

MUDEFORD FISHERMEN SUMMONED LONG DISTANCE PHOTOGRAPHS & SPIES ALLEGED BREACHES OF FISHERIES ACT

C.T. March 23, 1935

Eighteen Mundeford salmon fishermen appeared on Thursday at the Christchurch Police Court in answer to summonses for alleged offences under the Salmon and Fresh Water Fisheries Act, 1923.

The breaches of regulations were mostly technical and the men displayed considerable warmth. In answer to the recital of the charges they answered in a stentorian chorus "Not Guilty"

The men were summoned under section 6 (I) of the Act for "improperly shooting a seine net contrary to the section," and also that they "did shoot or work a certain seine or draught net in certain waters called the Run within 100 yards from the nearest point in the line of shot of a certain other seine of the draught net being worked in the said waters before such last-mentioned net had been fully drawn in and landed."

Burgum, Foster and Derham. were also summoned for "that they did use a certain boat in connection with which a certain draught or seine net was used without having conspicuously painted and maintained on the outside of such boat near the centre of the gunwale on each side in white figures not less than six inches high on a black ground. The number of the draught or seine net used with such boat contrary to the by-law made on November 18th, 1907, pursuant to the Board of Agriculture and Fisheries Act, 1903."

The magistrates were Mr. J. H. Burroughs (in the chair), Major W. O. Campbell, and Mr. F. E. Abbott.

THE SALMON FISHERS.

The names of the defendants were:-

Gilbert John Derham, of 3, The Haven, Mundeford.

George Scragg, Pauntley Road, Christchurch.

Gilbert William Derham, Ivy House, Stanpit.

William Harrison, 34, Stanpit.

William Coakes, Ivy Cottage, Stanpit.

Walter Stride, Nelson Cottage, Mundeford.

Isaac Coakes, The Haven, Mundeford.

Alfred Wakem, Stanpit.

George Ware, 147, Ashley Road, Boscombe.

Leonard Derham, 4, Sea Corner, Highcliffe.

Roy Holloway Derham, Ivy House, Stanpit.

John Derham, 4, Sea Corner, Highcliffe.

George Rogers. 41, Stanpit

Frederick George Rogers, Pauntley Road.

Frank Coakes, The Haven, Mundeford.

Ralph Derham. 9, Livingstone Road, Purewell.

Albert Burgum. 9. St. Mary's Road, Bournemouth.
Ronald Foster, c/o Pauntley Road

NOT GUILTY.

Mr. R. H. Lewis Manning prosecuted on behalf of the Hampshire Rivers Board of Conservators, and Mr. C.E. Martin (Messrs. Hallett and Martin, Southampton) defended.

Mr. Manning suggested that all the cases should be taken together, as the evidence was virtually the same.

The defendants pleaded not guilty.

Mr. Manning, opening the case for the prosecution, said that under the section, of the Act there were two separate and distinct offences: (1) that people should not take a net more than three-quarters across the Run, and (2) they shall not work within 100 yards of the place where a net is already being worked.

LADIES AND GENTLEMEN TO BE PROTECTED.

"I hope to prove," continued Mr. Manning, "that the method in which they have been working this Run is such that it militates very unfairly against a very large number of ladies and gentlemen and owners of waters who pay considerable sums of money for the right and privilege of fishing in the waters round about Christchurch. Where the seriousness of these offences arise is this: if a net is taken more than three-quarters of the way across the Run there is virtually little hope indeed of the salmon which come up the river to spawn to get past: and if they are working within 100 yards, two at a time, there is even considerably less chance for the fish to get up."

RECORD YEARS FEARED.

"I understand that both this year and last year the catches which these fishermen have made in this particular Run have constituted practically a record. The working of this system does prevent the fish from getting higher up the river. It is that which the Board is out to stop, and it is the reason why these prosecutions have been launched. Provided they work in conformity with the directions laid down in the Act, there will be no complaint."

LONG DISTANCE PHOTOGRAPHS.

After detailing the penalties possible, Mr. Manning said evidence in corroboration would be forthcoming, supported by long distance photographs, but "the Board have no desire to prevent people from earning a perfectly honest living."

THE EVIDENCE.

The first witness called was William Oldfield Talbot, clerk to Mr. C.J. Hayden (Clerk to the Board), but Mr. Martin raised a point regarding the authority to prosecute.

Sir Richard Fitzgerald Glyn, Bart., chairman of the Hampshire Rivers Board of Conservators, was called, and then, followed some objections as to the admissibility of his evidence, which was after argument, accepted.

CHAUFFEUR AS SPY.

Fred Osmond, a chauffeur, in the employ of Sir Richard Glyn, of Gaunts House, Wimborne, said that on February 14th, acting on the instructions of the Chairman of the Board of Conservators, he kept observation with George Frederick Mitchell, a gamekeeper, on the fishing boats at the Run at Mudeford. They took up a position near one of the huts on the other side, and from there they had a clear view of the boats during the whole of the operations. He could clearly see the numbers on the boats. On this particular day, the whole of the boats, from number 1 to 11, operated on the Run. With the exception of one boat he identified the numbers on them.

The Chairman: How far were you away.

Witness: About 20 yards away.

"Did any of these boats go more than three-quarters across the Run?" asked Mr. Manning.

"More than three-quarters across" was the answer.

How far across the Run did these six particular boats go?—As far as they could.

Do you mean near to the opposite bank? —Yes.

ALL NETS SHOT FROM THE SAME PLACE.

With regard to the shooting of the nets, were they all shot from the same spot?—Yes.

And was that position a place known as the Black Mouse?—Yes.

Witness explained the arrangement he had with Mitchell as to timing. As soon as the boats started letting out their nets he gave the word "in." Mitchell had a watch and gave the signal to the nearest second. When the last piece of net was dragged out of the water witness gave the word "out."

THE ALLEGED MYSTERY BOAT.

Mr. Martin, who suggested that the witnesses were guessing, asked: Are you suggesting that these men, who have been fishing for years with the confidence of the Board, changed the boat?—I do not know what they did. All I am saying is that the boat had no number on it.

I put it to you that the numbers were on all the boats and particularly on number "11."—All I can say is that I did not see it.

GAMEKEEPER TIMEKEEPER.

George Frederick Mitchell, a gamekeeper, employed by Sir Richard Glyn, said he was with Osman on this occasion, and gave evidence in support of the previous witness.

He held the watch given to him by Sir Richard Glyn and entered the times nets were "shot" and taken out. These times were recorded as follow: —

	In.	Out.
	H. M. S.	H. M. S.
No. 10	11 36 17	11 47 35
No number	11 45 10	11 57 30
No. 1	11 57 10	12 9 25
No. 2	12 8 27	12 20 35
No. 3	12 19 18	12 30 25

No. 4.....	12 30 10	12 41 40
No. 9	-----	1 34 35
No.10	1 34 0	1 45 35
No. 11	1 43 55	-----

LONG DISTANCE PHOTOGRAPHS.

Sydney John Skerman, Press photographer, of Bournemouth, said on February 14th he accompanied Sir Richard Glyn to Hengistbury Head with a Reflex camera with a telephoto lens attachment. He took six negatives. Certain times were given him by Sir Richard when he took the photographs, and these were written on the dark slides.

Mr. Martin objected to the photographs, saying "they are utterly unreliable."

Cross-examining, Mr. Martin asked: How far off were you when taking the photographs?

Witness: I should say about a mile to a mile and a half.

Do you think you are able to say when these boats are nearly across the Run?

Yes; we were direct with the camera.

During the evidence of Sir Richard Glyn there were several interruptions and continual murmurings.

SIR RICHARDS PROSECUTION.

Mr. Martin said the whole case looked like a prosecution by Sir Richard Glyn in the name of the Conservators.

There was, it was understood, a duly appointed water bailiff, who really controlled the fishermen. So why was it there was no complaint from him?

These fishermen and their ancestors, he added, had held licences for a great many years, and not one word had been spoken against them.

Apparently there was a desire to tighten things up there. Had there not been a little laxity in the way of carrying on things? The fishing season began on February 1st. Fishermen got their licences and were allowed to fish without numbers on their boats or nets until numbers were allotted to them.

70 YEAR OLD WITNESS.

William Harrison (70) said he had been fishing over 50 years. His boat was No.2. He started 100 yards west of the Black House. It was impossible to control a net in the Run, and it was equally impossible for anyone standing on the south side, and looking north, to see that a net was more than three-quarters across the Run.

Mr. Martin: It is alleged that you started your shoot before No. 1 boat had finished?—
Witness: It could not have happened.

Are you in the habit of doing that?—No.

Mr. Manning: Do you deny you have taken your boat and your net more than three-quarters across the Run?—Witness: I have often shot the net only half-way across.
(Laughter.)

I put it to you that on February 4th you had the numbers of your boats and nets.

There was an answering chorus of "Noes" from the back of the Court, and the Chairman was prompted to remark: "You are only hurting your own case when you can't keep quiet."

Isaac Coakes and George Rogers gave similar evidence.

"IN THE NAME OF SPORT!"

After hearing other evidence for the defence, the magistrates retired to consider their decision.

They were absent 20 minutes, and upon their return the chairman announced that the last three cases would be dismissed, as also would the second set of summonses relating to the shooting of the nets within 100 yards.

All the defendants were fined £1 each for improperly shooting nets more than three-quarters of the distance across the Run.

CHAIRMAN ON FAIRNESS.

The Chairman said the Bench felt strongly about the situation. The fishermen miles and miles up the river did not grudge Mundeford fishermen having their fish so long as they kept to their section, but they must give the fish a chance.

A Voice: What is the 48 hours for? They have 48 hours to get up?

The Chairman: If these fish don't get up the river to spawn you will never get any fish to come again.

A Voice: What about the turbines? What about the waterworks. They cut the fish up?

The interrupter was removed from the Court.