

THE SHEWELL CASE

By Malc King

Summary

Walter Shewell, an out-of work Stroud player, told two Gloucester players that he was thinking of moving to Gloucester to find work and would be interested in playing for Gloucester. He was introduced to John Hanman, who then found that Gloucester were short of players for a fixture the next day at Newport, so invited Shewell to play. He also offered to try to help Shewell find a job.

When Stroud found out about this, they lodged a complaint with the County Union, who found Gloucester guilty of breaking the laws on transfers and professionalism. They exonerated Hanman, but fined the Gloucester club £10 and suspended the two Gloucester players. Gloucester were incensed and appealed to the RFU. Although the appeal was withdrawn, the RFU conducted an enquiry, found that the professionalism laws had been breached, and decided to make an example of Gloucester.

The Club was suspended and the Kingsholm ground closed for three weeks, Hanman was suspended for the rest of the season, and the Club had to pay the costs of the enquiry. Gloucester were indignant at this decision, but no appeal was allowed, so they had to put up with it.



J. HANMAN.
(Capt. 1893-4-5.)

J. Hanman

The Full Story

On 23rd December 1893, the Gloucester Thursday team played a match away at Stroud. This team was not part of the Gloucester Football Club, but rather a separate local side, for which several Gloucester players turned out. Although their home matches were played at Kingsholm, they did not use the Gloucester pitch but a separate one marked out for their use. After the match at Stroud, Walter Shewell, a Stroud player, mentioned to a couple of the Gloucester players, that he was planning to leave Stroud in search of work, and was interested in playing for Gloucester if he did not go to the North of England. He may have reasonably expected paid employment as part of a move to a Northern club – the following year disputes over professionalism in rugby caused the schism which led to the separation of Union and League Rugby.

On 30th December, several regular first team players, including the captain, John Hanman, as well as A F Hughes, Arthur Stephens, C Hall, C Rose and J R Price, were unavailable for an away game at Newport. Gloucester had to draft in a number of reserves, but honoured the fixture and were outclassed and comprehensively defeated by a Newport side which scored 1 goal and 7 tries to win 26-0. The team which represented the City was: H Bartlett; W H Taylor, W Gough, E Bellingham and W Shewell; T Bagwell and F Miller; A Collins, W Collins, J Mayo, G Jones, C Williams, C J Click, A Wellings and A Kiddle. This was the first appearance for Gloucester of Walter Shewell, who was asked to play by Hanman when Stephens dropped out of the team on the day before the match. Hanman would have not only been keen to ensure that Gloucester put out a full team at Newport, one of their strongest opponents, but, having recently been appointed as captain, he was also under some pressure to revive Gloucester's flagging fortunes on the field.

Although looking to play for Gloucester, Shewell was still registered as a Stroud player, and the law of the Rugby Union regarding transfers was a stringent one - written permission had to be obtained from the club to which a player was attached before he could appear for another team. The Gloucester captain, John Hanman, broke this rule by inviting Shewell to play. It then transpired that Shewell had also been offered assistance in finding work if he came to play for Gloucester - much more seriously this could be argued to contravene the law on professionalism.

On hearing of this, the Stroud Club wrote a letter of complaint to the Gloucestershire County Union, which was copied to the Gloucester Club, and received by them on 5th January 1894. The Secretary of the Stroud Club wrote as follows:

“Dear Sir,

I am instructed by my Committee to draw your attention to the action of the Gloucester City Club in playing Shewell, last week at Newport. They have good grounds for believing that after the match on Thursday week, inducements in the shape of work were offered Shewell if he would play for Gloucester. As this is a breach not only of the Transfer Laws, but also to those relating to Professionals, my Committee would be glad – if it comes within the jurisdiction of the County authorities – if you will arrange for an enquiry to be made in the matter. Failing this will you please advise me at once, that steps may be taken for notifying the fact to the General Body of the Rugby Union.

Yours truly, T Monaghan”.

This occurred against a background of some ill feeling between the two clubs, which had been simmering for a few seasons. Gloucester had demeaned the Stroud midweek side after it had been beaten by the Gloucester Thursday side, and had refused to include Stroud in their fixture list as regular first team opponents. This was resented by Stroud, whose standard was improving whilst Gloucester’s results had taken a dip in 1892-93, when Stroud enjoyed success against both Gloucester’s 1st and 2nd XVs, but were not given a 1st XV fixture in 1893-94. This antagonism was further fuelled by several reports appearing in the Citizen during 1893 complaining about the biased and unsportsmanlike behaviour of Stroud’s supporters.

The County Union decided that this issue did fall within their jurisdiction, and their Secretary wrote to the Gloucester Club from Fair View, Bath Road, Stroud on 8th January:

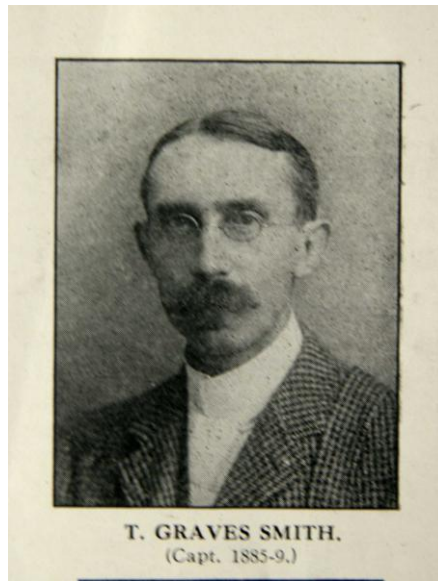
“Dear Sir,

At the request of the Stroud Football Club, the Judicial Committee of this Union will on Friday evening next meet at the Ram Hotel, to enquire into certain charges made by the Stroud F C against the Gloucester F C.

These charges are:- a breach of the transfer laws in playing Shewell v Newport, & the far graver charge of a breach of the laws as to Professionalism, in that inducements in the shape of work were promised Shewell by the Gloucester Club, which of course constitutes a breach of the laws.

Mr John Hanman is a member of the Judicial Committee & I would suggest that you at once call a meeting of the Club Committee in order that he may be instructed how to act on behalf of the Club at the meeting on Friday next.

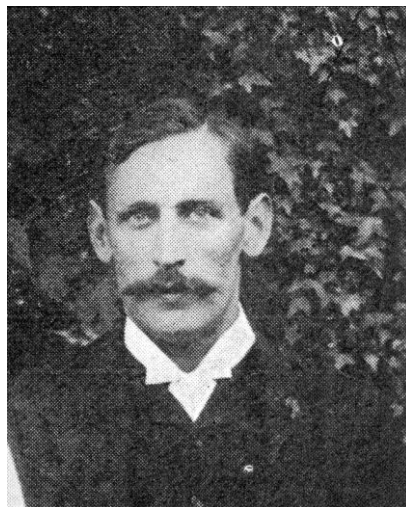
Yours faithfully, T Graves Smith, Hon Sec, GCFU.”



T. GRAVES SMITH.
(Capt. 1885-9.)

T. Graves Smith

Members of the Gloucester Club had been instrumental in the setting up of the County Union in 1890, most notably Hubert J “Jimmy” Boughton, who became the County Union’s first President, and at the time of the Shewell case not only continued to hold this post, but was also President of the Gloucester Club. At the time he was working hard to try to persuade the Rugby Union to grant a place on their committee for the Gloucestershire Union (which eventually happened in 1897, when Boughton became the first Gloucestershire representative). Tom Graves Smith was Hon Sec of both the County Union and the Gloucester Club, and John Hanman was on the County Judicial Committee and had become Captain of Gloucester that season. However, conflicts of interest appear not to have been regarded as a problem, and the County Union duly investigated the charges against Gloucester, without any of the Gloucester officials standing aside.



Hubert J. “Jimmy” Boughton

On 13th January 1894, the outcome of the County Union investigation was published, and reported in the press. The Citizen ran an article entitled "*The Allegations against the Gloucester Club – The Club Fined – Three players Suspended*", which gave the following account:

"A special meeting of the judicial committee of the Gloucestershire Rugby Union, was held at the Ram Hotel, Gloucester, last evening, to enquire into the charges of professionalism and contravention of the transfer laws proffered by Stroud against the Gloucester F.C. The allegations arose out of the playing by the City team against Newport of W Shewell, whom the supporters of the charge stated, was offered some inducement to do so. The Committee instituted an exhaustive enquiry into the charge, several witnesses being examined on either side. In answer to the allegations the Gloucester Club denied that any inducement was offered Shewell, and added that the player mentioned, after the match between Stroud and Gloucester Thursday – when the alleged overtures were made – himself offered his services to one or two members of the City Club, providing a place could be found for him in the team. Shewell stated that he had been out of work several weeks, and had been advised to go to the North of England, but if possible, he would much rather stay in Gloucestershire. The proceedings lasted some four hours and, at the close of sitting, it was announced that the decision would be published today. We have accordingly received from the President (Mr H.J. Boughton) the following official copy of the resolutions passed by the meeting:

- 1. That John Minahan and A. Kiddle (members of the Gloucester Football Club), and W. Shewell (member of the Stroud Football Club), having acted in contravention of the rules of the Rugby Football Union relating to professionalism, are hereby suspended from playing the 9th of February next.*
- 2. That John Hanman, Captain of the Gloucester Football Club, committed a breach of the rules of this Union in playing the said, W. Shewell for Gloucester against Newport on the 30th December last without first obtaining the sanction of the Stroud Football Club, but having acted in the firm belief that Stroud had no engagements on that day, and on the positive assurance of the said W. Shewell that the Stroud Club would not raise any objection to his playing for Gloucester, this Union does not propose to inflict any liability upon the said John Hanman personally.*
- 3. That the above breaches of the rules of the Rugby Football Union and this Union were not committed with the sanction or knowledge of the Committee of the Gloucester Football Club, but as all Clubs are, under the rules of the Rugby Football Union, liable to punishment in respect of the acts of their members, this Union calls upon the Gloucester Football Club to forthwith pay a fine of ten pounds to the Treasurer of this Union, which he shall hand over to the Treasurer of the Gloucester District Nursing Society for the benefit of the funds of that Institution."*

On 15th January, T Graves Smith as Hon Sec of the County Union wrote to the Gloucester Club as follows:

“Dear Sir, I herewith enclose a copy of decisions of the Judicial Committee with regard to the charges made b the Stroud F C against Gloucester F C. From these it will be seen that Messrs John Minahan & A Kiddle (members of the Gloucester F C) are suspended from playing Rugby Football until the 9th of February next. Further, that the Gloucester Football Club in consequence of the breaches of the rules of the Rugby Union by the aforesaid two members, is called upon to pay a fine of £10 (ten pounds) to the Treasurer of the County Union (Mr J Tratt), which amount will be handed to the Treasurer of the Gloucester District Nursing Soc for the benefit of the funds of that Institution. Kindly notify this to the Gloucester F C Committee.

Yours truly, T Graves Smith”.

The attached decisions of the County Union Judicial Committee read as follows (not quite identical to the Citizen report above):

*“1. That John Minahan and A.Kiddle (members of the Gloucester Football Club) and W.Shewell (member of the Stroud Football Club), having acted in contravention of the rules the Rugby Football Union relating to professionalism, are hereby suspended from playing Rugby football from this date down to the 9th of February next.
2. That John Hanman, Captain of the Gloucester Football Club, committed a breach of the rules of the Union in playing the said W.Shewell for Gloucester against Newport on the 30th December last without first obtaining the sanction of the Stroud Football Club, but having so acted in the firm belief that Stroud had no engagement on that day, and on the positive assurance of the said W.Shewell that the Stroud club would not raise any objection to his playing for Gloucester, this union does not propose to inflict any penalty upon the said John Hanman personally.
3. That the above breaches of the rules of the Rugby Football Union and this Union were not committed with the sanction or knowledge of the Committee of the Gloucester Football Club, but as all Clubs are, under the rules of the Rugby Football Union, liable to punishment in respect of the acts of their members, this Union calls upon the Gloucester Football Club to forthwith pay a fine of ten pounds to the Treasurer of this Union, which he shall hand over to the Treasurer of the Gloucester District Nursing Society for the benefit of the funds of that Institution.”*

This outcome was received with some dismay by the Gloucester Committee. The Gloucester Club considered themselves not only a bona fide amateur club, who conducted their business in accordance with the laws laid down by the RFU, but also a bastion of amateur principles. And it was not just locally that Gloucester were seen as champions of the amateur ethic – in January 1894, the Birmingham Daily Post reported that *“it is to clubs such as Moseley and Gloucester that football lovers look first to guard the honour and maintain the traditions of the Rugby Code”*.

The initial Gloucester response was to try to talk the County Union into a more acceptable ruling. On 17th January 1894, T Graves Smith, as Hon Sec of Gloucester F.C., responded to his own letter as Hon Sec of the County Union as follows:

“Dear Sir, Your letter of the 15th inst enclosing a copy of the decision of the Judicial Committee of the County Union in the matter of the charges brought by the Stroud F C against the Gloucester F C was laid before the Committee of the latter Club at their meeting last night.

As the result of their consideration of the decision it was decided by my Committee to ask the Judicial Committee to be good enough, before proceeding furthering the matter, to hear a delegate from this Club on technical points in connection with the judgement of the Judicial Committee, and it is hoped that the latter will accede to this request.

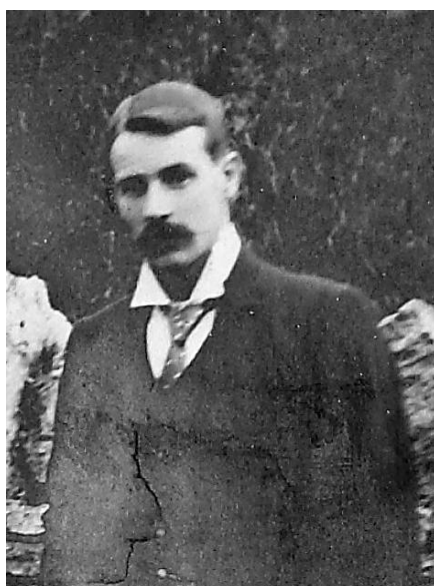
I may add that it is not proposed in this instance to ask the Judicial Committee to vary their finding as to facts, nor in anyway to re-open the evidence, but simply to reconsider their decision on purely legal grounds.

Yours faithfully, T G Smith Esq, Hon Sec, Gloucester Football Union”.

On 20th January, Graves Smith again responded on behalf of the County Union, but on this occasion he addressed his letter to F W Lovesy, Sec Gloucester City FC (rather than to himself the Hon Sec):

“Dear Sir, The Judicial Committee met last night, and I am instructed to inform you that after hearing your delegate (Mr Grimes) they regret that they are not in any way able to alter their decisions previously given in the Stroud v Gloucester case. They further instruct me to say that in imposing a penalty in the shape of a fine upon the Gloucester Club, they were animated by the desire to make the punishment less severe than would undoubtedly have been the case had they suspended the Gloucester Club in the manner first suggested at the meeting on the 12th inst, the more lenient course of the penalty being in the end agreed upon.

Yours faithfully, T Graves Smith, Hon Sec, GCFU”.



F. W. Lovesy

Since some Gloucester officials were party to the County decision, the judgement was immediately known to the Gloucester Club, where it was received with indignation and resentment. A meeting of the Club Committee was called to consider what action should be taken. The result was that it was unanimously decided to appeal to the Rugby Union against the decision, the city club contending that the infliction of the fine was *ultra vires*, and that the sentence was unjust. The Club took immediate action, and on the same day that the County Union decision was communicated, 20th January 1894, H W Grimes wrote on behalf of Gloucester F C to the Rugby Football Union:

“Dear Sir, I am instructed by the Committee of this Club to give notice to the Rugby Union Committee of our intention to appeal against the decision of the Gloucester County Union in the matter of certain charges brought by the Stroud Football Club against this Club, and in accordance with the Rules of the Rugby Union I enclose a cheque for £50 as deposit.

I presume you will apply to the County Union for a report of the charges and their findings thereon and will notify us in due course as to the steps your Committee will take in the matter.

We take it as a matter of course that you will allow us to be represented at the enquiry

– I am Dear Sir, Yours faithfully, H W Grimes”.

The reaction of the Gloucester Committee to the County Union decision suggests that they believed that the principles which they applied to the running of the Club had been impugned. They believed that their Club had total commitment, ethically and practically, to the principles of amateurism. This righteous indignation seems to have caused them to respond hastily in appealing to the Rugby Union, without thinking through the position which the Rugby Union was likely to take. They were soon to come to regret this hasty and poor judgement. The case attracted attention across the country, and Gloucester’s judgement was questioned – the Athletic News pointed out that *“many Yorkshiremen believed that Gloucester FC should have paid the ten pounds fine and put up with it”* adding that *“many innocent Yorkshire clubs would have paid such a light penalty without a murmur!”*

In the meantime the £50 necessary for the appeal to be heard was deposited with the RFU. Jimmy Boughton, President of both the County Union and the Club, and himself a solicitor, opined that he thought that the Union had, in inflicting the fine, exceeded their power. This opinion doubtless carried a lot of weight, and was the basis for the Gloucester appeal, along with the argument that the sentence on the Club was unjust as the Club had not sanctioned, and had no knowledge of, the alleged inducements made to Shewell. No one seemed able to explain why, if this were the case, the fine should be paid by anybody. The Club adamantly refused to pay it from Club funds, on the grounds that in paying it they would be admitting guilt, but nevertheless some friends of the Club agreed to pay the £10 on behalf of the Club. The Club

With the benefit of a little more time for reflection, wiser counsels appear to have prevailed, and the Club decided to withdraw their appeal. It was reported in the Citizen that “the sole object” was “to prevent ill-feeling between the Club and the Union”, but it seems likely that the Club had by now realised that the Rugby Union

was likely to take a hard line over any infraction of its laws, in particular of those regarding professionalism.

The Rugby Union was not to be deterred by this withdrawal of the appeal, and appointed a sub-committee to act as a Commission of Enquiry, chaired by W Cail, President of the RFU. These arrangements were confirmed in the minutes of the RFU Committee meeting held at the Craven Hotel, Craven Street, Strand, London on 2nd February 1894, which record:

“Gloucester Club Appeal

The Secretary stated that he had received a letter from the Gloucester Club withdrawing their appeal and he was instructed to return the £50 deposited. A Sub-Committee of the following:- Messrs W Cail, J A Miller, C A Crane, H L Ashmore, and G R Hill, was appointed to investigate the case. The Sub-Committee to have full and final power to deal with the whole question involved between Gloucester Club and Gloucester County.”

The proceedings of this sub-committee were conducted in private, but an exhaustive enquiry was undertaken, starting with an investigation held in Birmingham on 2nd February 1894. Evidence was taken from officials of both clubs, and from Shewell, Hanman and Kiddle.

In due course, the sub-committee reported back to the full RFU Committee, and the minutes of the RFU Committee meeting held at the Queens Hotel, Leeds on 3rd March 1894 record:

“Present: W Cail (Chair), R S Whalley, J Maclaren, E T Gurdon, G Berney, H L Ashmore, C A Crane, A M Crook, L Hickson, B Kilner, J A Miller, M Newsome, T M Swinburn, Rev G J Warner, J W H Thorp and G Rowland Hill.

The report of the Sub-Committee on the Gloucester and Stroud Club case was presented, which is as follows:

“That Gloucester Football Club and Ground be suspended from 5th to 24th March both included.

That Mr Hanman be suspended from playing Football during the remainder of this season.

That the expenses of this enquiry be paid by the Gloucester Football Club.”

As the question has been decided under the Professional Laws and not under the Transfer Laws, the sub-committee recommends the Gloucester County Union to return the £10 provided it has not been already handed to a Charity.”

The Citizen reported that *“the severity of the sentence occasioned the utmost surprise to the Gloucester and Stroud representatives present, and expression was given to this feeling; but Mr Cail, the President, stated that the Union were determined to deal with a firm hand with such cases, and make an example of offenders”.*

Needless to say, the decision was not received well back in Gloucester. On 3rd March 1894, the Citizen reported that:

“The decision was received in Gloucester with great surprise, approaching consternation. The Rugby Union announced their intention of appointing a sub-committee to enquire into the case some few weeks ago, but as nothing further transpired, not few began to think the last had been heard of the unfortunate affair. Both the Gloucester and Stroud clubs were represented at the enquiry, and the principals in the case – Messrs J.Hanman, A.Kiddle and W.Shewell – were also summoned to attend. Some curiosity was aroused in the minds of the Gloucester Club’s supporters as to what the new evidence which the Stroud club had collected would amount to, but it was generally thought the City club would be able to meet any fresh charge. The County Rugby Union, having, when they investigated the charges, acquitted the Gloucester captain of mala ides in the matter, the suspension now of Mr Hanman for the remainder of the season is rendered all the more surprising. The sentence is regarded altogether as too severe, considering the apparently trivial nature of the alleged offence. The matches that will have to be postponed or abandoned as a result of the suspension are with the Kent Wanderers, Cardiff and Broughton, all of which fixtures were down for decision at Kingsholm; whilst two of the “A” team’s fixtures – with Cardiff “A” and Gordon Wanderers – will also have to be declared off. The loss of these gates, especially the Cardiff match, on which occasion, one of the largest crowds of the season was expected, will sadly affect the funds of the club, which will be further diminished by the costs of the enquiry, the whole of which the offenders have been ordered to pay. The Gloucester officials, though sorely disappointed at the turn events have taken, are quite resigned to the inevitable. Mr F.Lovesey has already approached the Cardiff secretary with a view to getting the Welsh Metropolitan to play the return match in mid-week, and has suggested a date in April as likely to prove suitable. Should the Cardiff Club accede to the required they may be sure of a hearty welcome from the spectators; whilst by their visit they would be largely helping the city club to tide over the unfortunate difficulty.

As some doubt exists as to the exact meaning of suspending the club and ground for the specified time, it may be stated that it practically amounts to shutting the gates of football entirely for three weeks. Not only the First, but the “A” and Thursday teams are affected by the decision, and the Union will not allow even an exhibition or practice game to be played during the period of suspension.

Mr Rowland Hill has today wired Mr Boughton in response to a telegram sent him: - “Members are not permitted to referee.”

William Stout, President of the Gloucester Club, wrote to the Editor of the Citizen to give the Club's views on the Shewell case, and this letter was published in the Citizen on 9th March 1894:

“Sir, As many exaggerated and untrue statements are in circulation as to the facts which led up to the suspension of this club by the Rugby Union, the Gloucester Committee think it well, in justice to themselves and in the interest of football generally, that the facts should be made public.

On Thursday the 23rd December, one of the minor Gloucester clubs, called the “Thursday,” went to Stroud to play a match against the Stroud Club, for whom Shewell was playing. After the match two of the “Thursday” players, Minahan and Kiddle (who happen to be members also of the Gloucester Football Club) got into conversation with Shewell, one of the Stroud players in the course of which the latter said he had been out of work for seven weeks, and as he could not get any he was leaving Stroud and thought of going North. They then remarked to him, “Why don't you try Gloucester?” and he replied, he should like to do so and enquired if they thought he could get work there. They said they thought he might, and if he came they would try and find him some. On the following morning Kiddle met Mr Hanman, The Captain of the Gloucester Football Club, in the street, and informed him that he thought Shewell (of whom Mr Hanman had never previously heard) would turn out a good man, and that he had told him he was going to leave Stroud, and he added, that he (Kiddle) was going over to Stroud that morning on business, and would, if Mr Hanman liked, see Shewell and ascertain if he was coming to Gloucester. Mr Hanman acquiesced in this and a telegram was accordingly sent to Shewell asking him to meet Kiddle at the Stroud station. Shewell, however, misunderstood the telegram and came over to Gloucester, and later in the day saw Mr Hanman at the latter's office.

Mr Hanman remarked that he understood Shewell was leaving Stroud, and enquired if he would like to play for the Gloucester club, to which Shewell replied that he would, and Mr Hanman then said that, if he came to the town, he would do what he could to assist him to find work. Nothing was said at this interview about his playing for Gloucester against Newport on the following day, as the Gloucester team (which had been selected in the usual way on the preceding Monday) was fully made up. Mr Hanman then gave Shewell (who felt he had been brought over to Gloucester upon a misunderstanding) to cover his railway fare to and from Stroud, and his tea and they parted, Mr Hanman not expecting to see him again. Later in the evening, as Mr Hanman was standing at his door, Shewell passed and again entered into conversation with him, in the course of which word was brought to Mr Hanman that Stephens, one of the Gloucester players, would be unable to go to Newport on the following day. Mr Hanman knowing that the Stroud club had no match for that day then enquired of Shewell if they would object to his playing for Gloucester, and Shewell assured him they would not. On the following day Shewell accordingly went to Newport with the team and recovered his fare and tea as did the other of the team, and beyond this he received nothing.

These are the actual facts of the case as borne out by the evidence given before the Rugby Union Committee and, if the conduct of Mr Hanman in telling Shewell (who was avowedly leaving Stroud) that if he came to Gloucester he would endeavour to assist him to find work amounts to professionalism, then I say that no sooner such

professionalism is legalised the better for the interests of Rugby football. Looked at in the light of such a decision as this the amateurism of the vast majority of clubs is a sham and a delusion, and nobody can be better aware of this fact than the Rugby Union Committee themselves. The Committee of the Gloucester Club also feel very strongly that the Rugby Union Committee, who are elected by the general members to carry out the laws of the Union, but who nevertheless arrogate to themselves absolute powers, and from whom there is no appeal, should in every case mete out absolute justice on the merits of the case before them, and should not make one club the scapegoat for the sins of many. That this was so in our case is evidenced by the President's reply to the representative of the club upon the latter's remarking upon the severity of the sentence. "You must consider yourselves martyrs to the interest of Rugby football generally."

I am, sir, your obedient servant.

William Stout

Ex-Amateur Champion Sculler and Chairman pro. tem. of The Gloucester Football Club Committee."

John Hanman attracted some criticism for his part in the affair, and clearly felt the need to make some amends, which he did by organising events to bring in funds to the Club. During the Club's suspension, a soccer match was organised against Gloucester City AFC (which the soccer players won 6-1). After the suspension, additional rugby matches were organised at Kingsholm (details below), and a variety entertainment which included Hanman boxing three exhibition rounds against Morgan Crowther, the English Boxing Champion. Club officials stoutly defended their captain throughout, and criticised players who expressed a critical view as disloyal. Some resentment was caused as a result of the curtailment of the testimonial planned for Gloucester's previous captain, Tommy Bagwell, over worries that this might fall foul of the rules governing professionalism in the wake of the Shewell case.

Writing in the Citizen on 2nd November 1946, more than 50 years after the event, W.B. (Bill Bailey), who had been rugby correspondent at the time of these events, recalled that:

"No matches at Kingsholm for four weeks was a keen disappointment for local Rugby followers, and there was also the serious financial loss to the club, in gate receipts. I well remember the incident and the strong protests against the decision of the Rugby Union, but there was no appeal and the situation had to be accepted.

In order to recoup the club for the loss of gates during the suspension period, a special match in mid-week was arranged between a Gloucestershire and South Wales XV, and a Yorkshire team. Two powerful sides fielded, and a grand game which thrilled the large crowd, ended in favour of Gloucestershire and South Wales by 2 goals 3 tries to nil.

The winning team which included five Welsh internationals, was composed as follows: A F Hughes (Gloucester); Norman Biggs, J E Elliott, D Fitzgerald (Cardiff) and W H Taylor (Gloucester); T Bagwell and J Stephens (Gloucester); Wallace Watts, H Day (Newport), W Leighton, A Collins, C Williams, F O Poole (Gloucester),

J Bowley and W H Birch (Bristol). Walter Jackson, who had left Gloucester for Halifax some months previously, played for the Yorkshire side.

On the Saturday following, Castleford (Yorkshire) met Gloucester, who had the assistance of Jackson, and the two Cardiff threequarters, Biggs and Elliott. A remarkable game was witnessed. The powerful Castleford forwards completely dominated play in the first half, but what a change after the interval! The home pack not only held the scrums, but heeled repeatedly, and the backs, taking full advantage, gave a brilliant display of handling. Biggs and Taylor (the respective wings) scored two tries each, and the former converted two, leaving Gloucester handsome winners by 16 points to 8."

The financial penalties suffered by the Club were thus assuaged. Fixtures between the Gloucester and Stroud Clubs were not resumed until the 1895-96 season, when Gloucester won by two tries to nil at Kingsholm, and by a converted try to nil at Stroud. Thereafter home and away fixtures each season became the regular pattern.

In analysing the effects and consequences of the Shewell case, Andy White writes in his thesis on Gloucester RFC that the Shewell case had longer term consequences:

"At the ethical level, the club and the County Union, in which Gloucester's officials were a dominant force, sought to re-establish their credentials as upholders of amateurism. Boughton's ambition to establish a Gloucestershire County representative on the RFU (not achieved until 1897) had received a setback with the overturning of the County's decision and the substitution of a more severe penalty by the RFU. This objective became apparent in the County Union's response, led by officials of Gloucester FC, to the resolutions on professionalism produced by the RFU in November 1894. These proposals were circulated to English clubs for their approval. This proposed legislation was universally regarded as objectionable, on the grounds that those accused of professionalism or illegal transfers between clubs were required to prove their innocence rather than the accusers demonstrating that an offence had taken place. This shift in the burden of proof was regarded as contrary to the principles of natural justice... Gloucester FC agreed, as did most clubs, to sign the resolution agreeing to abide by the spirit and letter of the byelaws regarding professionalism. However, the amendments suggested by them to be put before the next General Meeting of the RFU (in response to the concerns about the burden of proof)... left virtually all of the proposals intact, requiring the RFU only to exercise discretion in its judgements. The amendments of the Gloucestershire County Union were proposed by the Gloucester FC, seconded by Bristol FC and Stroud FC. The Yorkshire and Lancashire clubs made it clear that they would oppose the Gloucestershire position as it "virtually amounted to a reinstatement of the Union's original circular". The amendment was withdrawn when the RFU issued a revised manifesto acceptable to the Northern clubs. It is plausible to suggest that the relatively less conflictual stance taken by the Gloucestershire County Union, coming as it did in the season following the Shewell case, represents an attempt to curry favour with the RFU by aligning themselves more closely with the policy on professionalism. It was also a further, very public, display of their commitment to amateur principles.

There was, finally, one other very important consequence of these events. The Shewell case contributed significantly to the construction of local identity as it manifested

itself through the rugby club. Members of the club, the committee who felt they were innocent of any offence, spectators denied important fixtures and players denied their sporting activity, came to feel that they were "local martyrs". This status, confirmed in Stout's letter, had even been conferred on the club by the RFU. It can be suggested that what was beginning to emerge at Gloucester was a continuing commitment to abiding by the administrative rules of the RFU, in conjunction with a distrust of authority figures. The interdependency between Gloucester FC and the RFU was based on the latter's authority as the governing body of rugby football. Gloucester FC was locked into this relationship through its behavioural norm of bureaucratic rule-adherence, a product of both the increasingly lower middle-class background of the club's administrators and a desire to be accepted into the relatively higher middle-class RFU establishment. The anti-authoritarian stance can be explained as emanating in large part from the growth of working-class groups as players and spectators. It was, after all, the RFU who had decided to intervene after the appeal had been withdrawn. Whilst at this stage, these groups had relatively little power, there is evidence here of the genesis of future tensions between these two groups in the figuration. The Shewell case, and the subsequent conflict with the RFU over the contravention of the laws of professionalism, whilst precipitated by the action of individuals, became part of the terrain upon which collective identity was being constructed."