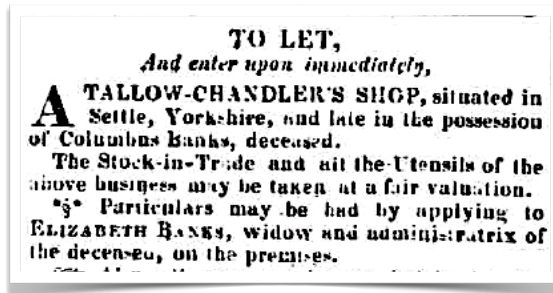


## Obadiah Baynes and his beerhouse

The wonderfully named **Obadiah Baynes** rented his beerhouse on the Market Square from **Elizabeth Banks**, the widow of another wonderfully named man, **Columbus Banks**. Before 1818, Columbus had used the building as a tallow chandler's (candle) shop [1].



The 1830 Beerhouse Act deregulated the brewing and selling of beer. It was implemented to remove power from large breweries and some heavy-handed magistrates who wanted to remove the working classes from their town's drinking establishments. Brewers often had close links with magistrates making the situation even worse. The act also aimed to encourage the public away from the consumption of strong spirits, particularly gin. Even the early Temperance movement supported the calls to reform of the licensed trade to encourage 'more healthy' beer drinking.

Licenses to brew and sell beer were available to purchase for a small fee of two guineas, detailing whether beer could be consumed either on (beerhouse) or off the premises (beershop). Opening hours were 'restricted' to between 4am and 10pm whereas the inns could stay open until 12.30am. Licenses could be bought by any rate payer from the excise rather than local magistrates, and there was no alcohol duty on the beer as there was in the inns.

As long as basic conditions were met, licenses were granted automatically. Later a 'good character' clause was added to the requirements for applicants. Beer houses [ph1] were often just a room or two within a small house, just like Obadiah's. Supervision of beer houses was also the responsibility of the excise rather than local magistrates which, understandably, led to many complaints from the wealthy classes who traditionally had control over the justice system in their towns. Lord Palmerstone famously argued that the working classes were interpreting the the words "*licensed to be drunk on the premises*" as applicable to the customers as well as the liquor – quite a comedian!



Beer houses were incredibly popular and by 1836 there were nearly as many beer houses as fully licensed inns across the country. Even here in Settle the 1834 trade directory listed five beerhouses: *Charles Duckett* and *John Shepherd* in Settle, *Henry Hardacre* in Long Preston, *James Lund* in Langcliffe, and *John Morphet* in Giggleswick. At the time of the 1853 trade directory just three were listed, one of which was Obadiah's. *Charles Duckett's* beerhouse, now the *King William Guesthouse* ran successfully for decades. In 1869, beer houses were brought back under the control of local justices and so many closed.

Obadiah, with roots in Rathmell was born in Stainforth and baptised in 1803 in Giggleswick. On May 26th 1841 he married the much younger **Mary Gifford**, a farmer's daughter from Bentham. Just a few days later, on 6th June, the date of the 1841 census, Obadiah and Mary were running the beerhouse

and had three young men from the army staying with them. Their infant son Robert died in 1844, but daughter Alice, born much later in 1856, survived.

Obadiah had a couple of incidents with local PC Cockshott who was known to be quite officious. One was a false alarm caused by their dog but in 1853 Obadiah was called to answer a charge of 'opening during the hours of divine service'. Obadiah's customers were very loyal and he was let off [1, 5C]. His defence lawyer was *Henry Robinson*.

**FALSE ALARM.**—On Thursday Evening, Feb. 22nd, Mr. and Mrs. O. Baines were dreadfully alarmed about half-past eleven o'clock, by a supposed attempt to break into their house. They called up both Mr. Cockshott, and Mr. Wilkinson, saying people were breaking into the house and had taken the window out. William of Austwick notoriety was not however, to be disturbed by attempts, he quietly continued his rest. On an investigation being made, it turned out that Obadiah's dog being locked out, had made forcible entry through the window.

**BEERHOUSE CASE.**—Mr. Obadiah Baynes, beer-seller, Settle, appeared to answer a charge of keeping his house open during the hours of divine service on Sunday the 9th inst., for the reception of persons not travellers, and another charge of refusing to admit the constable at the same time. The former charge was taken first. Mr. Cockshott, the superintending constable stated on oath, that on the evening of the above named Sunday he went to the defendant's house and found the door fast; that he knocked and kicked at the door for the space of 8 minutes before gaining admittance, and then found 4 persons in the house. Mr. H. Robinson, the

answer. The Bench intimated a wish that the defendant's witnesses should be examined and Mr. Robinson accordingly called 3 of the 4 persons above alluded to, all of whom positively stated that defendant's wife went to open the door immediately they heard the knocking, and that the defendant kept a very orderly house, no drink having been drawn after the bell ringing for church. This like the previous charge was dismissed.

In 1863, Obadiah and Mary had moved to a larger property on High Street – Well Cottage adjacent to the King William beerhouse run by Charles Duckett and also the Talbot Inn. That's a bit of direct competition! The Market Place property was taken over by *Thomas Horner*, a painter and decorator and father of Anthony and Michael Horner of the successful Settle photography business. In 1863 Obadiah took Thomas Horner to court over 'fixtures and fittings'. It went in Obadiah's favour, just [1].

**Baynes v. Horner.**—The plaintiff Obadiah Baynes, of Settle, beer-seller, sued Thomas Horner, of the same place, painter, for £10, being, according to the evidence of the plaintiff and his witnesses, the price agreed upon for certain fixtures which the defendant had bought from him. The defendant had taken a house lately occupied by the plaintiff, and the question in dispute between them was, whether the defendant had actually agreed to take the fixtures belonging to and left by the plaintiff at the price mentioned. The weight of evidence was clearly in plaintiff's favour, and the result was that he obtained a verdict, but, as to a portion of the fixtures the judge took time to consider, whether or not, the statute of frauds operated as a bar to the action as contended for by the defendant's attorney. Mr. H. Robinson was for the plaintiff, and Mr. Clark for the defendant.

In 1869 Obadiah will have had to pay the same, more expensive, licenses as the innkeepers. Obadiah died, aged 66, in 1870. At Well Cottage widow Mary ran the 'Craven Heifer Beerhouse' [1] but had a few problems with the locals getting drunk. Mary died three years after Obadiah, aged 56.

**SETTLE.**  
**PETTY SESSIONS.**—Tuesday last.—Before J. Birbeck, Esq., (chairman,) Rev. H. J. Swale, T. E. Yorke, and H. Christie, Esqrs.—**Breach of Beerhouse Licence.**—Mary Baynes, of the Craven Heifer beerhouse, Settle, was summoned on the information of the Police with having permitted drunkenness in her house on the 6th inst. The case was proved by P. C. [Phillipson], and the Bench inflicted a fine of 2s. 6d., and 8s. 6d., costs, and at the same time the defendant was cautioned by the Bench to be more careful for the future, otherwise her licence would not be renewed.—**Assault.**—Thomas



*In remembrance of Obadiah Baynes of Settle who died Jan'y 5th 1870 aged 66 years. Also Mary wife of the above who died Feby 21st 1873 (aged) 53 years... their son Robert who died in infancy, B10.*

Obadiah's mum Alice is also in this grave. Alice had been living in the Shambles with son Anthony and she died in 1843, aged a very respectable 73.

Obadiah and Mary's only daughter Alice married Thomas Taylor, an agricultural labourer from Litton. Perhaps inspired by an advert like this [5C],

## Settle Graveyard Project

Thomas became one of the fleet of Dales farmers to move to Liverpool as Cowmen, to supply the expanding city with milk. They lived at 'Toxteth Park'. This was in no way a second rate occupation – they had a servant at the time of the census returns.

A CAPITAL LIVING FOR A FAMILY FOR £350,  
NEAR LIVERPOOL.

**TO BE SOLD**  
A  
**MILK HOUSE,**

With 9 Cows, Pony, Shandry, Cans, and all complete, with a connection established 12 years, in the best part of the north end of Liverpool.

Apply, without delay, for full particulars to Mr JOHN BATTERSBY, Duke Street, Settle; or to Mr BROWN-CAVE, Farm Stock Auctioneer and Valuer, Boole Village, near Liverpool.



Alice had 12 children although four died in infancy. Their son **Joseph Alfred Taylor** married Lily Holmes from Barnoldswick. Joseph found a position in Barnoldswick working for the Midland Railway in a Cooperative store. In January 1913, aged just 24, Joseph was killed in one of those awful and preventable railway accidents. Whilst crossing tracks, Joseph's horse stumbled and knocked him over so that he lay across the tracks. Then a wagon ran over him. At the coroner's inquest the jury suggested that *'the Railway Company should have someone stationed at the crossing to warn people when shunting operations were going on.'* Of the accidents that caused the deaths of the Settle navvies who died during the building of the Settle to Carlisle Railway, 'crushed between wagons' was the most common cause. Health and safety procedures didn't seem to have improved at all in the 40 years since.

Witness went on to say that as the deceased was leading his horse across the last siding some wagons which had been shunted struck the shafts, and the horse knocked deceased down. The horse fell twice, but was not run over. The deceased fell across the line, his feet being outside and his body inside the four feet. The wagons went over his legs. The deceased might not have seen the wagons, because he was on the other side of the horse's head. There were three or four points about there, and they could not tell on which line wagons were going to come.

The jury returned a verdict of "Accidental death," and suggested that in future the Railway Company should have someone stationed at that crossing to warn people when shunting operations were going on.

Obadiah was distantly related to *George Johnson* via his mother.

### The Inns and beer houses of Victorian Settle:

NI – New Inn on 'New Road', now Station Road

JA – Joiner's Arms, later the Commercial Inn

GL, ONM, RO – Golden Lion, (Old) Naked Man and Royal Oak, as now

SE – Spread Eagle Inn on Kirkgate

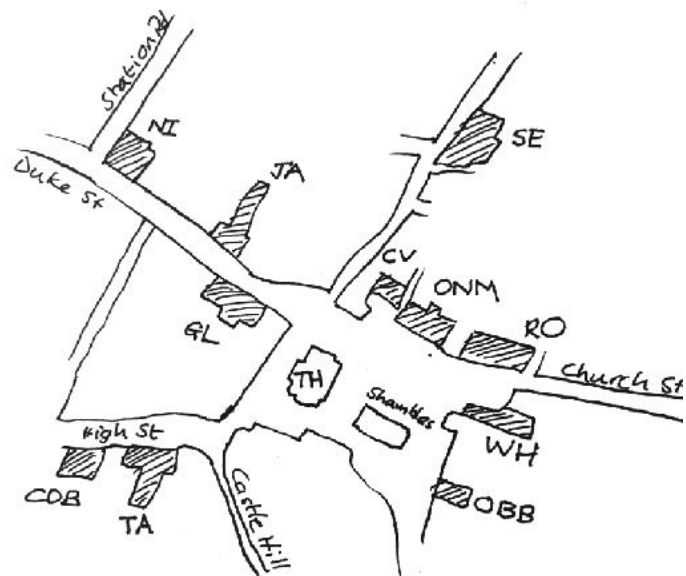
CV – Crown Inn/Vaults

WH – White Horse

OBB – Obadiah Bayne's Beerhouse - the tiny house

TA – Talbot Arms, as now

CDB – Charles Duckett's beerhouse, now the King William guesthouse.



Settle Graveyard Project



*This account has been compiled as part of the Settle Graveyard Project which has recorded gravestone inscriptions, updated church records and researched the lives of those buried. Life stories can be found on [dalescommunityarchives.org.uk](http://dalescommunityarchives.org.uk), 'settle graveyard project'. The 'Old Settle' family tree on [ancestry.co.uk](http://ancestry.co.uk) includes the families buried in the graveyard. The project is ongoing and welcomes queries and information on [settleresearch@gmail.com](mailto:settleresearch@gmail.com). Latest news and events are on the Facebook page 'Settle Graveyard Project'.*

*The life stories of people with italicised names have been researched as part of the graveyard project.*

*Newspaper cuttings by kind permission of the British Newspaper Archives: 1 – Lancaster Gazette, 2 – Burnley Express*

*SC - Settle Chronicle, with kind permission of the North Craven Buildings Preservation Trust*

*ph1 – credited to [londonagora.blogspot.com](http://londonagora.blogspot.com)*