporation as Trustees of the Park" [10].

This seems an unambiguous resistance to the line passing through the park. Certainly Rev Bedford thought so [11]. At their 17 February meeting the Corporation appointed a Railway Committee to carry out the resolution, this body consisting of Warden Eddowes, Rev E H Kittoe, Dr G Bodington, Mr J Wiggan and Dr A Johnson. Subsequent events were to show that only Kittoe and Johnson were against the line crossing the Park, and it was through this Committee that the seemingly smooth implementation of the Corporation's resolution to oppose by counsel began to bind.

The Committee progressed the resolution but on 4 March Warden Eddowes authorised the Corporation's Deputy Steward Henry Addenbrooke – the legal advisor to the Corporation who himself was a local agent for the Midland and South Staffs – to seek the opinion of Parliamentary agents as to the merits of opposition. It is not clear why the Committee felt the need for independent advice although Addenbrooke subsequently maintained they differed over the nature of the opposition [12]. Addenbrooke met the appointed agent, Mr Clabon [13], who gave unequivocal advice. The preamble should not be opposed : Clabon considered opposition would be unsuccessful and would incur much abortive expense. He advocated that the Corporation petition to lessen injury to the Park rather than try to avoid the Park altogether. Such opposition on clauses rather than on preamble would, of course, imply acceptance to the principle of crossing the Park.

We can only surmise that Clabon's opinion was given in good faith. He was said to have local knowledge [14] and as a Parliamentary agent was well versed in what challenges to Bills were likely to succeed. Nevertheless his was only an opinion and there is no evidence to suggest he was presented with or considered alternatives avoiding the Park. The fact that the visit to Clabon was made at all is significant. It seems to have arisen from doubts expressed by the Committee despite the clear remit to oppose by counsel. With hindsight we know that the majority of the Committee – Eddowes, Bodington and Wiggan – favoured crossing the Park and Addenbrooke was increasingly associated with the WWMJ route having earlier spoken for the more southerly crossing. To these men Clabon's advice was timely to say the least.

Clabon had recommended the Corporation seek engineering evidence to support the "clauses only" opposition and this was acted on. William Fowler and William Matthews were consulted and both endorsed Clabon's advice. The Railway Committee met on 12 March and despite appeals from Mr Beaton and Rev Bedford, agreed not to oppose the Bills for the lines across the Park on preamble. Accounts here divide : the Committee claimed they were unable to oppose in the light of the advice they had received [15]; Rev Bedford maintained that Dr Bodington on the Committee asserted that the Corporation had never intended to oppose on preamble [16]. As the evidence suggests that up to 4 March the Committee were progressing – albeit not very

pointedly – towards this end Bodington's statement (as reported by Bedford) must be untrue. It is difficult to conclude that any interest other than the railway's was served by withdrawing, the more so as the decision not to oppose on preamble came from the Corporation only three days before the House of Commons Committee met to consider the Bill . The scope for recovering within this timescale was nil : the Corporation would remain mute in the matter of a railway through the Park.

House of Commons Committee

On 15 March 1872 a select committee appointed by the House of Commons to consider the preamble to the Wolverhampton, Walsall and Midland Junction Bill met. Opposition rested solely with the LNWR.

The prime purpose of the line became clear immediately. Whilst access to Sutton Park for daytrippers from the Black Country was an undoubted bonus, the line was first and foremost a direct route for the Midland Railway into the heart of industrial Wolverhampton and Walsall. The select Committee heard evidence in favour of the line from a string of iron masters, merchants and brokers. All spoke with one voice : existing railway conveyance rates for ironstone coming into the Black Country and finished goods going out were too high. The LNWR with agreement from the GWR held a monopoly, charging 15/= (75p) per ton for the 125 mile Wolverhampton - London journey compared with example rates of 16/8 (83p) per ton for the 240 miles from Middlesborough to London and 9/= (45p) for Cardiff - London. The proposed railway would connect with the MR's main line at Castle Bromwich, and thence give access to the developing ironfields around Kettering and a direct route to the Midland's Station at St Pancras in London. Mr Allport, General Manager of the Midland Railway not unnaturally endorsed the case for the line although he gave no undertaking to lower rates. Further support came from John Wiggan, a member of Sutton Corporation; Charles Cooper, Local Land Agent; Wolverhampton Chamber of Commerce; Mr Milward, Solicitor, acting for several gentlemen (unnamed) owning estates on the line of route; and sundry others who referred to the line opening up scope for building development, coal conveyance etc.

Faced with this mountain of evidence in favour of the line, the LNWR opposed on the somewhat dubious grounds that a third great railway system ought not to be brought into South Staffordshire. In 1866 the MR had agreed running powers over the S Staffs lines of the LNWR, and for the Midland now to support an alternative route was, in the LNWR's view, against the spirit of the agreement.

The Parliamentary Committee did not share LNWR's opinion and on 18 March they found the preamble proved. Opposition had been voiced against the whole concept of the new line, and the details of the actual line of route had not been mentioned. The possibility of an alternative route avoiding the Park had consequently never been raised and the potential damage to the Park went unsaid. Sutton Coldfield Corporation's acquiescence to the principle of the line through the Park had been timed immaculately. No-one spoke for the Park and on 19 March the Committee ordered that the Bill be reported to the House of Commons.

Outrage in Sutton

The decision hit those who cared about the Park hard. They had relied on the Corporation to oppose and had been misled. An editorial in the Birmingham Gazette of 25 March came down clearly against encroachment into the Park, and encouraged those who wished to preserve the Park's beauty to sign a petition at the newspaper's offices. The same issue of the paper saw the Deputy Stewards of the Corporation, Messrs Holbeche and Addenbrooke, defending the course taken by relying heavily on the advice given by Clabon when Henry Addenbrooke had consulted him in early March. Nevertheless Rev W K R Bedford's criticism was vitriolic to say the least, and his anger at the way the matter had been handled was clear [17]. The proposed line would be an act of vandalism, its proponents were devoid of sentiment : men of taste and cultivation were pleading for the integrity of the Park in the face of the failure by the proper guardians, the Warden and Committee. Whilst acknowledging Warden Thomas Eddowes' integrity, Bedford felt that Eddowes had been manipulated to chair the Railway Committee. It is, however, difficult to believe that an experienced politician who openly supported crossing the Park could have been led against his will. Even Bedford admitted that his presence on the Railway Committee was an obstruction and an anomaly [18]. Optimism about a change of heart does not appear to have overtaken the Reverend despite his obviously strong feelings, for he refers in the same letter to leading a forlorn hope.

Editorial comment in the Birmingham Gazette of 27 March went much further than its predecessor two days earlier. In the view of the writer the Park had a wider significance than for Sutton alone. The "worn out and effete" Corporation had misled the inhabitants : opposition to the Bills for the line had been promised and had not materialised. The Warden (Eddowes), the Deputy Stewards (Holbeche and Addenbrooke) and several members of the Corporation were personally and financially interested in one line or the other. No indication had been given to the inhabitants that their wishes were not being carried out and the promoters had not had to prove the necessity for building the line through the Park. Concluding, the Gazette editorial hoped it was not too late for the antagonists to have the satisfaction of having their case heard before a Parliamentary Committee.

This was strong stuff, but crystallised the argument. If the line had to traverse the Park let it be proved. There was no great opposition in Sutton to connecting Walsall and Castle Bromwich via the Town and a suitable line of route to the South avoiding the Park had been independently surveyed. Justice if not the law demanded that this line avoiding the Park be considered.

Correspondence in the Gazette for the rest of the week was extensive, with Bedford, Beaton and the Gazette itself all developing their case. But by this time the line's protagonists were perhaps beginning to realise that silence might be a better policy than active defence.

The Corporation washes its Hand

The Corporation held a special meeting on 30 March [19] to establish what, if any, opposition to raise in the further stages of the WWMJ Bill. Rev Kittoe had requested the meeting and proposed that the Corporation oppose further progress of the Bill through the House of Lords and that this opposition should be on preamble – the very principle of the line – as well as clauses. Kittoe, who was a member of the 5 man Railway Committee of the Corporation, spoke eloquently for the Park. His fellow Committee member, Dr Johnson, disclosed that he had only signed the arrangement on his understanding that it would not prejudice future opposition by him or by the Corporation. With muddled thinking such as that it was not surprising the other three members of the Railway Committee, Messrs Eddowes, Bodington and Wiggan, had had their way. There was considerable discussion at the meeting as to whether the Railway Committee had the power to reach an agreement with the lines' promoters, though there could be no real doubt that they did have this authority as Deputy Steward Addenbrooke was at pains to point out. It is ironic that Addenbrooke also referred to support for the motion as a breach of faith : this from an official whose role had contributed in no small measure to the Corporations failure to oppose the Bill in the first instance.

Despite Kittoe's robust argument and a moving statement from Mr Samson Lloyd, who regarded his membership of the Corporation as an honour and himself as a trustee for the protection of the Park, the vote was lost 8-7. The silent majority on the Corporation cared less for the Park than they did for trade and, perhaps, pecuniary advantage.

On the same day as the Corporation declined to further oppose the Bill a meeting of those opposing the line had been called. "None other, and especially people interested in railways, need apply" had stated the posters publicising the event. The Town Hall was about half full and the meeting was about to get underway with Rev W K R Bedford in the chair when a rowdy group arrived from Birmingham, full of "enthusiasm and beer" [20]. It was impossible to conduct the meeting, and before this mob broke into the room a show of hands against the line was called for and received, and a resolution to adjourn the meeting was carried. The arrival of a large group of roughnecks must have been organised and funded, and whilst no proof exists the only people who could be advantaged by breaking up meetings against the line were those who were for it.

Naturally this incident fuelled the fires of discontent at the way the line was being pushed through. The fracas at the Town Hall had moved the debate into physical as well as verbal conflict, and the sphere of interest in what was happening immediately grew.

The Gazette of 1 April carried a lengthy letter from Mr A Wills of Wylde Green explaining the connections between Corporation officials and the promoters [21]. Mr Wills, although not a Corporation member, opposed using the Park for the line but even more surely opposed the way the Corporation had handled the matter.

Opposition spreads

"The fault is great in man or woman,
Who steals a goose from off the common;
But who shall plead a man's excuse
Who'd steal a common from the goose"

Ben Jonson : Quoted by Cllr Taylor, Birmingham.

Interest in the line of route was awakening beyond Sutton's boundaries and a meeting was called on 5 April by inhabitants of Birmingham to petition Parliament against any proposal to construct a railway through the Park. The meeting was well attended, with several Birmingham Councillors and Industrialists being present. Letters of support were also received from John Bright MP, George Dixon MP, Joseph Chamberlain and many others. Nothing in favour of crossing the Park was voiced, and the now familiar allegations of bisecting the Park, making it sooty and spoiled were again made. The Park should be preserved "unmolested", and one gentleman on the platform went so far as to say he would as soon see a railway "through Lichfield Cathedral as through the Park" [22].

The meeting resolved that the Park should not be impaired by an utterly unnecessary railway invasion and further resolved to earnestly protest against the virtual commencement of the destruction of the Park. These petitions were adopted, signed by the Mayor of Birmingham [23], and agreed for presentation to both Houses of Parliament.

Also on 5 April Dr Bodington chaired a meeting, attended by about 150, in favour of the line. Being a member of the Corporation and their Railway Committee, it was to be expected that he would defend the proposals and this is just what he did. The Doctor's contention was that the Corporation were charged with watching over the interests of the town and securing the best arrangements possible. There was a strong plea from Mr Edwin Walters for the line to circumvent the Park, and astonishment from him at Henry Addenbrooke's role in promoting the line. In this Walters was building on the criticism already raised by Mr Wills in his letter to the Gazette.

Walters however raised only 8 votes in support of avoiding the Park, the meeting passing motions that the Park could not be by-passed, that everything possible should be done to promote the Bill and that a Committee be appointed to attend to this. Further support for the line came from meetings held at Walsall and Dudley although whether the precise line of route, as opposed to the principle of the line, found favour was not debated.

Sutton Coldfield Corporation met on 8 April to receive the resolutions made at Dr Bodington's meeting on 5 April and duly carried and entered them [24]. During the meeting Mr John Wiggan took Edwin Walters to task for the obnoxious way he had proposed his amendment on 5 April, doubtless a reference to the criticism of Addenbrooke. The Birmingham Gazette of 11 April carried a rebuttal, and furthermore a claim from Walters that Wiggan would lose money if the line did not proceed.

House of Lords Committee

The opponents of the line had long made it clear that their objection was to crossing Sutton Park and not to the concept of a line from Walsall to Water Orton. An alternative route to the South of the Park had previously been mooted and on 19 April a further option running round the Northern boundary of the Park, as surveyed by Mr Wilson, an Engineer, was advocated at a meeting of friends for the preservation of the Park [25]. This diversion was claimed to extend the line by only about ½ mile and would obviate a cost of £10,000 on bridges in the Park which the Corporation required. In addition there would be savings on the foundations through the marshy part of the works on the Streetly side of the Park. Although the meeting called strongly for this alternative to be clearly put to the Wolverhampton, Walsall and Midland Junction Railway there is no evidence that it was considered by them or, if it was, why it found no favour.

A number of prominent local dignitaries spoke at the meeting against the line, including Joseph Chamberlain, and motions supporting the costs of opposing the Bill were carried. Subscriptions were begun and the rearguard action to prevent bisecting the Park got underway. The controversy over the railway sharpened the appetites of many thousands who were prompted to visit the Park during Whitsuntide 1872 to see for themselves the areas which would be invaded by "an army of navvies at the insistence of some unreasoning railway directors" [26]. Nevertheless by mid June the Bill had passed its second reading in the House of Lords and on June 19 the last chance for keeping the line out of the Park arrived with the hearing before the Lords Committee.

The House of Lords Committee consisted of Lord Camoys (Chairman), Earl Fortesque, Viscounts Hereford and Gough, and Lords Oranmore and Brown. The promoters of the WWMJ were represented by Messrs Denison, Sergeant Sargood and Round; the inhabitants were represented by Mr Rodwell and the Hon Chandos Leigh; Messrs Pope and Wilberforce were representing LNWR and Mr Littler spoke for the Birmingham Canal Co. The hearing lasted 5 days but the tone was set immediately by Denison in his introduction. The line - 12 miles, estimated cost £250,000 - was primarily a link for mineral and freight traffic to and from the Black Country. A secondary objective was to serve Sutton, itself not well served by LNWR. Denison was dismissive of any alternative route to that chosen, pointing out that the line was well located to serve Sutton Coldfield itself. By comparing the populations of Walsall (50,000) and Wolverhampton (150,000) against Sutton's 6,800 Denison sought to slant the oppositions case as being just a way to stop incomers from enjoying the Park. There is, however, no strong evidence of a movement against the line skirting the Park, or against stations in the vicinity of the Park boundary. According to Denison the LNWR's objection was raised only because of the competition the new line would create - a valid point likely to find favour in mid Victorian England - and the Canal Co had no case [27].

Denison's main point nevertheless remained the support for the line which came from the industrial Black Country. The case for the line was then underwritten by a large number of these industrialists. Mr Gibbs, Secretary of the Wolverhampton Chamber of Commerce cited high rates charged by LNWR as a serious check to trade, and Mr Urwick, mine owner, complained of the dilatory nature of the route from Northants which kept railway

trucks in traffic longer than was wanted. An iron master, Mr George J Barker, also complained of high freight costs and the lack of competition. William Gibbs, another Ironmaster of Wolverhampton quoted 5/= to 6/= per ton [28] as the adverse effect on freight rates to London, and referred to the problems of Walsall passengers for London who had to climb 70 steps at Dudley Port. He went on to quote a petition in favour of the line which had been signed by representatives of 1441 puddling furnaces (over $\frac{1}{4}$ of the UK total), 104 blast furnaces, 23 merchants, 74 others engaged in trade and 28 manufacturers. The general tone was echoed by Charles Neave, President of the Wolverhampton Chamber of Commerce and a member of Wolverhampton Town Council for many years, who stated both these bodies had frequently discussed the need to improve railway access to Wolverhampton and had also tried unsuccessfully to reduce cartage rates.

Mr James Allport, General Manager of the Midland Railway, then explained the benefits the line would give by improved access to Eastern and South Eastern England, including the valuable iron fields of the East Midlands. The new route could avoid the gradient between Burton and Leicester which restricted heavily loaded trains, and - although being careful not to give promises - Mr Allport implied a reduction of rates would follow opening the through route. The Mayor of Walsall, Mr Holden, threw in his endorsement of the line, adding that though the line would spoil part of the Park most of the area where the line would run was boggy and little frequented. Mr Samuel Wilkinson, the Town Clerk of Walsall, spoke of the need for improved railway access in Walsall and the advantage which the line would give for trippers to the Park. Further words in favour of the line were heard from the Earl of Lichfield who pointed out his own Park was not enjoyed any the less for having two main lines through it. The Earl's comments were, however, hardly impartial : he was Chairman of the Wolverhampton and Walsall line which would of course form part of the through route from the Midland at Castle Bromwich. He, or his forefathers, had presumably also been recompensed for LNWR lines through the grounds of the family home.

These testimonies had taken the first two days of the hearing. The third days proceedings opened with Dr George Bodington, who was of course a leading proponent of the line locally. His view was unchanged : the Park would be little injured by the line, and the benefits would be great. John Wiggan followed a similar course. He had never seen people in the Park where the railway was proposed, the line ran through the worst parts and cows, horses and donkeys had at various times been stuck in the bog where the track would run, and died. Next came Henry Addenbrooke, who was at pains to stress that following the 12 February petition the Corporation had a remit to adopt the route causing least injury to the Park. In Addenbrooke's opinion there had been no breach of faith, and Eddowes (who had, of course, openly advocated crossing the Park) was impartial. Interestingly, he added that proposals by the Midland Railway to construct a line through the Park in 1865 had been abandoned because of monetary pressure.

Arguments in favour of the line were continued through Mr Charles Cooper, Land Agent and Surveyor; Mr William Fowler, Surveyor; and Mr Addison, Civil Engineer. Cooper and Fowler again emphasised the minimal disruption to the amenities of the Park, particularly with the benefit of protective clauses on bridges etc. Addison's statement was more objective. The gross estimate for the works was £249354 and he had looked at the prospects for avoiding the Park altogether. However, from his knowledge of the country

he was convinced that to make the railway in the interest of the public and especially the holidaymakers it was absolutely essential to go through the Park. Unfortunately his evidence did not explain or develop the costs, or physical constraints, in avoiding the Park. Although Addison felt the line would enable pleasure parties to put down at one end and re-ship at the other (having presumably walked past the boggy and unattractive section of the Park!) he did not explain why this facility would be lost if the line simply circumvented the boundary.

The Case is lost

The arguments against the line through the Park were opened by Mr Rodwell, for the ratepayers. The line would create a high earthen wall, cut off attractive parts of the Park, and prevent 100,000's [29] enjoying the Park as they did at present. He further claimed the severed part of the Park would be developed [30] and alleged the Corporation had not acted fairly in not employing an independent Solicitor. Rev Bedford, with support from Rev Kittoe, repeated the history of opposition to the construction and the support they had had from Birmingham. Dr J Johnson endorsed the importance of the Park for recreation and Mr S Lloyd repeated his opposition to "violating" the "only real open space for Birmingham people." Mr A Wills spoke of great injury to the Park and was backed by statements from Mr Fallows, Surveyor, and Mr Wilson, Civil Engineer.

Technical opposition was raised by Mr H Lloyd and Mr Thomas, Secretary to the Birmingham Canal Co. The line was not needed, and its construction would impair a possible reservoir - a point disputed by the railway. Mr Cawkwell, General Manager of the LNWR detailed passenger numbers between Walsall and London, which averaged under 10 per day : he did not accept the view of Mr Holden, Mayor of Walsall, that passengers travelled to Birmingham and rebooked. Continuing, Mr Cawkwell quoted iron ore traffic over LNWR and MR metals into S Staffs, LNWR conveying over double MR's 34253 tons. The alleged delays to iron ore would be obviated by the Wolverhampton and Walsall Railway, which when opened would avoid transshipment by canal and would give access via Wichnor into the Black Country, the LNWR having granted running rights over the Wolverhampton and Walsall [31].

However, nothing new had been raised in the opposition to the line and Mr Denison was dismissive of the case against, stressing in his summing up the competition it would give - thereby reducing rates - and the advantages the people of a densely populated district would get from the line. The Committee were persuaded : they found the preamble proved and so the basic requirement for the line and its route was established. It merely remained for the clauses to be considered : these posed no undue complications, LNWR securing some minor concessions on the interface with its system though nothing pertaining to operations in the park's vicinity were discussed.

By 26 June 1872 the Lords Committee had finished their work. The opponents of crossing the Park had done their best, taking their case as far as they could, but to no avail. The decision which would make a greater physical change to the Park than any before or since was irrevocable.

Long-term Effects

Writing over 100 years after the construction of the line, and relying on written records, it is difficult to appreciate the finer points of the case for and against crossing the Park. Some mysteries remain.

Dr George Bodington had been a member of the Corporation since 1848 and in modern parlance had been associated with the conservationist ideas. Nevertheless he was in the vanguard of those proposing to cross the Park. The lines proponents were always a majority on the Corporation, though they never satisfactorily explained their objection to simply skirting the Park. The Gazette contained references to pecuniary advantage for some [32], and it is certainly the case that the acquisition of 27 acres of Sutton Park was easily and economically accomplished [33]. A note of the principals opposing and in favour of the line through the Park is associated [34].

Having had the case defeated in the Lords, there was no point in further struggle. In May 1873 the exact line of route in the Park was staked out and viewed by the Corporation, who unanimously agreed this was less injurious to the Park than running nearer to Four Oaks Park [35]. The corporate seal was affixed to the agreement with the Wolverhampton, Walsall and Midland Junction Railway later that year [36].

Construction work on the Sutton Park section of the line began in Spring 1875, under the Contractor Joseph Firbank [37]. The Castle Bromwich Walsall line was opened on 1 July 1879 having cost over £400,000 to build. The WWMJ had always been closely associated with the Midland and on 1 August 1876 the LNWR had sold the Wolverhampton and Walsall line to the Midland [38]. Thus it was that from 1879 the Midland Railway was able to run from its main line at Castle Bromwich into Wolverhampton without the need for running rights over other systems. Victorian values placed great store in free trade and commerce but no matter what the rights and wrongs of crossing the Park were, the way the matter was handled by the Warden and Committee added to the dissatisfaction felt locally about the way Sutton Coldfield was run. The system changed to elected officials in 1886, though the legacy of the Warden and Committee remains with the now well afforested embankments hiding much of the railway track which continues to this day to be used by freight and parcel trains [39].

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- [1] Abstract of British Historical Statistics. Mileage for Gt Britian excl . Ireland.
- [2] British Labour Statisitcs. Historical Abstract 1886-1968.
- [3] 1871 census.
- [4] Regional History of the Railways of Gt Britain Vol 7 - Rex Christiansen.
- [5] Half-yearly Report of Wolverhampton and Walsall Railway Co. March 1872.
- [6] Steaming up to Sutton. R Lea 1984.
- [7] Warden and Society Minutes for 8.1.1872.
- [8] Aris's Birmingham Gazette 9.1.1872.
- [9] Meeting 5.2.1872. Reported in Aris's Birmingham Gazette 6.2 . 1872.
- [10] Warden and Society Minutes 17.2.1872.
- [11] Letter 25.3.1872 to Gazette.
- [12] Letter pub 25.3.1872. Gazette.
- [13] Of Messrs Fearon, Clabon and Fearon; Parliamentary Agents.
- [14] Addenbrooke, letter pub 25.3.1872. Gazette.
- [15] Holbeche and Addenbrooke : letter dated 24.3.1872 published in Gazette.
- [16] Rev W. K R Bedford : letter dated 25.3.1872 published in Gazette.
- [17] Letter : 25 March 1872 to Birmingham Gazette.
- [18] Letter : 25 March 1872 to Birmingham Gazette.
- [19] Warden & Society minute book.
- [20] Gazette 1.4.1872.
- [21] Annex 1.
- [22] Rev H Crosskey.
- [23] John Sadler.
- [24] Annex 2.
- [25] Held Town Hall, 19/4/1872 Geo Dawson MA presided.

REFERENCES CONTINUED

- [26] Gazette 20.5.1872.
- [27] The Birmingham Canal Co was wholly owned by LNWR.
- [28] 25p – 30p.
- [29] Approx 100,000 visitors went to the Park each year at this time.
- [30] Mr Jenkins, Architect (Birmingham), had said this when giving evidence to the Select Committee of the House of Commons, 18 March 1872.
- [31] The LNWR was a Shareholder in the Wolverhampton and Walsall : the Midland had running rights over the line, though granted by the Wolverhampton and Walsall, and not LNWR.
- [32] A list of Shareholders in the WWMJ is at Annex 3.
- [33] See Annex 4 for the details of the way members of the Corporation (Warden and Committee) voted, and Annex. 5 for costs of purchase
- [34] Annex 6(i) and 6(ii).
- [35] Warden & Society Minutes, 12.5.1873.
- [36] Warden & Society Minutes, 13.10.1873.
- [37] Firbank had worked on the Trent Valley Railway (Rugby–Stafford), Bedford – Cambridge in 1862, London – Bedford 1864 etc. A Gazetter of Railway Contractors and Engineers of Central England 1830–1914. Lawrence Popplewell.
- [38] Regional History of Railways of Great Britain Vol 7 Rex Christiansen.
- [39] See Annex 7 for photographs. (* Not in this version)

guided men who strenuously oppose any encroachment upon Sutton Park. I should not have addressed you but that the occurrences of Saturday night have shown me and those with whom I act that, in addition to misrepresentation and abuse, to which we are by this time seasoned, we have to contend with the more formidable obstacle of organised ruffianism.

It was evident, from the unwonted stir in the usually dull streets of Sutton, about six p.m. on Saturday, that something of an exciting nature was afoot, and the fact that some 250 men, many in a state of intoxication, were parading the streets in bands, lent countenance to the rumour that our meeting was to be forcibly broken up. Your reporter will, doubtless, have informed your readers of the disgraceful scene which was enacted. On this head I will only add that the language used by these men was vile, and that the remark of one of them, that "Our gaffer has lots of money, and can spare us again if we are wanted," together with the fact that they were provided with return tickets, which were systematically collected at Wyde Green by one of their number, pretty clearly indicated whence their source, the object of their visit, and the organised nature of their proceedings. Of all this the public will judge for themselves. But, as one of our prominent opponents remarked to me immediately after the triumph of those riotous proceedings, that "it serves you right for attempting to hold a one-sided meeting," permit me to explain the *ratio crastendie* of our attempt to hold such meeting.

We have found that our views on this subject are espoused by a very large number of the people of this parish—we believe by a majority; and as we are fully determined to use every legitimate means—but neither abuse nor ruffianism—to re-establish, if possible, the position out of which we have been cajoled, we found it necessary to organise our efforts more systematically, not having a ready-made organisation of paid agents and solicitors. Where could we meet for this purpose but in the only large room available in the place? We therefore respectfully applied for the use of the Town Hall, stating explicitly our purpose, and our request was promptly and courteously granted by the Warden. We placarded the neighbourhood, and advertised our meeting as one of "persons opposed, &c.," in order that its real character might be understood, and that we might avoid, if possible, the accusation of sailing in any way under false colours. Wherein we did wrong in this, or why we deserved to have an ordinary business meeting, formally sanctioned by the authorities of the place, forcibly prevented by the means employed on Saturday, I fail to see. Doubtless some of those gentlemen who assembled to witness the success of the exploit will be found to justify it.

And now, if you can spare me the space, I ask you to let me state more explicitly than has yet been done, some facts of grave importance to all concerned in the early stage of this affair; asking your readers to bear in mind throughout that—

1. The solicitors to the "black" or present scheme are Messrs. Sadler and Eddowes, of Sutton Coldfield, the latter gentleman being Warden of the Corporation.

2. The local agents to the "Bed" or "Milward's" line, since "rolled up" into the "black" scheme, were Messrs. Hillhouse and Addenbrooke, solicitors, of Sutton Coldfield.

3. The "deputy stewards," i.e., clerks or legal advisers of the Corporation of Sutton are Messrs. Holbe and Addenbrooke.

These latter have published an explanatory letter, now before me, from which I shall quote. On February 17th a special meeting of the Sutton Corporation was held to consider a memorial from certain inhabitants, and Mr. Bedford and Mr. Beaton were "invited to attend" on their behalf. At that meeting a resolution was passed, "That petitions be presented and considered with a view of opposing the competing railways intended to pass through the Park; in order to obtain the best possible accommodation for the town, and to watch over the interests of the Corporation as trustees of the Park." "The deputation expressed themselves quite satisfied with the resolution as fully embracing their views." Certainly, because from the whole tenour of the discussion, at which they were allowed to be present, they clearly understood that the opposition was to be a *bond fide* one on the principle of the bills. Had they not distinctly understood this, it is manifest that they would have at once taken independent steps to oppose. Their interpretation of the intention of the Cor-

poration directed to furnish such a copy. Very singularly enough, omitted to do so. "At the same time a committee was appointed to carry out the resolution," and on the 21st February "the petitions were submitted, approved, and ordered to be presented."

"At a subsequent meeting, held on the 4th March," there arose a "difference of opinion respecting the nature of the opposition," and Mr. Addenbrooke submitted the case, in consequence, to Mr. Clabos. It would be interesting to know in what terms the case was submitted, inasmuch as the opinion of counsel usually depends mainly upon and corresponds to the manner in which the case is placed before him, and as the memorialists took occasion to represent to the committee, it was questionable whether the gentleman occupying the double position of legal adviser to the Corporation and local agent of the line since "rolled up" into the present scheme was so far above the frailties of common human nature as to be precisely the proper person to conduct this part of the business. It is hardly surprising to learn further from Messrs. H. and A. that, finally, at a meeting on the 12th March, two days before the bills went into committee, "the bills were ordered to be opposed for clauses only."

Now I come to the main point, as to which the public have not been enlightened by Messrs. H. and A., nor by "Jocosa," viz., the constitution of that committee. It consisted of two members in favour of the construction of a line through the Park, and two as strongly opposed thereto, presided over by Mr. Eddowes, Warden of the Corporation, and solicitor to one line, advised legally by Mr. Addenbrooke, deputy-steward of the Corporation and local agent to the other scheme, since abandoned and its forces transferred to the support of the extant proposal.

Now, Mr. Eddowes is an honourable man, held in high respect by all who know him, including myself, and neither I nor those who act with me desire to say one word derogatory to his personal character as a gentleman and a man of integrity; and I venture to say that he himself will recognise that in introducing his name at all I am performing an act, not of inclination, but of painful necessity.

We do say, however, that he has been urged by his friends into a false position, and one which has been fatal to the fair hearing of our side of the question. For mark the action of this committee, a smaller body selected from a larger one for the quicker despatch of important business.

As a final resource, Mr. Bedford made formal application to be heard as a witness. It was moved and seconded that he should be presented as a witness before the Parliamentary Committee. An amendment was moved and seconded that he should not be so presented. The Chairman put each proposition to the meeting; the votes were equally divided, and the Chairman, whose sense of honour of course forbade him to vote, pronounced that the proposition fell to the ground through equal division of votes. Now, I venture to assert that, as a matter of business, the constitution of this committee was simply monstrous, and without parallel, and that it rendered its action nugatory, futile, and in fact a mockery. We contend that it is wholly by reason of what we cannot but characterise as a breach of faith on the part of the Corporation and its committee that we lost our *locus* and our fair opportunity of a hearing of our side of the case, and that all the efforts we have since made, and mean to make, in order to regain it, are amply justified. I leave the public of the entire district to judge if we have reason to complain of our treatment, and merely add that, of the many false assertions which have been made as to our purpose, none is so false as that we desire to prevent free railway communication and free access to the Park for the whole district.

We should all profit by it alike; but until we can be persuaded that an embankment 900 yards long, and as straight as an arrow, across a much frequented and most picturesque part of Sutton Park will be, as we are asked to believe, "an improvement to its scenery" (I have the plans and sections of the promoters before me as I write), or anything but an irreparable injury to its beauty, and until we can be convinced that the needful railway communication cannot be obtained without traversing the Park at all, we shall not relax in our efforts to obtain that opportunity of putting the promoters on their proof, which has hitherto been denied to us.—Yours respectfully,

Wyde Green, March 31.

A. W. WILKS.

The Royal Town of Sutton Coldfield
in the County of Warwick

8th April 1872

The Assembly or Common Hall of the Warden and Society of the said Town holden at the Moor Hall in the said Town on Monday the eighth day of April in the thirty fifth year of the reign of our Sovereign Lady Queen Victoria and in the year of our Lord one thousand eight hundred and seventy two. all members having been first duly summoned as by the Oath of the Serjeant at Mace appears.

Mr Thomas Mower Alderman Warden

John De H. M. Chadwick Esq^r

Thomas Chauvise Esq^r

Mr George Browne

Mr Joseph Todd

The Rev^d G. W. Robinson

Mr George Bodington

Mr Robert H. Rochford

Mr Thomas S. Williams

Mr John Wiggan

Mr Joseph Cutbush

Mr Joseph Clive

The Rev^d E. H. Hutton

Mr Edwin Jenkins

The Rev^d Montagu Keeler

Mr William Smith

Mr Harry Smith

Mr Harry & J. Straw

Mr William S. Bellamy

Mr John S. Journe

Mr James Johnston

Sampson S. Lloyd Esq^r

Mr Richard H. Sadler

It was moved by Mr Wiggan seconded by Mr Straw.

That the following letter from Mr G. F. Bodington and accompanying copy Resolutions be received and entered in the minutes.

It was moved as an amendment by Mr Johnston seconded by Mr Clive. That the letter be received and entered but not the resolutions.

On being put to the vote there appeared in favor of the amendment.

Mr Johnston, Mr Clive.

For the motion. Messrs Straw, Jenkins, Wiggan, Rochford, Bodington
It was therefore declared to be carried.

The Warden did not vote

Sutton Coldfield April 6. 1872

(cont^d)

I herewith enclose copies of resolutions passed at a meeting of which I was Chairman, held in the Town Hall yesterday.

The meeting was a very large one and the resolutions passed with very few dissentients. An amendment was moved to the first but only eight voted for it. The resolution was afterwards carried by an enormous majority only 5 voting against it. The second resolution was carried with only two dissentients and the third

now over. I shall feel much obliged if you will bring these resolutions under the notice of the Corporation at the next meeting and at the same time state the results of the voting as I have now given them.

Yours gentlemen - &c most Obedt Servt

By F. Bodington

6 Miss^{rs} Hollishe of Accidentwode

Deputy Stewards of Sutton Colfield.

Copy Resolutions.

- 1 That in the opinion of this meeting a Railway from Walsall through Sutton Colfield to the Midland Railway near Waterorton is necessary for the further development and prosperity of the Parish of Sutton Colfield and that no line can so well serve that purpose as the proposed Wolverhampton Walsall and Midland Junction Railway.
2. That it is the opinion of this meeting that the passage of the said line through Sutton Park cannot be properly avoided and that the injury to the pastures or beauty of the Park is imaginary and cannot be put in comparison with the benefits which the line will confer upon the Inhabitants of Sutton Colfield.
3. That the meeting pledges itself to do all in its power to promote the passing of the said Railway Bill through Parliament and that D^r G. F. Bodington and others be appointed a Committee for the purpose.

By F. Bodington

Chairman

Resolved that the following recommendations of the special meeting of the School Committee held on the 25th March last be approved and entered on the Minutes, and that the School Committee be instructed to carry them out.

(Copy)

The advice of the Inspector respecting the examination of the teachers, and that Assistant Teachers be engaged where required was recommended to be adopted.

It was the opinion of the Committee that Assistant Teachers in lieu of the present Assistant Teachers would be required as follows

Boys School Town	2
Girls School Town	2
Green Lanes (Boys)	1
Boys School Hill	1
Girls School	1
	<u>7</u>

and that about £25 a year would be required for each.

Recommended that Miss Alice Brentnalls services be app^{roved}.

SHAREHOLDERS OF WOLVERHAMPTON, WALLSALL AND MIDLAND JUNCTION RAILWAY

Allbutt.	Henry. ø
Barker.	Mark
Barker.	Thomas. ø
Bellamy.	William Sheldon.
Dixon.	Edwin. ø
Lloyd.	Wilson. ø
Loveridge.	Henry. ø
Perry.	Frederick Charles. ø
Sadler.	Ralph Stanley.
Simkin.	Edwin Wellington. ø
Tildesley.	James. ø

ø Director.

WARDEN AND COMMITTEE 1872 VOTING RECORD ON THE LINE ON THE PARK

	FOR CROSSING PARK	AGAINST CROSSING PARK
Thomas Storer Eddowes (Warden)	/	
John de H M Chadwick		/
Thomas Chavasse	/ (Note 1)	
Mr George Browne		/
Mr Joseph Todd		
Rev G W Robinson		
Dr George Bodington	/	
Robert H Rochford	/	
Thomas S Wilkins	/	
John Wiggan	/	
Joseph Dutton	/	
Joseph Clive		/
Rev E H Kittoe		/
Edwin Jenkins	/	
Rev Montague Webster		/
William Smith		
Harry Smith	/ (Note 3)	
Henry E F Shaw	/	
William S Bellamy	/ (Note 2,3)	
John S Jerome		
Dr James Johnson		/
Sampson S Lloyd		/
Richard H Sadler	/ (Note 3)	

Note 1 Share Holder LNWR and MR.

Note 2 Director of proposed line.

Note 3 Owned land outside the Park bought by WWMJ.

/ = voted in Committee Meetings .

No record of votes, if any, cast by Todd, Robinson, Wm Smith or Jerome.

PURCHASE OF LAND FOR THE CONSTRUCTION OF THE LINE THROUGH AND IN THE VICINITY OF THE PARK

Examination of Wm Fowlers buy out records, coupled with the survey plans of 1871 and Sadler + Eddowes notice book for the "Walsall Extension" (all records held in Sutton Coldfield Library) shows :

Sutton Park (27 acres, 1 rood, 5 perch) plus Tudor Hill (13 acres)	
	- £330 per acre. ø
Arble land, grassland, orchards	- £700-£2000 per acre.
Developed sites, usually with gardens	£4000-£6800 per acre.

Ø This includes £2500 compensation to the lessee's of Tudor Hill .
Excluding this reduces the payment to £267 per acre.

CHIEF PROPONANTS OF THE LINE THROUGH THE PARK, 1872

NAME	COMMENTS
Addenbrooke Henry	Deputy Steward, S.C. Corpn.
Addison John	
Barker George J	Chairman, Ironmasters Assn of S. Staffs. Co-owner, Chillington Iron Co.
Barker Horace	Co-owner, Chillington Iron Co.
Bodington Dr George	S.C. Corpn.
Cooper Charles	Land Agent and Surveyor, S.C.
Cull J H	High St S. C. Boarding School prop'r and Registrar of Births and Deaths.
Dudley Corporation	
Dutton Joseph	S.C. Corpn. Farmer, Little Sutton.
Eddowes Thomas S	Warden' S.C. Corpn.
Gibbs Charles Edward	Wolverhampton Iron Merchant. Former Sec y, Wolverhampton Chamber of Commerce.
Gibbs William	Iron Broker, Wolverhampton.
Holden Mr	Mayor of Walsall.
Jenkins Edwin	S.C. Corpn. Farmer, Wylde Green.
Lichfield, Earl of	Chairman, Wolverhampton and Walsall Railway.
Midland Railway co	
Neave Charles	President, Wolverhampton Chamber of Commerce.
Rochford Robert H	S.C. Corpn. Honeybone Hill.
Shaw Henry E F	S.C. Corpn. Coleshill Street.
Urwick Ben	Ironmaster, Director Wolverhampton & Walsall Railway.
Wiggan John	S.C. Corpn. "The Park".
Wilkins T S	S. C. Corpn.
Wilkinson Samuel	Town Clerk, Walsall.
Wolverhampton and Walsall Railway	
Wright Edwin Thomas	Ironmaster

The list excludes professionally involved consultants etc who were paid to represent the interests of the Wolverhampton, Walsall and Midland Junction Railway.