

REMARKS UPON THE FORMER ABUNDANCE, AND
THE PRESENT NON-EXISTENCE OF SALMON
IN THE RIVER THAMES.

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Probably no one who is acquainted with the beautiful scenery of our happy island, will hesitate to pronounce that portion which presents itself to the eye of a voyager on the Thames from Twickenham to Henley, among the most lovely specimens of richly cultivated and inhabited localities which this or any other country possesses.

It lays no claim to grandeur, and other places may excel it in what is commonly called, "the picturesque but it affords an unequalled specimen of that which is the peculiar charm of England's beauties, viz., a rich and fruitful soil, a moderately thick population, and a constant variety of homely but lovely views.

A singular circumstance connected with the natural history of this part has, however, occurred in late years, to which circumstance this Paper will be chiefly, though not exclusively, directed.

How comes it to pass that the Thames, the noblest river in England, and, if valued by its other sources of importance, the noblest river in the world, can no longer boast of its salmon fisheries? How is it, that its proud streams afford no such attractions to the fisherman as they once did; and, as it sweeps in graceful homage around the abode of Royalty at Windsor, how is it that the best of rivers offers not, in its ample bosom, a tribute to Her Most Gracious Majesty, the best of Monarchs, of the best of fish? Even a building speculator might wisely make the enquiry; for if any thing could "enhance the value of those lovely residences which adorn the banks of the Thames, like beads of pearl upon a thread of silver, it would be the salmon struggling through the Weir Dam, or leaping after the fly, and occasionally too, (as old Isaak Walton's disciples should revive) lying captive upon the lawn, in front of which he had often so gracefully sported.

We examine the subject however, rather as a fact in natural history, aided in this by some statistics of considerable interest; and, in other hands, of very great value.

The earliest laws of England defended the salmon from destruction with much strictness.

It is impossible that the day can ever return when Northumbrian labourers shall stipulate that they shall *not* have salmon to eat oftener than three days a week; and it appears almost incredible that any such law ever existed in London; yet I have been told (I cannot verify this) that such was the case.

However, in all calculations connected with the past and future of natural history in this kingdom, the immense growth of population must not be forgotten.

We can well believe how much more numerous all kinds of fish and game must have been when the whole population of England was not larger than the present-population of London; and it is certain that a great increase of population must tend to diminish all kinds of wild animals and of fish; but I am persuaded that this in no way accounts for the *cessation* of salmon in the river Thames.

Before distinctly stating that which seems to have brought about this *disaster*, I think that a digest of some ancient laws regarding the fisheries of Great Britain, as well as some anecdotes connected with one portion of the Thames, may not be uninteresting.

The first Act of legislature which I have met with relating to fish, is in the 13th year of King Edward the First, (A.D. 1285) which enacts that—

"The water of several rivers, Humber, Ouse, Trent, Doue, Aire, Derwent, "Wherfe, Nid, Yore, Swale, Tese, and all other waters (wherein salmons be taken within the Kingdom) shall be in defence from taking salmons, from the Nativity of our Lady," (Sep. 8th) "unto St. Martin's-day," (Nov. 11th) "and that likewise young salmon shall not be taken or destroyed by nets, or by any other engine, at Millpools, from the midst of April unto the Nativity of Saint John. The 'first trespass' was to be punished by 'burning of their nets and engines;' for the second time the offender was to be 'imprisoned for a quarter of a year;' for a third trespass they shall have imprisonment a whole year; and as their trespass increaseth so shall their punishment."

The omission of the names of the river Thames and Severn here, is remarkable; but it is possible that the

larger rivers are assumed to be included as a matter of course, while the less abundant salmon streams are mentioned by name. However this be, we find a "Confirmation of the said Act" in the 13th year of Richard the Second, (A.D. 1389) in which it will be observed, the river Thames is distinctly mentioned, and the names of other rivers described in the foregoing Act are omitted, although it is evident that this Act was intended to apply to *all* rivers to which the former Act referred. The Statute runs—

"Item, whereas it is contained in the statute of Westminster the Second, that young salmons shall not be taken nor destroyed by nets, nor by other engines, at Mill dams, from the midst of April till the Nativity of Saint John the Baptist," (June 24) "upon a certain pain limited in the same Statute, it is accorded and assented that the same Statute be firmly holden and kept, joyning to the same that young salmons shall not be taken during the said time, at Milldams, nor in other places, upon the said pain."

"And that no fisher, or Garthman,* nor any other, of what estate and condition that he be, shall from henceforth put into the waters of Thamise, Humber, Ouse, Trent, nor any other waters of the realm by the said time, nor in other time of the year, any nets called stalkers, nor other nets nor engines whatsoever they be, by the which the fry or the breed of the salmons, lampreys, or any other fish may in any wise be taken or destroyed upon the pain aforesaid."

Here follows a clause which shows that science was making a little advance upon the law-makers; for it had been discovered that salmon are not in season precisely at the same period of the year in all parts of England; and, accordingly—

"It is ordained and assented that the waters of Lou, Wyre, Mersee, Rybbyl, and all other waters in the County of Lancaster, be put in defence, as to the taking of salmons, from Michaelmas Day (Sep. 29th) to the Purification of our Lady, (Feb. 2nd) and in no other time of the year, because that salmons be not seasonable in the said waters in the time aforesaid."

It appears that in the days of Edward the Fourth the morals of the country were no better than at present; but that a system of unfair trading and of dishonesty was-, too frequent. Let it be noted, however, that the statute which *confesses* this fault endeavours also to *remedy* it.

This is the second Statute of the 22nd Edward the Fourth (1482)

* A "Garth-man" means the owner of a wear in which fish are caught. The term "Eish-Garth" is now used occasionally, and signifies a close or dam for catching fish.

"Whereas divers deceits have been used and done, as well in the measures of vessels called butts, barrels, and half barrels, ordained for salmon," &c. &c. * * * * "No merchant, stranger, nor denizen, shall sell, nor set to sale any salmon by butt, &c., except the said butt do hold and contain fourscore and four gallons, &c., &c."

Also that no such merchant "being under the King's obeisance," shall—

"Sell, or put to sale, any manner, salmon by butt or other vessel, except it be well and faithfully packed, that is to say, the great salmon by itself, without mingling with them any grills or broken bellied salmon. And that all small fish called grills shall be packed by themselves only, without any mingling, &c."

Here, then, we have the covetous fishmonger striving after unjust gain, by making his butts rather under size, and driving a pretty trade of deceit as he stuffed a quantity of "grills and broken bellied salmon" into the bottom or middle of his butt, while to the eye of the purchaser it contained the "great salmon only." Unjust sellers are, I suspect, often made such by unscrupulous buyers, who are ever beating down the price, driving cheap bargains, and then chuckling over their craftiness; and in order to humour such people, the seller is driven to be dishonest. One who had observed much, and who spoke by inspiration, remarks—

"It is naught; it is naught, saith the BUYER," (not the seller.) "But when he is gone his way, then he boasteth."

Neither can be approved; but it would seem that the fault originates with buyers.

I suppose that the next fifty years were not conducive to the increase of eels or salmon. Perhaps the demand had been great; perhaps in the days of Richard III. and Henry VIII. poachers abounded, or the "Garthmen" forgot their restrictions. At all events, in the 25th year of King Henry VIII., (A.D. 1533) it was enacted that—

"No person with any nets, engines, or device shall take any fry, or spawn of eels, or salmon, in any waters, during ten years, upon pain of forfeiture of v. li." (five pounds ?) "and his said nets, engines, &c."

I am afraid that many lived in those days who were unwilling to "submit to every ordinance of man, or even unto the King;" for just a quarter of a century passes away and we find Queen Elizabeth and her advisers, regarding with apprehension that—

"The spawn, fry, and young breed of eels, salmon, pikes, and all other fish heretofore, hath been much destroyed in rivers and streams,

salt and fresh, within this realm, insomuch that they feed swine and dogs with the fry and spawn of fish, and otherwise, lamentable and horrible to be reported, destroy the same, to the great hindrance and decay of the Commonwealth."

It is then enacted—

"That no person or persons of what estate, degree, or condition soever he be, or they be, with any manner of net, weele, but, taming, kepper, line, crele, raw, fagnet, trolnet, trimboat, stallboat, weblist, seur, lammet, or with any device or engine made of hair, wool, line, or camias, or shall use any heling net or trimboat, or by any other device, engine, cawtel, ways or means whatsoever heretofore made or devised, or hereafter to be made or devised, shall take and kill any young brood, spawn, or fry of eels, salmon, pike, or pikerel, or of any other fish, in any flood-gate pipe, at the tail of any mill, wear, or in any straits, streams, brooks, rivers, fresh or salt with this realm of England, "Wales, Berwick, or the Marches thereof." Nor shall * * "by any of the ways and means aforesaid, or otherwise in any river or place above specified, take and kill any salmons or trouts, not being in season, being kepper salmons, or kepper trouts, shedder salmons, or shedder trouts."

Further—

"No person * * shall take any pike or pikerel not being in length ten inches or more; nor any salmon not being in length sixteen inches or more; nor any trout not being eight inches or more; nor any barbel not being in length twelve inches or more.

"And to the intent that the young fry &c. may be preserved * * No person * * shall fish or take fish with any manner of net, tramel, kepe, wore, hivie, crele, * * but only with net or tramel, whereof every mesh or mash shall be two inches and a half abroad; angling excepted."

The Act is altogether a lengthy one. Not more than one-fifth portion of it is transcribed above; but enough has been copied to give the reader an idea of the vast ingenuity of our ancestry in those days, when such a host of "machines and ways and means" appear to have been invented to meet the difficulties which previous laws had imposed upon fishermen.

It is worthy of observation here, that this is the first time in which trouts, pike, and barbel are mentioned. Good Queen Bess never liked to do things by halves, and, perhaps, was resolved upon a vigorous preservation of all kinds of fish.

It may be too, that she knew a better plan of cooking a barbel than we possess, and it is evident, that however nice a piece of bacon or pork might be thought, the finny race were to be henceforth kept out of the pig troughs, and serve to make more dainty dishes elsewhere.

The preamble of this bill, however, already quoted, gives us an idea of the comparative abundance of fish in those days.

I must add that this lengthy Act permits of a slight modification, which is introduced here as showing how *other* fish were treated in those days.

"In such places where smelts, loches, minnies, bulheads, gudgions, or eels have been used to be taken and killed, in all such places it shall be lawful, for the purpose of taking such fish only, to use such nets, lepes, and other engines as heretofore."

Minnows or minnies are, I believe, excellent eating; but I never heard of the bulhead garnishing a banquet. Perhaps Sir Walter Raleigh may have eaten them at the Royal table.

Thus protected, neither salmons nor minnies appear to have been brought again under the consideration of our Legislature for several years. The king of rivers continued his course alike, whether Charles reigned, or Cromwell harangued his Parliament. But after the Restoration, and in the 18th year of Charles II., a bill was brought into Parliament and became the law of the land, forbidding the importation of cattle, sheep, or swine, or beef, pork, or bacon, from any parts beyond the seas, or—

"Ling, herring, cod, or pilchard, or any salmons, eels, or congers taken by any foreigners, aliens to this kingdom."

Any person might seize such fish—

"Giving half to the poor of the parish and keeping the remainder."

And this is stated to be done—

"For the better encouragement of the fishery of this kingdom."

The idea was, perhaps, still further extended in the 5th year of William and Mary, (1694) for in an Act passed in that year for raising a million of money—

"Towards carrying on the war against France,"
by granting rates and duties upon salt and beer, &c., a reward is offered to all *exporters* of many kinds of fish, and amongst these is a promise of—

"Five shillings a barrel for every barrel of salmon which shall be exported,"

This reward was nearly doubled in 1698, in an—

"Act for raising two millions for the payment of annuities, and for settling the trade to the East Indies."

The duty is laid on salt; but the exportation of fish, even though salted, was thus encouraged.

Queen Anne, like Queen Elizabeth, beheld with sorrow, the needless destruction of fish. It appears from cap. 21 of the 4th year of her reign, that—

"Salmon and salmon kind of fish were in great danger of decay;"

At least those which—

"Resorted to spawn within the rivers and freshes in the county of Southampton, and the southern part of Wiltshire, being destroyed by divers engines, and devices, in and upon the main rivers, and in the new channels, &c., so that the salmon, stripes, or kippers, as well as the young fry, or smelts, are taken and destroyed, and are prevented from returning to the sea in season."

But I think that we begin to touch somewhat upon *one cause* of the diminution, though not the absolute cessation of salmon in the Thames, in what follows, though it relates to other rivers.

"Whereas the owners and occupiers of salmon fisheries within the said counties," (scilicet Southampton and Wilts) "regarding only their private and greedy profit, to destroy the stock of the said fisheries by preventing the breed of good fish to pass in season through their fishing wyres, and fishing hatchways, from the sea into the said rivers to spawn, * * * * do take, kill, and destroy the said fish, &c."

What is the remedy? It is a new enactment TO PUT IN FORCE the previous Acts, including that of the 13th of King Edward the First!

From which fact, as well as from many other Acts already more or less copied into this treatise, I gather that in truth THE ACT NEVER WAS FULLY OBEYED AT ANY TIME. But two important provisions were added. The first of them required—

"That if any salmon or salmon kind should go into any dykes, cuts, or water carriages, all owners and occupiers * * shall permit the said fish to pass out within the said time," (*i.e.* of defence) "limited and restrained into the main rivers again."

The other important provision was that—

"All owners of corn, fulling, and paper mills, and other mills upon any the waters or rivers of the said counties," (*i.e.* Southampton and Wilts) shall constantly keep open one scuttle or small hatch of a foot square in the waste hatch in the direct stream, wherein no water-wheel standeth, sufficient for salmon to pass and repass freely up and down the said rivers from Nov. 11 to May 31."

This enactment is of the very greatest importance, and is founded upon a right perception of the natural wants of the salmon.

Furthermore, such arrangements were ordered as should hinder—

"The salmon being taken during this period of the year in any eel pot, and that the said eel pots should be wide enough to let the young fry pass through to the sea, &c."

I believe that none of these laws are repealed. They refer, however, only to Southampton and Wiltshire.

The same Act provides that—

"No bouges or sea trouts shall be taken in any rivers, creeks, &c., from June 30 to Nov. 11th."

But in the ninth year of good Queen Anne an Act is passed of more importance as it regards the question of salmon in the Thames than any other. Hitherto the reader will have been surprised to observe how seldom the Thames has been mentioned by name in any of the foregoing enactments, and each person would form his own opinion whether this were to be traced up to the scarcity of salmon in that river, or come to an opposite conclusion, and infer that its importance was of course taken for granted.

Cap. 26, of the 9th Queen Anne, is—

"An Act for the better preservation and improvement of the fishery within the river of Thames, and for regulating and governing the company of fishermen of the said river."

It empowers the Court of Assistants of the Fishermans' Company to make bye-laws to be approved by the Court of Aldermen, &c., &c.

It enacts that—

"No person shall kill, or expose for sale any spawn, fry, or brood of fish, or spatt of oysters, or receive such things as food for hogs, under pain of punishment."

So that it would appear that Queen Anne had still to contend against the indulgence of the swine as much as her predecessor Queen Elizabeth.

(To be continued.)