

THE VICAR'S PIECE

by Colin Bowlt

The Dispute

Should the vicar of Ruislip have wood tithes?

It took more than 200 years to resolve. How did it begin all those long years ago? I was reminded of this when going through some of the King's College archives. There was a letter¹ dated 1804 to the Provost from a Mr Alexander of Lincolns Inn giving his opinion on the situation:

'The first question, is, whether under all the circumstances of the case, the woodlands of the College are subject or not to the provision of Tithe wood.'

And that really is the crux of the matter. It relates to an old dispute going back to at least 1577 when John Hawtrey, who was leasing the Rectory Rights, which included the Great Tithes from the Dean and Canons of Windsor, claimed tithes on the coppiced wood. Apparently these had lapsed and John Hawtrey was attempting to claim them, but a Mr Wold of Weybridge, who had leased the woods from King's College, refused to pay them. The interesting details are given in *The Goodliest Place in Middlesex* (Bowl 1989. pp 25, 27). In time honoured fashion five elderly residents gave evidence at the Manor Court hearing. All agreed that the Rectory lessees had never received any but corn and hay tithes, **but** the vicars, until 20 - 30 years previously, had received 20 loads of wood for their fires. John Hawtrey had to rest content with this, but not so the vicar. He now claimed the vicar's annual 20 loads of firewood. This seems to have been not always forthcoming and led to a long running dispute.

Another Attempt

The Rev. John Gibbons, vicar 1794-7, had persuaded the Dean & Canons of Windsor, in 1796, to grant tithes of underwood to him and his successors, to the great annoyance of their lessee, Mrs Elizabeth Rogers of Eastcote House, who had held the rectory for nearly 50 years. She refused to renew her lease when it fell due in 1798, unless she was indemnified against the vicar's right. She was prepared to take legal steps. The Dean & Canons explained to the new vicar, Rev. Daniel Carter Lewis (vicar 1797-1834), that their grant to Mr Gibbons had been intended 'solely to establish

and strengthen the Vicar of Ruislip in the tythe of Coppice Wood if that right could be shown either by endowment or usage and as neither he nor his predecessors had been able to find the endowment nor show by usage his right thereto they were of opinion he ought to surrender the confirmation that they might be able to treat with their lessee for a renewal of lease'. (Bowl 1989, p138) They clearly wished to conciliate Elizabeth Rogers, but there had been no renewal at the time of her death in 1803. Small wonder that they hoped to clarify the wood tithe question before negotiating with new tenants.

Legal Opinion

This brings us back to the letter to the College from William Alexander and why the college sought a legal opinion on the matter of wood tithes from him in 1804.

'I think the Woodland of the College is liable to pay Tithe of all Underwood cut and disposed of. Timber I conceive not to be titheable nor any Wood allowed the Tenants for purposes of Husbandry or for Fuel'

Underwood is the coppiced material used largely for fuel, whereas timber is the large stuff, mostly oak, used for buildings and such. The letter goes on in typical legal fashion, with ifs and buts:

'The Evidence as far as it goes tends to establish a Tithe in the Vicar not to the Tithes of Wood, but to a yearly quantity of 20 Loads as a customary commutation for the Tithes. If that custom had continued down to the present time it would I conceive have entitled the Vicar to that quantity and would have discharged the parish of the residue. But the total want of any evidence of such Usage within the actual memory of Man or at any time since the reign of Elizabeth and the doubt whether the Examinations are Evidence, appear to me to be fatal to the plea of a Modus, and I incline to think also to any Claim of the Vicar upon the foundation of usage.'

It looks as though the vicar's claim is hopeless. But all is not lost; he goes on:

'The Grant however mentioned in a former Case I am now of opinion will by force of the Acts of the 17 Char. the 2nd c.3 and the 29 Char.2. C.8 after the determination of the present demise to the Lessees, carry the Tithes of Wood to the Vicar.'

Complete U-turn and the vicar wins.
The letter ends:

'I have no doubts in this case and therefore I think any compromise would be advisable.'

Wm Alexander Lincolns Inn 10th April 1804.

The Resolution

Did the vicar now get his annual 20 loads of wood? He actually ended up with much more.

It just so happened that at this time (1804) a private Enclosure Act for the Common Fields and Waste was promoted by a group that included the Provost of King's College. Newly enclosed land was to be tithe free and a corn rent was substituted for tithes on the old enclosures. To compensate the vicar for this loss he was allocated about 120 acres, which included 25 acres of Park Wood specifically for the loss of fuel rights (Bowlt 1989 p27). This was cut out of the northeast corner of Park Wood (Fig 1) - the area

later occupied by St Vincent's Hospital (now Nursing Home).

Now the vicar would have had to cut the fuel himself (pay for it to be cut, actually). But did he gain or lose by this scheme? This is rather difficult to estimate. At the present time almost all the coppice is hornbeam. However accounts in the archives show that Ruislip Woods produced much oak bark for the tanning industry. The oaks for this were either coppice or young trees, which were cut in the spring, when the sap was rising and the bark could be easily peeled off. The barkless wood was then used as fuel. There is little evidence for this now in the woods. Coppice oak stools (Fig 2) and young oak trees are mysteriously missing. Without knowing the density of the oak and hornbeam for fuel in the 25 acres allocated to the Vicar it is difficult to estimate how many loads of wood it would have provided annually, but at least the vicar was now getting free fuel - after a wait of more than 200 years.

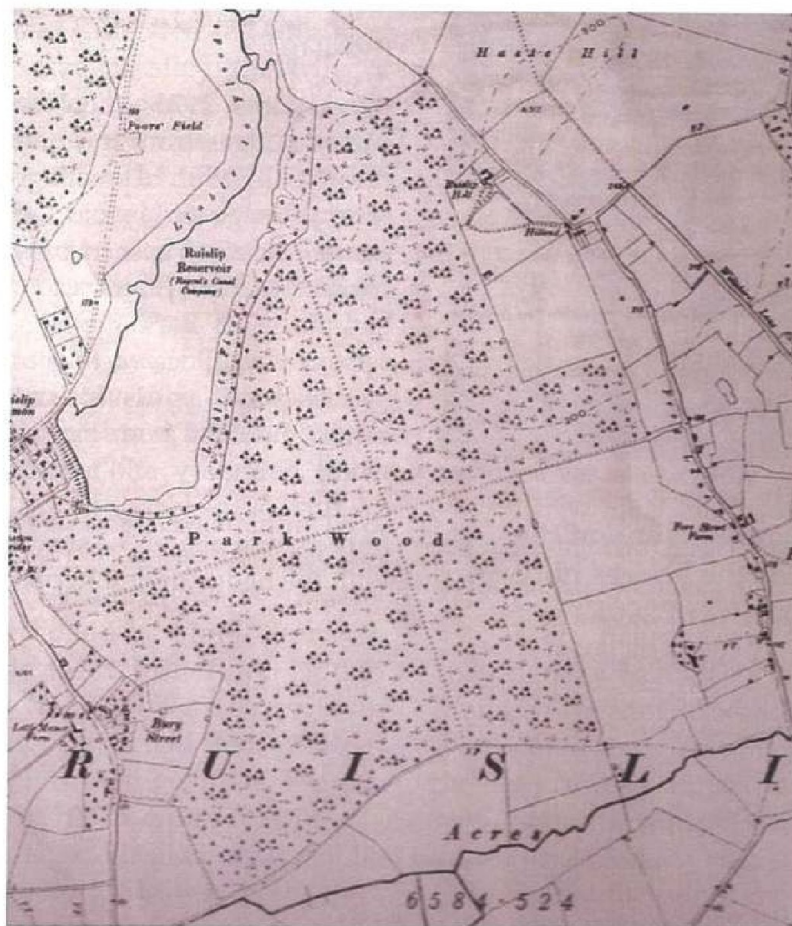


Fig 1

1897 O.S. 6" Map showing the 25 acres carved out of Park Wood, then occupied by Ruislip Holt, Hillend (site of farm later) and large field shown in Fig 3



Fig 2

A few relict oak coppice stools in Park Wood

The actual 25 acres is now covered by St Vincent's Nursing Home and housing at its northern end, but the southern section, formerly the hospital farm, is still open as grazing fields (Fig 3). Just when all the trees and coppice were removed is not known. Did the vicar immediately set to and have the whole area grubbed up?



Fig 3

View from the southern end of the Vicar's Piece towards the houses built on the hospital site in 2005

Interestingly the map drawn up for the enclosure awards shows the area treeless. But the date of the map is 1806 (two years after the letter from Mr Alexander to the College) and it seems unlikely that the area could have been cleared by then. Perhaps it was just anticipated that the vicar would clear it and buy his fuel as he had been doing since at least 1577.

Certainly, once the Metropolitan Railway came to Northwood in 1887, the Rev. Thomas Marsh-Everett (vicar 1878-1900), saw building development as the most profitable use of the land. He let the 'Vicar's Piece' in Park Wood in 1892 on a 99-year building lease to Charles W. Millar, who built a handsome house called Ruislip Holt on the crest of the hill. Mr Millar converted the leasehold to freehold in 1900 and St Vincent's Cripples' Home moved there from Clapham in 1911. (Bowlt 1989 p28) The patients were mainly suffering from Spinal Tuberculosis. St Vincent's became an Orthopaedic Hospital and was rebuilt as a Nursing Home in 2005.

Postscript

In the 1970s there was much interest in dating hedges from the number of shrub species present. In 1981 a small group of us examined several hedges in the old parish of Ruislip (Bowlt, E and C, 1987). These included the hedge that runs parallel to Fore Street and was formerly the old boundary of Park Wood (ancient) before that section was allocated to the vicar. It averaged 7.6 species per 30 yards. In contrast a hedge running across the field from Park Wood and the former wood boundary and presumably planted about the time of the vicar's acquisition (<167 years) had only an average of 3.4 species per 30 yards in line with the hedge dating hypothesis.

References

- Bowlt E & C 1987 'The number of shrub species in hedges', *Journal of the Ruislip & District Natural History Society* 1987
- Bowlt E 1989 *The Goodliest Place in Middlesex*, Hillingdon Libraries 1989

¹ King's college archives: RUI/330 (formerly 2K6)

