

## XI.—LUMLEY LOCK—AN HISTORICAL NOTE ON AN ANCIENT FISHERY

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Until the second quarter of the nineteenth century the industrial rivers of the North East were well known for their fishing. From that time onward, however, the rapid growth of urban populations and the later development of the water-carriage sewage system; the increase in lead working in the upper courses of the rivers; the rise of small-coal washeries in the middle reaches; and the development of heavy industry on the estuaries of the Tyne, Wear and Tees, polluted the rivers to such an extent, that most fish were driven from their waters. Before this time, all three rivers had significant commercial fisheries, not only for small brown trout, but more importantly for migratory trout and salmon. On the Wear, above the tideway at Chester-le-Street stood an ancient fishery that was worked until the middle of the nineteenth century. It is the object of this short note to examine Lumley Fishery as an example of many such that once existed, made particularly interesting because of its persistence into relatively recent times.

In common with so many features of Northern life, the earliest written evidence of the existence of the fishery is to be found in Boldon Book, when the fisheries of Chester-le-Street are included in the valuation of the manor. Subsequent reference to them is found in the Bishops' Account Rolls and in the Hatfield Survey of the late fourteenth century. At this time the Fishery returned a yearly rent of £10 13 4d.<sup>1</sup> In 1528, Wolsey, then Bishop of Durham, leased the fishery along with Chester Mill, which at that time probably stood

<sup>1</sup> Surtees Society, Vol. XXXII.

here (it was subsequently sited on the Chester Burn), to Robert Adthee of Durham at a rent of £4 a year for 40 years. Adthee evidently surrendered the fishery at some time, for in 1553, Bishop Tunstall leased the mill and fishery to Lord Lumley for 90 years at a rent of £5 a year<sup>2</sup> in whose family it remained in lease until its abandonment in 1854.

The site of the Fishery is immediately below Lumley Castle, on the Wear, a little above the confluence of the river and the Lumley Park Burn, and below the entrance of a small left bank runner into the river. The Wear here runs across a band of harder strata which provides a suitable site for a dam, while the low sandy haugh on the left bank allowed the excavation of still pools to attract the fish. The rights of the Fishery extended from Newbridge to Harberhouse. The principle involved was that a dam across the river would stop the passage of many fish, which could then be scooped out of the river by means of drag nets and boats, or would drive them up the Lumley Park Burn and the runner and be subsequently caught there.

In earlier years the dam would be constructed in a manner typical of most of the dams on the river in mediaeval times. They were frequently breached, if not swept away by the many winter floods which typify Pennine rivers, but were also relatively easy to rebuild. Brushwood was piled in the river, and was weighted down with stones. Moss was then used to plug the holes. The Abbey Account Rolls of Durham, provide many illuminating references to the maintenance of the Abbey Weir below the Cathedral, which must have been typical of the time. A more sophisticated arrangement at Lumley later included an apron of stones, fastened down with iron stakes.

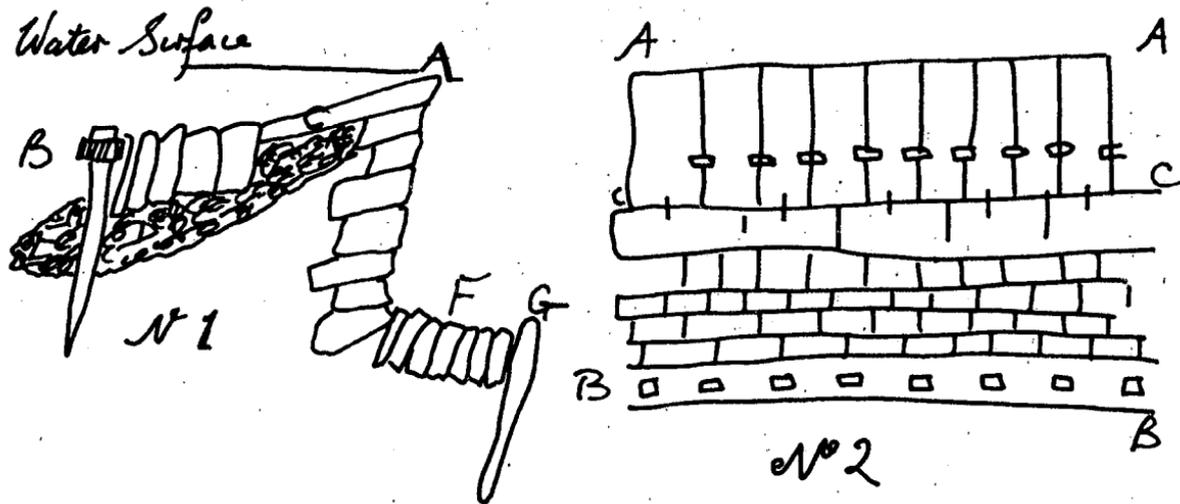
In 1771 the dam was swept away by the great flood of that November, and again in 1776 the dam was breached, but the incidence of John Smeaton in the neighbourhood upon Greenwich Hospital business prompted the Agent at Lumley

<sup>2</sup> Surtees, R. *The History and Antiquities of the County Palatine of Durham*. Vol. II. 137.

to induce him to inspect the dam. Smeaton's report is worth quoting for its comment on the old dam, and his suggestions for its rebuilding.

On viewing and examining the dam at Lumley I find its original construction so very bold and as I esteem it, unsafe, that it surprises me how it has stood for so long. The breach made last winter is now so far stopped up as to pen the water to its usual height. By way of further security I would advise to fill in the pool hole below with rough quarry stone thrown in, and also to form a sufficient slope on the upper side in the same manner, and then to make the wall and penning at the foot of the dam in the way it hitherto hath been. For it would cost a very considerable sum to build a dam there upon solid principles I don't see that anything better can be done. . . . The greatest deficiency that is experienced arises from the capping being taken off by the Ice, as the top is composed of stones of a very middling size, they are kept down by laying a beard of brushwood upon them, which Brushwood is kept down by laying stones thereupon, when this fails the wall of the dam is like to be taken down: The most likely way to preserve the dam, therefore, will be to cap it in a more effectual manner, and I would recommend the method described by the above sketch, No. 1 being a section and No. 2 a Plan\* of a Portion of the Dam wherein AAA is the Front or delivery Nose of the dam, BBB an half free face fixed with Piles all about 10' upstream of the front and to be fixed as low as it can conveniently be got in a dry season in the summer, suppose  $2\frac{1}{2}$  or 3' below the full pond surface: instead of the Brush I propose long stones 8" or 9" thick (if more the better) AC laid sloping towards the half Free the longer the stones the better, but should not be of less length than 3' these to be stamped every other stone to long deep settlers, and the half free to be penned in with rough

\* See figure.



Lishing Dam & Lumley Castle

Pen stones, and the whole section to be supported by rough stones as shown at D and the slope E in the section these to be thrown in after the piles of the half trees are drove. F. shews the present penning or apron supported by the piles G.<sup>3</sup>

Although the Agent at Lumley was told to proceed with the execution of Smeaton's plan, he only repaired that part of the dam that was broken, for in 1795 Agent Bassett writes from Lumley

. . . . I am sorry to inform your Lordship that the late flood has taken away the whole of that part of the Fishery Dam which has not been effectually repaired . . . . the cost of which will amount to £107 . . . . A small part of the Pen work or Apron before the dam where it has been firmly repaired has received some, but very inconsiderable damage.<sup>4</sup>

In the subsequent repair of the dam, it was raised from 4' to 6' and constructed entirely of stone, the heather and brushwood being dispensed with. In 1814 floods again damaged the dam and in the subsequent repairs a wooden framework was placed on top of it, converting it into an overhanging dam, and thus preventing the passage of any fish further upstream.

Aler trout, salmon trout and salmon were all caught at the Fishery. The salmonid fish were all caught below the dam with nets, or, being driven up the Lumley Park Burn, were taken out with hand nets from its soon constricted waters. In 1845 the fish were described as

. . . . exceedingly fine in both size and quality . . . . Salmon from 20-30 lbs. each have been caught here and which at their first coming are occasionally sold as high as 3/- per lb. but during the season, about 1/- a lb. is the

<sup>3</sup> Lumley MSS EMC/ 40/6b.

<sup>4</sup> Lumley MSS EMC/6/17.

usual price. The trout fetch 4d. to 1/- a lb. and they are all sold about home excepting a few which go to Newcastle when they reach the former (sic) value.<sup>5</sup>

In 1861, seven years after the Fishery had been abandoned, the last fisherman was examined during a local enquiry towards the Salmon Fisheries Bill, 1861

We did not get a very large quantity of salmon . . . . they were very scarce towards the end: we might kill 30 or 40 trout to one salmon towards the Last . . . . We used to get a great many more, more bull trout than salmon trout, the average of our salmon trout ran about 2½ lbs. and were better than the bull trout, and I did not sell them at all, I used to salt them down until I got a quantity to send away to the towns in the neighbourhood.<sup>6</sup>

It is difficult to assess the value of the Fishery since for many years Lord Scarbrough included it in the lease of Lumley Forge. Prior to the Forge being taken on by William Hawkes the yearly rent for Forge and Fishery was £60, but in 1783 the rent offered by Hawkes was £200. This rent was not paid for very long, and it represented interests in the iron rather than in the fish trade, for the Forge had long subsidised the Fishery. Six years later, in 1789, Hawkes writes that his firm were great losers by the Fishery and in 1792 the Agent at Lumley writes to Lord Scarbrough's that Messrs. Hawkes & Co. were refusing to pay their rent because of the loss they were sustaining.<sup>7</sup> This loss is amplified in 1808 by Hawkes's solicitor,

. . . As you are perfectly acquainted with the very considerable loss my employers have sustained by Lumley Fishery; I shall only say that they are now losing £200

<sup>5</sup> Lumley MSS EMS/40.

<sup>6</sup> H.C. (1861) XXIII 476.

<sup>7</sup> Lumley MSS EMC/75.

yearly, and that they have sustained a loss of £4,000. It has frequently been held out as a counter balance to the loss sustained . . . that the Forge and the Fishery together was a good concern. I can assure you for many years after this Forge was erected she (the previous tenant) did not clear a shilling.<sup>8</sup>

A little over a year later more details emerge about the Fishery

. . . . Upon settling accounts with our George Curry, Fisherman, from commencement of the Fishing season this year to the 10th. Inst. I had to receive 2 gns. and in the course of that time there is upwards of £15 against the Fishery for Netts, Ropes, etc. (not brought to account) therefore the owners of Lumley Fishery have been losing upwards of £5 weekly . . . . so in consideration we hope his Lordship will agree . . . . that the owners of Lumley Forge will pay his Lordship £100 for the Fishery during the time of their lease and allow his Lordship to let or dispose of the Fishery during the term of their lease how he pleases.<sup>9</sup>

Thus Hawkes & Co. wished to be rid of the financial embarrassment of the Fishery, which in subsequent surveys of the Lumley Estate is never valued above £70 p.a. Previous to this date, the value of the Fishery is always included in the Forge, and so the earlier surveys are not of any great value. The rent paid to the Bishop is also meaningless, being £5 p.a. from 1553 to 1854. Fines paid on the renewal of the lease are, unfortunately, not available, except for three which have come to the author's notice. In 1734 the fine paid was £10,<sup>10</sup> in 1789 £25<sup>11</sup> and in 1803 £54.<sup>12</sup> A Bishopic valua-

<sup>8</sup> Lumley MSS EMC/1/5.

<sup>9</sup> Lumley MSS EMC/1/6.

<sup>10</sup> Church Commission 186061.

<sup>11</sup> Church Commission 55401.

<sup>12</sup> Church Commission 55403.

tion of the Fishery, however, presumably for a septennial renewal fine, in 1796 places it at £200<sup>13</sup> but it would seem that this is taking the value directly from Lord Scarbrough's rent roll, and would be a value hotly disputed by the tenants. A further valuation in 1817 says

The fishing has for some years not been productive, and Lord Scarbrough and his tenants has been at great expense in repairing the Dam. The Fishery worth £73 5 0.<sup>14</sup>

In 1826, however, £80 p.a. for the Fishery *made good profit*.<sup>15</sup> Another Bishopric valuation, in 1832 places the worth of the Fishery at £30 p.a.<sup>16</sup> In 1845, an illuminating Survey of the Lumley Estate contains this valuable entry

In consequence of the great expenses attending the maintenance of boats and the pay of an Assistant or two to help him in catching the fish during only a short season of the year with the trouble of selling them afterwards, it is believed the property does not afford the tenant any great profitable return, but by the little addition he makes by keeping a boat for the use of Gentlemen and occasionally helping them therein (fly fishing) he is enabled to maintain his wife and family of 7 children. In the winter he serves on the estate at 3/- per day.

The tenant, his father and grandfather have rented this property for the last 46 years and judging from his present standing it would not appear that any great profits can have arisen therefrom. Its value is one of difficult calculation and the following estimate can only be regarded as the best information which could be obtained under general enquiries.

As an occupation for profit, £50 a year is believed to be the utmost value, but the way to dispose of this property

<sup>13</sup> Church Commission, Durham Halmote Court Roll Misc. 10/177.

<sup>14</sup> Church Commission, Durham Halmote Court Roll Misc. 11/41.

<sup>15</sup> H.C. 1861 XXIII 468.

<sup>16</sup> Church Commission, Durham Halmote Court Roll Misc. 10/165.

upon the most advantageous terms would be to unite the fishing with the shooting on the Estate and to let the two of them together which might profitably done to a lover of rural sports at from £100-150 p.a. in which case under an arrangement the present tenant's situation, at least in a pecuniary point of view might still be continued to him. Valuation of the Fishery . . . . £25 0 0.<sup>17</sup>

The fluctuations in the value of the Fishery between 1734 and 1845 can be attributed to two factors, the general rise in prices that occurred from 1750 to the end of the first decade of the nineteenth century, and the gradual decline of the numbers and quality of the fish caught. As food prices rose, then the value of the fish obviously increased, but after the turn of the century it is likely that large numbers of migratory fish were driven out of the river by lead mining in the upper reaches spoiling the spawning grounds, which along with the decline in prices after the end of the Napoleonic Wars resulted in the rapidly diminishing value of the Fishery.

By the 1830's the population along the banks of the river was rapidly expanding, and fishing was much in demand. Unfortunately, due to the increases in the height of the dam, and the increased efficiency of the fishing at Lumley now that fish were less plentiful, few, if any, fish were finding their way up the river. The Gentlemen of the County took up the cause with something like gusto and representations were made to Curry, the Fisherman. In 1861, William Henderson, of Durham, being examined during the proceedings of the Salmon Fisheries Bill, 1861, said that

With the exception of the winter of 1820, when the highest portion of the river was washed away by a great flood, there is no distinct record of any salmon in the Wear, whilst the dam was down, the river was filled with salmon of a large size.<sup>18</sup>

<sup>17</sup> Lumley MSS EMS/40.

<sup>18</sup> H.C. 1861 XXIII 465.

Not satisfied with having the height of the dam raised, the Fisherman kept the sluice gate permanently closed so that not even the smallest fish could escape.

The public being deprived of the delightful and innocent recreation of a Cast for Salmon as well as a great loss from a pecuniary point of view to all classes by being deprived of Salmon from the Wear as a substitution for other food.<sup>19</sup>

At the beginning of 1849, the Wear Salmon Fishery Association was formed, and at Michaelmas Sessions, Conservators were appointed for the river, and Fence Days were fixed from 16th September, to 12th February. The Lumley Fisherman was careful to observe these fence days, but the increasing vigilance kept on the river found him not for the first time using nets of an illegal mesh, and information was laid against him. Lord Scarbrough asked the magistrates to wait until his imminent arrival in the County, but he never arrived at Lumley, and the charges were never brought. The widespread agitation, however, culminated in a petition to the Bishop not to renew Lord Scarbrough's lease on the Fishery. In 1854 Bishop Maltby acquiesced, and invested the right of fishery in a body of local gentlemen *in the interests of the public*.<sup>20</sup> After a severe flood had broken down part of the dam in that winter they triumphantly demolished the remaining part of the dam, much to Lord Scarbrough's anger.

Thus commercial fishing on the Wear ended, and while Lumley Fishery was never of anything more than local importance, its loss signified the decline of a riverine amenity which was a real deprivation to the whole of the industrial North East.

<sup>19</sup> Church Commission 57332.

<sup>20</sup> Henderson, W. *Notes and Reminiscences of my Life as an Angler*. London, 1876.

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