

RUISLIP AND THE GAME LAWS

by Celia and Martin Cartwright

While researching the background to the 'Murder of John Brill'¹, I came across an article in *The Times* entitled 'The Game Laws'. I was intrigued by the fact that nearly two columns were devoted to a report of a public meeting held in Ruislip which was at the time - 1845 - a small agricultural backwater. (See Map on Page 27)

The purpose of the meeting was to consider the 'cruelty, injustice and ruinous consequences of the Game Laws' and a proposed petition to Parliament 'for the repeal or modification of the same'.² The meeting came just a week after John Bright, the Quaker MP for Manchester had set down a Notice of Motion on the Order Book of the House of Commons to set up a Select Committee* to enquire into the operation of the Game Laws.

Background

The law concerning the ownership and the taking of game had been the focus of a struggle between the gentry and those who farmed and worked on the land since the Middle Ages, and by the 19th Century was immensely complex and remained the source of much social unrest. A reforming Act passed in 1831 had been framed by the then Home Secretary Sir James Graham to 'sweep away the last traces of feudalism' by removing the qualification to take game by rank or land ownership.

In principle, anyone could now purchase a licence to shoot game, or apply to the magistrates for a licence to deal in game, thus making game the subject of a free market. However, on its way through the House of Lords, the Bill had been fatally amended. By this time poaching had become endemic in English rural society, and when the Act was passed it still included savage penalties for those convicted of poaching at night.

More fundamentally, the Act transferred ownership of the game from the occupier of

the land to its owner, which meant that tenants could now be fined for allowing people to shoot on their farms, while game proliferated and reduced farm incomes by eating the crops. In addition, landowners could deploy bullying gamekeepers whom farmers were powerless to prevent from trampling their crops.

A Poor Parish

Ruislip in the middle of the 19th century was mainly rural and depended on agriculture for its livelihood. The 1841 census shows that 56.6% men said they worked as agricultural labourers. Work was seasonal but they had no alternative livelihood unlike people in the neighbouring parishes who could work in the brickfields or in mills and lime works - local industries situated round the Grand Junction Canal.³

In 1837 St Martin's Vestry⁴ had met to consider measures to alleviate poverty and it was proposed that Ruislip being almost entirely agricultural, the parish should be removed from the Uxbridge Union, because Uxbridge was a 'large trading community', and that Ruislip should be united with Watford, it being more 'agriculturalist.' They considered petitioning His Majesty's Poor Law Commissioners to this effect.

In 1844 four people in Ruislip died of starvation. Mr Charles J. Jenkins, a member of St Martin's Vestry and a retired tradesman from Albany Street, Regent's Park who owned and lived at Eastcote Cottage, appeared as a witness at the inquest into the death of William Haynes, who had committed suicide rather than go into the workhouse. One of the jurymen stated that "there were 700 acres of land in the parish of Ruislip, and not 100 labourers in constant employment there, and that the destitution and misery of the families was indescribable".⁵

Mr Jenkins said that he had seen the deceased seven weeks ago and had been prepared to offer him work, but the deceased "didn't like to impose on his good nature".⁶ Mr Haynes had added that... "there was plenty of work wanting to be done, but no money to pay the men, and that the poor farmers were eaten up by game, tithes and taxes".⁷ A juryman added that a local farmer had to pay a boy three shillings to keep the game off his corn land.

On 10 December 1844 another measure to improve living conditions appeared in the Vestry Minute Books when a meeting was held 'to consider of some mode of benefiting the condition of the labouring classes'.⁸ Mr Houghton of Northwood Farm proposed a model farm and read certain particulars and rules for regulation of same as follows: - unfortunately these do not appear in the minutes and the page is left blank!

Eight men offered sums ranging from £26 5s from Ralph Deane to five guineas each from S. Pearce, Manor Farm, H. Hill of Ruislip Park House and D. Soames. It was agreed to write to other residents and Mr Lawson was prepared to give up land for the model farm as was Mr Houghton. There appears to be no record of the scheme being carried through.

Effect of the Game Laws

Although prior to the public meeting in 1845 there is little evidence for the working of the Game Laws in Ruislip, the *Aylesbury News* which covered Bucks and the nearby counties has many reports in 1844 about the growing opposition to and hardship caused by the laws.

On 12 October we read that 'the country gentlemen were admonished by Home Secretary Sir James Graham to be careful to administer the Game Laws with moderation and mercy...the most glaring cases of cruelty, injustice and oppression, in the shape of legal prosecution of poachers, are continually coming before the public'.⁹

Later that month we read: 'the preservation of game is an evil of great magnitude. There is no point in exhorting farmers to improve

their crop yield by scientific means [e.g. using guano or bones on the soil] if the crop is consumed by hares and rabbits'.¹⁰

In December 1844, there was an appeal to the County Magistrates of Bedfordshire and Bucks to petition Parliament for an amendment of the Game Laws but it did not succeed. Even landowners appear to have been on the side of the tenant farmers. Sir Harry Verney told his tenants if game did them any damage it was their fault as they were at liberty to destroy all they could.¹¹

The general attitude to game is perhaps summed up by the case of Benjamin Gibbett of Chalfont who being sent to gaol for the 25th time served a total of eight years of his life in gaol. 'All the imprisonments that ever have or ever will be inflicted for poaching will never convince a poor man that he has not as great a right to the wild animals of the creation as his richer neighbours'.¹²

Mr Jenkins' Resolution

It was against this background of national and local unrest that Mr Charles J. Jenkins, (previously mentioned as a witness at the inquest into the death of William Haynes) who also farmed some 21 acres in Ruislip, drafted a resolution which set the agenda for the public meeting reported in *The Times*.¹³

The report states that the chairman was a Mr W. Somes, described as 'a large landed proprietor in the parish', so it seems likely that this is Nathaniel Soames who lived at Grange Farm Northwood, recorded in the Rate Books as the owner and occupier of 220 acres and, according to the 1851 census, employer of seven men.

Opening the meeting Mr Jenkins requested the Vestry Clerk to read the paragraph in the previous week's *Times* concerning John Bright's Notice of Motion in Parliament - 'Select Committee to enquire into the operation of the Game Laws, especially with reference to the consumption of agricultural produce by game, and to the effect of these laws upon the interests of the tenant farmers and the morality and well-being of the peasantry'.¹⁴

The Vestry Minutes¹⁵ provide us with a list of the other participants at the meeting - Messrs Tobutt, Durbidge, Newman, Jenkins, Whittington, Page, Eales, Tillett, Tollett, Ratcliff, Bowles, Weedon, Capt. Tyte, Poullton, Godliman, Lawson, James Ewer, D. Soames, Lipscomb of 'The Case is Altered' in Eastcote, D. Harley. Ralph Deane does not appear to have attended the meeting.

A lease drawn up in 1838 to last for 20 years granted Ralph Deane of Eastcote House, who leased most of the land in the Manor of Ruislip from King's College Cambridge, 'all the rights, privileges, profits, emoluments and appurtenances whatsoever in respect of or concerning the Game in over or on the said Ruislip Manor'.¹⁶

Mr Jenkins considered the Game Laws 'the most cruel, most pernicious, and most expensive, particularly in that parish'.¹⁷ He maintained that the farmers sustained losses of 10 to 30 per cent "but as there were so many farmers present, he would leave it to them to state what those losses amounted to.....even while they were walking over their grounds for their own protection, they were followed about by some of the gamekeepers**, who broke down the hedges to watch them, and committed all sorts of damage....it was not so much what the game ate as what the keepers destroyed in watching".¹⁸

The chairman intervened to say that the law of trespass would prevent this, but Mr Jenkins disagreed. He cited the case of Mr Richard Eales who farmed 153 acres at Sigers, a small farm adjoining at Park Farm, leased from Ralph Deane. Mr Eales had tried to prevent keepers treading down his crops, had had them taken into custody, but they employed a 'wily' lawyer and he had been ordered to pay 30 shillings expenses.

Mr Jenkins also told of a case on his own land. One of his labourers went out to milk his cow and on finding a hare in a snare put it to one side. Two gamekeepers creeping under the hedge followed him to his house but the labourer threatened them with a policeman if they did not leave his premises.

As a result the man was summoned to Uxbridge and fined three shillings.

Mr Jenkins also complained of the cruelty caused by the Game Laws. The local gentry were not very good shots and often left animals lying mutilated on the ground. He had found a hare whose leg had been broken by a shot and then eaten up by vermin.

On another occasion he found a hare with two broken legs caught in a trap with a gamekeeper lying in wait nearby to catch whoever took it up, but when he returned with his own gun he found hare, snare and gamekeeper all gone.

Another example of cruelty arising from the Game Laws was the murder of the boy John Brill¹⁹ out of revenge at his having given evidence against poachers.

Mr Jenkins then proposed the following resolutions:-

"Resolved: That, in the opinion of this meeting, the tendency and operation of the game laws are fraught with evils of alarming magnitude, and require prompt legislative interference; that in all parts of the country the cruel consequences resulting from the continuance of those laws are made apparent in the extensive destruction of the growing crops of the cultivators of the land; the fearful demoralization of the people; the sanguinary conflicts and deeds of blood; and the loss of limb and life so frequently recorded by the public press; the hatred and contempt engendered in the rural districts towards the administration of the laws; the waste of the land by extensive game preserves; the temptation thus created in the minds of the poor, destitute, ill-paid, and ill-fed labourers; the serious and increasing costs to the country in county and poor rates, by prosecutions at assizes and sessions, and the maintenance of wives and families of the prisoners out of the rates; the mercenary character of these laws since game had been made a marketable commodity, and the contempt thereby created in the minds of the great body of the people towards the owners of the soil, all conspire to render the Game Laws, as at present in operation, a deep and withering stain on the national character,

and calls loudly and imperatively for their immediate repeal."

"Resolved also, that a petition to both houses of Parliament, embodying the above resolutions, be adopted by this meeting, and be signed by the inhabitants generally of this parish; that to the House of Commons be presented by Mr Bright, M.P., and that to the House of Lords by Lord Radnor".²⁰

The Chairman said he could not agree with the point that the labourers were 'ill-paid and ill-fed' as this would make the employers out to be the oppressors. Mr Jenkins replied "that it was a well known fact that in too many cases the labourers were ill-paid and ill-fed and he could adduce numerous cases in point if the meeting wished it".²¹

The Ruislip Petition

The Chairman said he had, at the request of Mr Jenkins, drawn up a petition, which he would read to the meeting.

"TO THE HON THE COMMONS OF GREAT BRITAIN AND IRELAND IN PARLIAMENT ASSEMBLED.

The humble petition of the inhabitants of Ruislip, in the county of Middlesex.

Showeth, - That they are much oppressed by reason of the great quantity of game reared in the said parish for the purposes of sporting. The temptation held out to the poor man by the unnatural quantity has a most ruinous and demoralising effect, for, despite of legal theory upon the subject, persons, especially those occupying the humbler stations in society, cannot be brought to look upon game as private property.

Your petitioners beg further to state to your hon. House that they are called upon to pay enormous sums for the maintenance of the police force, and which force is occupied almost wholly in assisting the gamekeepers. The rate payers also have to pay very heavy expenses for taking poachers to gaol, where they get into much evil and no good inasmuch as they consider themselves unjustly punished and martyrs to the amusement of the rich.

Your petitioners also beg to represent, that their crops are much injured by the game, which game they cannot legally destroy upon their land without paying a large sum for a licence, and which the majority of them are wholly unable to do.

Your petitioners, therefore, humbly request that your hon. House will be pleased to take the subject of the game laws into you early and serious consideration, with a view to making such alterations as shall in your wisdom seem fit to meet so great and crying an evil.

And your petitioners will ever pray".²²

Lengthy discussion then followed as to whether Mr Jenkins' resolutions needed to be put to the meeting if the vestry approved of Mr Soames' petition. Mr Daniel Soames, cousin of Nathaniel, who owned and farmed 173 and 87 acres in Northwood including Gate Hill and the only preserver of game at the meeting, claimed that no farmer present had said he was oppressed.

Mr Eales of Sigers thought otherwise, since when he had told Mr Pierce's gamekeeper he was trespassing the man told him he had as much right to be there as Mr Eales. The first gamekeeper then called a colleague on horseback who trampled all over the land. Because Mr Eales resisted them he had been obliged to pay 25 guineas to employ a lawyer who even told him to watch out he did not get turned off the land. Mr Eales had complained to his landlord, that his land was worth 2s 6d per acre less since the game had been so numerous.²³

Mr Soames then challenged Mr Durbidge, who farmed 110 acres leased from Francis Deane (son of Ralph) at Field End Farm and who was also a member of the Uxbridge Board of Guardians²⁴, to state how much damage had been done by game. Mr Durbidge had not kept a record of it but Mr Charles Tillott, who was also one of the church wardens and farmed 44 acres at Frog Lane (Fore Street Farm) leased from Ralph Deane, claimed he had been obliged to reduce the size of his farm.

When at this point Mr Soames remained unconvinced that the farmers were oppressed, Captain Tyte (a naval commander retired on half pay, who lived in a house he owned in Joel Street - Myrtle cottage - with an orchard and two meadows of about five acres), declared that this was as good as saying he thought the farmers were all liars.

Another farmer who had suffered on account of the Game Laws was Mr Tobutt who farmed 98 acres at Ducks Hill Farm. 'The year before last he had sown three acres, three roods and some odd poles with wheat, at nine shillings per bushel. The rabbits ate it all down in December, and he then put on it 50 bushels of soot at eight pence per bushel but in September last he only got nine sacks of wheat from it, and sustained a loss of between £30 and £40.²⁵

A further example came from Mr Poulton, who occupied the 79 acre Joel Street Farm, Eastcote as tenant of Mrs Soames. He had been obliged to give up his land "as the game quite ate him up"²⁶, something that Mr Soames well knew.

In the ensuing discussion Mr William Bowles who owned and lived in one of the three cottages by the roadside in front of the 'Shooting Box', and who was a gardener and seedsman said he thought Mr Pierce should not have been criticised because he paid very dear for every head of game he preserved and spent a great deal of money in the parish. Mr Pierce, together with Mr Stone occupied Eastcote House owned by Ralph Deane. They also owned land on Ruislip Common, Berry [Bury] Street and Haste Hill. Mr Eales reminded the meeting that Mr Pierce had refused to employ the men he had sent to prison for poaching when they came back to Ruislip and had brought labourers from other parishes to do his work.

At this point Mr D. Soames attempted to have the meeting adjourned sine die, but nobody would second this.

The resolutions, including the assertion that the labourers were ill-fed and ill-paid, were eventually carried unanimously.

The adoption of the petition was then proposed by Mr Tobutt and seconded by Captain Tyte, and this was also carried unanimously 'amid loud cheering'.

National Action

Interestingly, the Vestry Minute Book²⁷ contains a much shorter version than the account in *The Times*, and does not even include the text of the petition. John Bright's committee gathered evidence from farmers and landowners throughout the country - evidence similar to and worse than that put forward by the people of Ruislip.

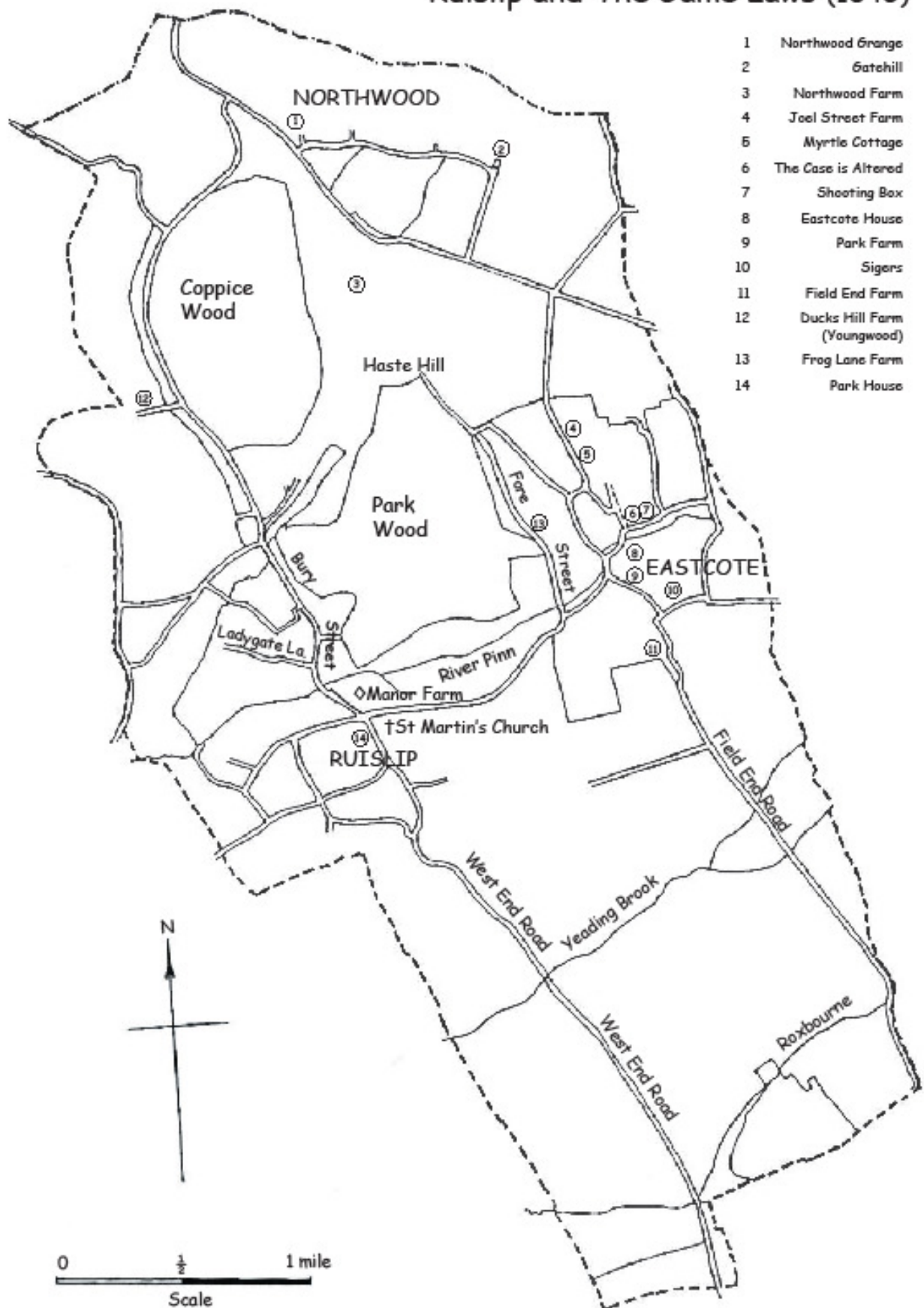
'Its witnesses testify to the great moral and economic damage arising from game-preservation'.²⁸

After 20 months the Committee eventually produced its report in mid August 1846²⁹. Disappointingly for the country and for the people of Ruislip no immediate action followed. However, a new Inspector of Prisons, the Rev. Mr. Whitworth Russell remarked in his report in 1846 that the number of convictions for poaching had decreased between 1843 and 1845³⁰.

In 1845 there were 2800 convictions down from 3638 in 1844. The Rev. Russell thought this was due partly to increasing prosperity and regular employment but probably more to the 'great attention which has of late been given to the question of the operation of the Game Laws, and the requirement that copies of all convictions under those laws shall be transmitted to the Home Office.'³¹ (my italics).

There is little evidence for what happened in the ensuing years but the character of Ruislip began to change. Hay had almost replaced wheat as the main agricultural crop, and land was sold off with the gradual break up of the country estates and the coming of the railway at the end of the 19th century.

Places mentioned in Ruislip and The Game Laws (1845)



* **The Select Committee** The Right Hon. George Banks MP, a direct descendant of Sir John and Lady Banks, the daughter of Ralph Hawtrey,³² was a member of this Committee. In 1818 he had introduced an Act which made it illegal to buy as it already was to sell game.

** **Gamekeepers** Curiously, the last records of gamekeepers in the parish of Ruislip in the Gamekeepers Register, a legal requirement that was renewed as late as 1831,³³ were James Gregory of Ruislip, yeoman, registered on 25 August 1819 and Henry Meadows of Ruislip, also a yeoman, registered 28 December 1820, both gamekeepers for Ralph Deane.

On the other hand, according to the 1841 census, however, there are four gamekeepers in Ruislip. George Alexander age 56 was living in Wiltshire Lane and William Alexander (35) lived in Fore Street with George Dyce (22), and Thomas Sharp (35). They were presumably looking after the Game in Park and Copse Wood and employed by Ralph Deane.

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¹ *RNELHS Journal*, Cartwright, 2006

² *The Times* 31 January 1845

³ Eileen Bowlt - 'Death from starvation'

⁴ London Metropolitan Archives (LMA) DRO19/C3 15
March 1837

⁵ *The Times* 9 November 1844

⁶ *ibid*

⁷ *ibid*

⁸ LMA DRO 19/C3

⁹ *The Aylesbury News* 12 October 1844

¹⁰ *ibid*

¹¹ *The Aylesbury News* 14 December 1844

¹² *The Aylesbury News* 21 December 1844

¹³ *The Times* 31 January 1845

¹⁴ *The Times* 24 January 1845

¹⁵ LMA DRO 19/C1/3

¹⁶ King's College Archives RUI/383

¹⁷ *The Times* 31 January 1845

¹⁸ *ibid*

¹⁹ *The Times* (various) & *RNELHS Journal*,
Cartwright, 2006

²⁰ *The Times* 31 January 1845

²¹ *ibid*

²² *ibid*

²³ *ibid*

²⁴ BG/U/3

²⁵ *The Times* 31 January 1845

²⁶ *ibid*

²⁷ LMA DRO 19/C1/3

²⁸ Hopkins p.306

²⁹ *The Times* 13 August 1846

³⁰ *The Times* 29 September 1846

³¹ *ibid*

³² Eileen Bowlt. *The Goodliest Place in Middlesex*,
p133

³³ Game Laws Amendment Act 1 & 2 Will. IV c. 32
(1831)