

An ecclesiastical affair – scandal and libel in a Black Country parish

Part 2 – Charles Atherton, Curate and Vicar

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In Part 1 of this article, the nature of the Black Country parish of Pensnett in the 1850s and 1860s was described, and some background to the development of the church there was given. The story was taken as far as the incumbency of Richard Webster Boot, and the appointment of his curate Charles Isaac Atherton in 1864. The latter was born in 1839 in Liverpool to Samuel and Ann Atherton, but in the 1841, 1851 and 1861 censuses, he, his mother and a brother and sister are recorded as living in Nottingham with Ann's mother, without his father. Samuel, a solicitor, disappears from the historical record after his marriage, but, as we shall see, reappears in the 1871 census. This strongly suggests that he was out of the UK, either on a series of temporary visits, or on a permanent basis over that period. Ann Atherton seems to have developed a significant business in her own right as a milliner / outfitter, employing up to a dozen people as dressmakers and lace makers. It was in Nottingham that Charles went to school, and his obituary suggests that as a teenager he worked in the Midland Bank, his abilities earning him the role of Chief Cashier. He matriculated as a Pensioner at St Johns College, Cambridge in 1860 and receiving his BA (without honours) in 1863. The Cambridge degrees of that era were not terribly well regarded, and the examinations for the ordinary (non-honours) degrees were not very rigorous, but would probably have given him a reasonable grounding in the Classics, Greek and Latin, and perhaps if he was that way inclined, in Mathematics. He was ordained deacon in Ely in 1863 and priest in Lichfield in 1864, and eventually took his MA in 1866 i.e. 3 years after his BA, which was, and indeed still is, the custom. He married Selina Mallet, from a family of lace makers, in Nottingham in 1864, and it is possible that they lived at the Vicarage with Boot and his wife. They had two children – Ernest, born in 1865 and Gertrude born in 1866. He found the time, between family and church duties, to write and publish a booklet "Nature's parables" – which are theological reflections arising from a consideration of the natural world – and which can still be read on the web thanks to the Hathi Trust digital Library. Interestingly Charles' mother's maiden name was Boot and it seems to the author that there was most likely a family connection with his employer. This cannot be proven, as both Richard Boot and Ann Boot's families seem to have come from the non-conformist tradition for which baptism and marriage records are not generally available. In all likelihood, Atherton owed his position to family contacts – something that was far from unusual in that (or indeed any other) age. Be that as it may, from 1863 onwards, Charles Atherton would have lived and worked in close proximity to Richard Boot and his family, as his employee, and quite possibly as his relative.

The next scandal concerned Richard Boot himself. In 1867 his wife petitioned for divorce due to adultery. In court, it was reported that in 1865, Boot had left his wife in Pensnett (and by this time, his three children) due to financial difficulties,

and Mrs. Boot had returned to her Father's home in Cornwall. The alleged adultery was with Eliza Brinton, the daughter of William Brinton, a gardener of Tansy Green in Pensnett, who was employed as a nursemaid at the Parsonage from 1863, when she was aged about 13 or 14. When Boot left Pensnett, she also left the Parsonage, and it was reported she was later to accompany Boot on visits around Britain and Europe, passing as father and daughter, but allegedly sharing the same room in hotels, and on one occasion in Le Havre, the same bed. Affectionate letters between the two were produced during the trial for adultery. Eliza Brinton herself gave evidence and claimed that no impropriety had taken place. In his summing up the judge commented that

“...if he were guilty, what a monstrous outrage it was that he, a clergyman of the Church of England, should put into the witness box the girl he had seduced and oblige her to commit perjury”.

Without hesitation, the jury found Boot guilty of adultery, and custody of the children was given to his wife. The *decree absolute* was granted in 1867. Boot thereafter disappears from the census record, which suggests that he moved overseas. It is possible that the record of a will in 1892 for Richard Boot of Calais, artist, giving £296 to Emilie Louisa Boot, spinster, may refer to him. In this case Emilie would either be his sister named as Emma in the census records, or possibly a wife or daughter.

The effect of this unpleasant episode on the life of the parish would have been significant. Charles Atherton was of course present throughout and indeed as curate would have been left to pick up the various activities of the parish, both in terms of worship and involvement with the local community. It would have been something of a baptism of fire for a young and inexperienced curate. If he was indeed related to Boot in some way, there would have been added personal and family pressures.

Whatever the pressures that Atherton felt in keeping the parish of Pensnett going during his time as a curate, he was clearly perceived as doing so successfully and the Patron of the Parish, the Earl of Dudley, presented him to the living in 1867. Like Boot he was young – aged just 28 at his appointment. To get a flavour of his priorities and beliefs, it is worth looking at the sermon he preached (and distributed) early in January 1868, which reviewed the activities of the previous year. Firstly it is clear from the sermon that he made major efforts to address the physical concerns of the parishioners in terms of providing food and clothing to a population on the edge of poverty and where work was often difficult to find. Secondly, he was concerned not just with the physical needs of his parishioners, but also with the intellectual needs, as evidenced by the formation of the Young Men's Mutual Improvement Society; he encouraged the musical life in the parish centred on the choir: and by the growth of the boys and girls schools, in their new buildings on the Turnpike Road. But most of all he was concerned for the spiritual development of his parishioners urging them to become regular communicants, at a time when many church goers simply did not attend the services of Holy Communion; and reminding them that “the time is short” and the “night cometh wherein no man can walk” and urging them to “walk while you have the light”. In this he shows a conventional, if zealous, low-church evangelical piety that was to characterize his mission throughout his

career. That being said, it would seem that whilst he was at Pensnett, he also became close to Richard Twigg and George Body at St James', Wednesbury, which was the centre of what came to be known as Catholic Evangelicalism, which brought together evangelical concern for the salvation of souls and a zeal for mission work, with a Tractarian ritualism and a concern for the needs of the poor. Both were to have long careers as missionary priests both in the Black Country and elsewhere. They were in some ways dangerous friends, being censured and disciplined by the Bishop of Lichfield for illicit evangelical low church practices - for example, holding extempore prayer groups in the homes of workers in Wednesbury - and also for such Tractarian high church practices as having a cross and candles on the holy table. One can see these influences quite clearly in Atherton's career, and they presumably reflected on his practices in Pensnett. Certainly during his career at Pensnett, he showed very considerable energy in opening a Mission Church of Holy Trinity in Bromley in 1867 (also referred to in the sermon), in developing the life of the National Schools after the 1870 act and in beginning the efforts to stop the church falling apart due to subsidence. An obituary written in the Guardian 40 years later informs us that

..... the immediate occasion of Charles Atherton's first interest in Mission-work was the sudden death from a stroke of lightning of a godless parishioner, which made a great impression on the collier nature. Mr. Atherton seized upon it and used it as the starting-point of a remarkable spiritual revival in the parish. A great love of souls hence forth possessed his heart and he went forth on Mission enterprises far and wide.....

There was one other interesting point in the sermon. Atherton was clearly not afraid of speaking his mind. It takes either bravery or a degree of recklessness for a 28 year old young clergyman to tell some in the congregation

".....It appears that those who have been loudest in the praise of the choir, and in their desire that a choir fund should be established, are those whose names are not found on the list (of subscribers to the fund). I would venture to remind some of those who appropriate seats in the church that by not subscribing either to the schools or the choir they are absolutely doing nothing for the church, they are having their religion at a cheaper rate than they could have it anywhere else, and they are taking up room that might be better occupied by many families who are waiting for sittings...."

Unsurprisingly this did not go down well with some, but rather than making the usual complaint at the church door, the complaint was made anonymously by someone calling themselves "Alpha" to the local newspaper - which occasioned the printing the week after of a letter from Atherton containing the full sermon, and a letter from another parishioner in Atherton's defense.

The defining event of Atherton's incumbency occurred in early 1870. He seems to have developed some sort of infatuation or attachment to a sixteen-year old girl, Agnes Bowdler. She was the seventh of eight children of George and Mary Bowdler who were grocers in Bromley, and was a pupil teacher at the National School, where it is likely they became acquainted. At this distance it is not really possible to say anything about the motivations of either Charles Atherton or Agnes Bowdler, or indeed anything else about the relationship, and certainly there should be no rush to judgment or either. However, in the court case that

will be described in Part 3, it was revealed that on March 3rd 1870, Atherton took Agnes on a trip to Birmingham, first class on the train, having given her the money for her fare somewhat surreptitiously in Rookery Lane (modern Tiled House Lane) the night before. He then took her to a Refreshment room, bought her a necklace and took her to the circus. This was done without the permission of the parents. Unfortunately for Atherton, he was observed by one Cornelius Chambers of Bromley Lane, who first saw them together whilst they were changing trains at Dudley Port station. Here our story takes a somewhat comic turn, Chambers then followed them around Birmingham – from New Street Station to Avery’s refreshment rooms in Bull Street; after 20 minutes waiting outside he followed then to a Jewelers shop also in Bull Street hiding in shop doorways on the way; and then to the Market Hall where he gave up his pursuit. As an aside, that is perhaps not wholly scurrilous, Chambers was a member of St James’ New Connexion Church, married to the daughter of one of the founders of the church, and was later to become a liberal county councilor. The shock he must have felt in seeing a minister of the established church acting in this way can only be imagined. Chambers reported this matter to a next-door neighbour of his at Bromley House (close to the current Bromley Bridge) – Mr. Benjamin Wood, the People’s Warden at St. Mark’s. Clearly the parents of the girl found out what had happened and threatened legal action, and Atherton wrote to the father on March 14th apologising for his actions, for denying them when first confronted, and for having caused him uneasiness. This letter was apparently made public, and Atherton then wrote to the Bishop the day after setting out the facts. The Bishop at that time was George Selwyn, who had been till 1868 the first Bishop of New Zealand, and would have known Atherton personally, having spent a weekend in Pensnett in April 1869 confirming and preaching. The Bishop first instituted an enquiry through the churchwardens, and wrote to the parish on April 10th, and whilst acknowledging the indiscretion, took the view that Atherton was not “*unworthy of the confidence of the parishioners*”. A more formal enquiry was however instituted a month later under the Clergy Discipline Act, with a Commission consisting of the rector of St. Peter’s Wolverhampton, and the vicars of St. Michael’s, Coventry and St. Edmund’s, Dudley. They questioned around twenty witnesses from the parish, including Cornelius Chambers, Benjamin Wood and Agnes Bowdler and her parents, in proceedings that lasted until 10.00pm in the evening. The Commission came to the view that, though Atherton had acted extremely unwisely, no impropriety has been committed, and the Bishop took the view that Atherton should take a break from the parish for a six-month period, and strongly advised him to do so in a letter of May 27th.

Atherton took the Bishop’s advice and absented himself from the parish. He was however away for only three months and thus would have returned sometime in early or mid-September 1870.

After the incident in Birmingham took place, a number of anonymous fliers had circulated around Pensnett. The first of these is given in Box 1 and essentially gives an account of the incident. It is undated, but seems to come from sometime around April / May 1870. These proved to be the first of a number of such documents. The next two that followed were written as doggerel ballads to be sung to popular music hall tunes. The first of these (The Parson’s Intrigue) had eight, ten line verses and the second (The Model Parson) thirty, four line verses,

going over much the same ground as that in Box 1. They both refer to Benjamin Wood as Atherton's henchman and apologist. The Parson's Intrigue ends with the rather damning couplet "*And oh, dear oh! Don't all of us know, This parson's religion is nothing but show*".

A further document entitled "Another Pensnett Mystery" seems to date from around this time and suggests a relationship between Selina Atherton and Wood, who apparently bought her "garters with silver buckles". It also introduces the practice of referring to various church members by none too polite nicknames. It will be seen in Part 3 that this was far from the end of the matter and would ultimately result in legal proceedings that gained national attention.

Box 1

By their works he shall know them

.....Is it a fact that the Parson kissed and embraced the girl repeatedly in the wood and dark lanes?

Yes

Is it a fact that he went down on his knees in his library with one arm around her waist declaring his love and trying to get an answer from the girl that she loved him?

Yes

Is it a fact that he made arrangements with the girl for going to Birmingham?

Yes

Is it a fact that he met her in a certain lane, the night previous to going to Birmingham, and gave her money to pay her fare, and a note stating the time and place of meeting, and parting with kisses and embraces?

Yes

Is it a fact that he bought a necklace for her and declared he did not care what he did for those he loved?

Yes

Is it a fact that he took her to the Circus and gave her the advice that "when everything else failed on this earth, to take to this"?

Yes

Is it a fact that he enquired whether she was cold or not, and replying she was, saying, "Ah, Agnes, you want my arm around you to keep you warm?"

Yes

Is it a fact they rode by themselves in a First Class Carriage, and that he frequently kissed her?

Yes

Is it a fact that they rode together in a cab from the station, and that she was to thank him for giving her this ride down, so that the Cabman might not think anything wrong?

Yes

Is it a fact that he told the girl to look at him in the pulpit and when he wink'd his right eye, it meant Birmingham?

Yes

Is it a fact that when the girl's mother went to see about her daughter about being in Birmingham on the previous day, he stigmatized the man who took her there "as a villain who wanted hanging, and whether he be married or single, his motives were bad"?

Yes

Is it a fact that after the mother's departure from his house, he sent for the girl, and persuades her to tell a lie to her parents?

Yes

Is it a fact that when charged with being with her in Birmingham, he strongly denied it on several occasions?

Yes

Is it a fact he gave and instructed another party to give for him, apologies confessing "the lies he told"

Yes

Is it a fact that judging from the man's conduct at the present time, that he seems to glory in the matter?

Yes

And this is the man who occupies our pulpit, this is the man who takes upon himself the responsibility for ministering to the wants of the people, this is the man from whom we might have expected more independence, more straightforwardness and to have been actuated by motives less selfish, hold up before the people as their pattern, in all good things.

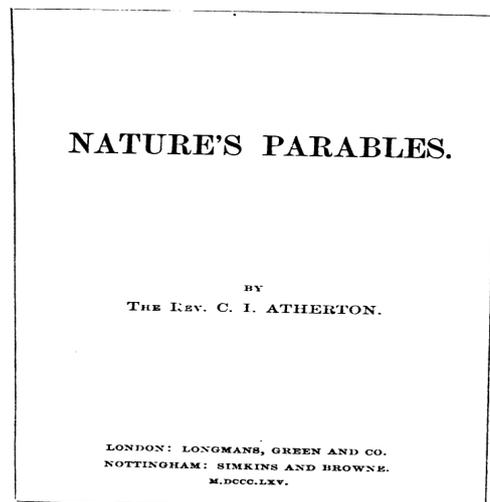
No doubt these few facts will be denied as previous facts have been in this scandalous affair before, but still they remain facts, which cannot be denied.

Beware of wolves in sheep's' clothing!



Bishop Selwyn

[https://commons.wikimedia.org/wiki/File:Selwyn, George Augustus \(1809-1878\), by Mason %26 Co..jpg](https://commons.wikimedia.org/wiki/File:Selwyn,_George_Augustus_(1809-1878),_by_Mason_%26_Co..jpg)



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