



150 years

**Rev. H.F. Barnes-Lawrence
of Bridlington Priory
and the
Sea Birds Preservation Act**



1869



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150 years ago one of the first wildlife protection laws in the world was passed, and one of those to whom ‘the whole credit’ was due was the parish priest at Bridlington Priory.

The Bill has passed
the House of Lords. I
am thankful.

I will venture to add how thankful I am that the letter of mine you inserted in *The Times* not many months ago, on the shameful slaughter of our poor Yorkshire seagulls, has led to the triumphant passing of the Seabirds' Preservation Bill, the whole credit of which is due to my friend the Rev. H. F. Barnes, vicar of Burlington, and Mr. Harland, of that place, the indefatigable secretaries of the association, and also to our member, Mr. Sykes, for the judicious and able manner in which he spoke and acted in the matter.

I am, Sir, your very obedient servant,
June 24. F. O. MORRIS.

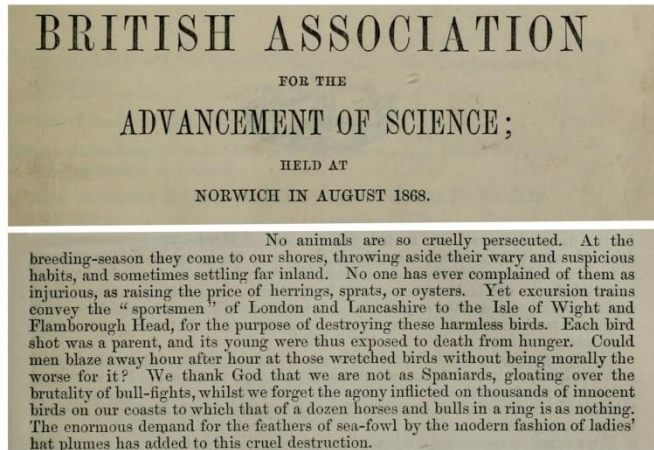
Letter to *The Times*

25 Jun 1869

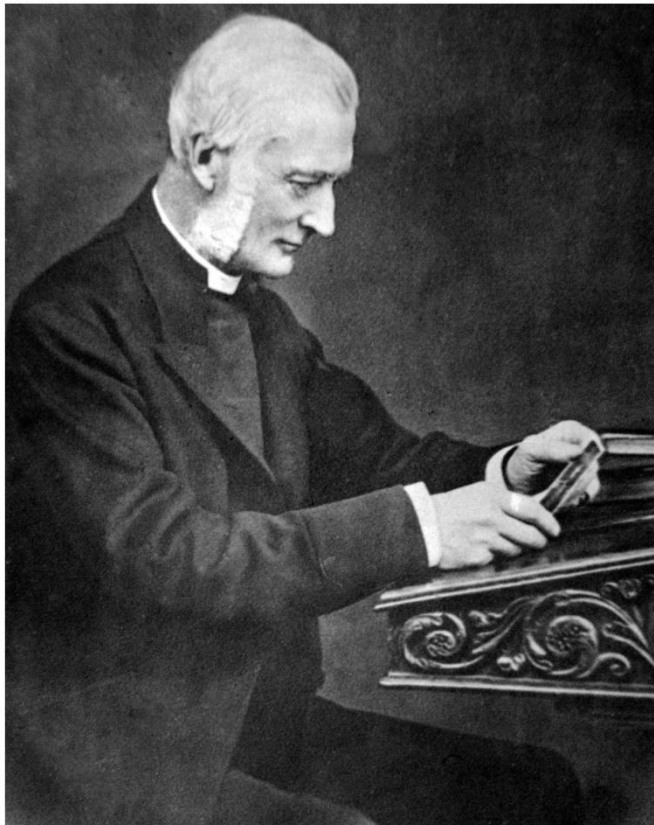
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Rev. H.F. Barnes (later Barnes-Lawrence)

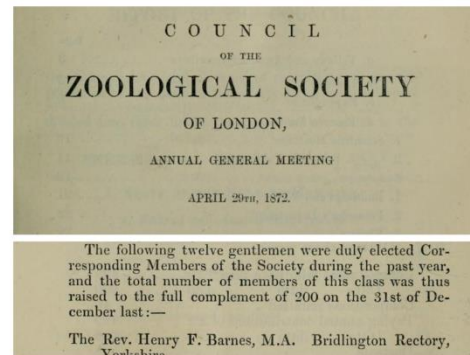


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There are several theories as to why Barnes became involved in the sea birds issue. One is that he heard or read about an influential sermon, and another that he was influenced by statistics on local seabird mortality published by H.H. Knocker in 1868. Another suggestion is that there was much adverse publicity about the Bridlington area following an address by Professor Alfred Newton to the British Association for the Advancement of Science in August 1868.



Barnes was elected a Corresponding Member of the Zoological Society of London in 1871, 'a distinction shared by few and which he greatly valued' (Bridlington Free Press 1896)

How many people will ever know that I wrote these two papers besides heaps of letters [about the sea birds]



Henry Frederick Barnes was born in India in 1815, the son of an Indian naval officer. Initially trained as a cavalry officer, he heard a sermon which changed the course of his life and led him to be ordained in 1841. After serving curacies in Somerset, London and the Isle of Wight, he was appointed Perpetual Curate of Bridlington Priory in 1849. During his incumbency (at exactly the same time as he was working on the Sea Birds Act) he became the Vicar; the living did not become a Rectory until 1881.

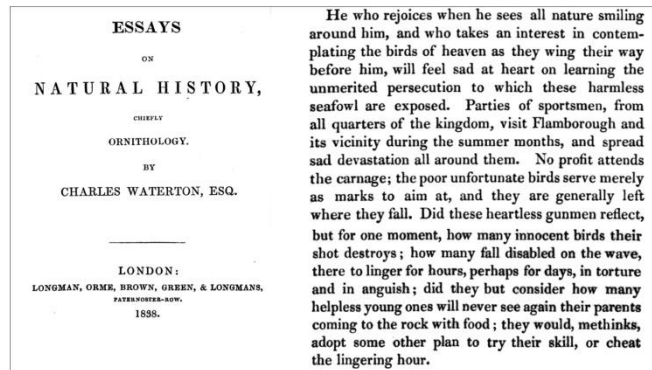
In 1874 he moved to Birkin, Ferrybridge, as Rector and remained there until his retirement in 1893. He returned to Bridlington, where he died in 1896.

He married Emily Lloyd in 1841 and the couple had six sons and two daughters baptised at the Priory. They were known as Barnes throughout his incumbency here; the family adopted the surname Barnes-Lawrence in 1877.

Why protection was needed

'Sporting excursionists'

The chief targets of the campaigners were parties of gunmen from all over the country who would hire local boats to take them to Flamborough and Bempton cliffs to shoot sea birds. Although this was doubtless a lucrative addition to poor local incomes, the practice had been attracting criticism for thirty years, particularly when it happened in the breeding season.



Extract from *Essays on Natural History* by Charles Waterton 1838

Burlington Quay is inundated at this "season of the year" with hosts of excursionists from the town of Sheffield, which has lately obtained an unenviable notoriety for slaughterous propensities, and they at once proceed to hire guns, powder, and shot at the shops, and set out in parties in boats and omnibuses to wage cowardly and murderous war on the defenceless and timid birds which are then bringing up their young on the cliffs.



F.O. Morris, in a letter to *The Times*
3 Apr 1867

The problem was not confined to East Yorkshire. A single letter to *The Times* of 15 Jan 1869 records examples in North Yorkshire, County Durham, the east and west coasts of Scotland and Pembrokeshire in Wales.

Time which the birds are on the coast (say from middle of April to 10th August), 110 days.

Say 25 boats daily (Scarborough, Fliey, Flamborough, Bridlington).
2 guns in each boat (many take 4 to 6).
50 guns in boats
15 guns on shore, say 15 guns along shore and on cliffs. Mr. Debon, gun-maker, has let out himself as many as 24 per diem.
63
15 birds shot or wounded per gun.
325
65
975 birds per diem.
110 days.
9750
975
107250 birds per season, for pleasure.
12600
119250 birds for pleasure and gain.
Again, say 8 egg collectors at 100 eggs each per diem.
100
800 per diem.
42 days (seven weeks excluding Sundays).
33600 eggs taken.
Allowing that two-thirds of the birds shot have young ones or eggs, this gives 79,500 young birds or eggs lost by parents being destroyed. This does not include the numerous ones lost when the birds are frightened off the rocks, and sweep off the young or eggs they are sitting on. We then have
107250 birds destroyed by pleasure parties.
12600 birds destroyed by gun.
33600 eggs taken.
79500 young birds starved to death or eggs lost.
222350 birds and eggs, shot, wounded, die, and taken in breeding season, or between middle of April and early in August.
If we carry on our calculations still farther, say, if each bird dives nine times per hour (I believe eleven is the usual number), and catches three whiting per hour, or one in three dives, we have
975 birds daily—pleasure (!)
109 birds daily average for professional bird-killers.
1084 birds killed or wounded daily.
3 whiting.
3232 whiting per hour.
12 (say 12 hours per day diving for food).
38784 whiting destroyed per day.
110 days.
422640 whiting destroyed in breeding season.
And allowing each whiting to eat 200 "food fish" during the 110 days, or time the birds are with us, we find 4,226,400
200
845,280,000 food fish lost by the destruction of birds in 110 days!

10 professional bird-killers,
Say 1200 birds each.
12000 birds per season

The Association for the Protection of Sea Birds' Circular, published in December 1868, incorporated the statistics on local mortality published by H.H. Knocker earlier in the year

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'A bird of prey'
from *Punch*
14 May 1892



Anything short of an Act of Parliament will I fear be of little use. Any appeal on the ground of humanity to the sporting excursionists would, I feel certain, be mere waste of time.

Protection of sailors

'It has been found, again and again, that the cries of sea-birds have served as signals to vessels when sailing too near the coast - warnings which could be heard when heavy mists hid the beacon lights on cliff and headland.'

From an article in *The British Workman* 1 Jul 1869

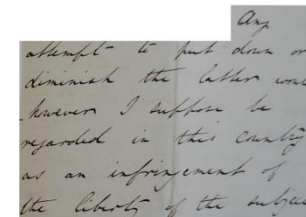
The birds deemed to protect mariners in poor visibility were dubbed 'The Flamborough Pilots'

It is understood to have been already proved before the Manx Authorities, in procuring a special Act for the Isle of Man, that the cry of the birds in foggy weather will more effectually warn the seaman of his danger as he approaches the rock-bound Coast, than either the fog-bell or the beacon-light could do; while the fisherman, earning his honest livelihood among the finny tribes of the deep, is often guided where to cast his nets, or where to drop his line, by the hovering of the sea birds over the thickest of the shoal.

From the Association's Circular Dec 1868
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The millinery trade

One of the reasons for shooting wildfowl was the fashion for adorning ladies' hats with feathers, wings and sometimes whole birds. The *Milliner and Dressmaker* dismissed criticism of this, pointing out that a ban would 'deprive hundreds of respectable young women of their livelihood in the trade'. The battle would continue for decades, with the Edwardian period the height of feather fashion.



'Any attempt to put down or diminish [the trade in plumes] would however I suppose be regarded in this country as an infringement of the liberty of the subject.' Letter to Barnes Feb 1869.

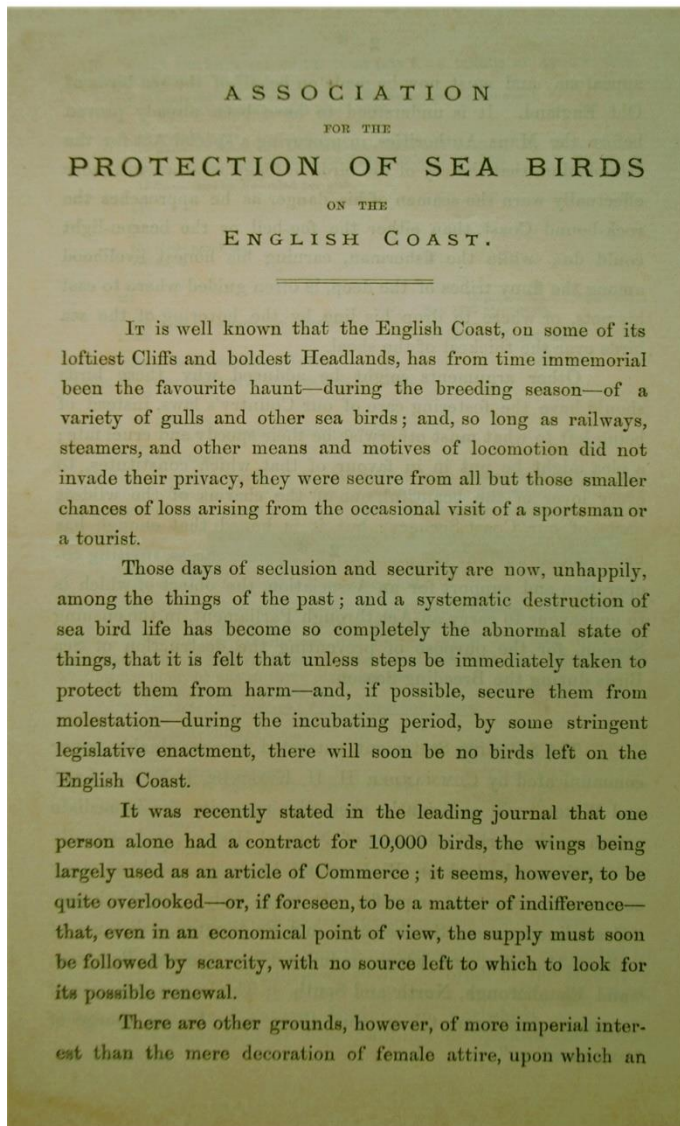
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Association for the Protection of Sea Birds



'I have constantly thought of the subject since the Bridlington Show', said one letter to Barnes. This was probably Bridlington Agricultural Show in July 1868, and this, with Barnes' diary, shows that he was involved in conversations about the issue for some weeks. It is recorded that he arranged the meeting of local clergy and naturalists in October 1868 which formed the Association for the Protection of Sea Birds. Over the next few months he was engaged in constant correspondence and activity.

A week of hard work and weariness. May the Lord strengthen me.



PROTECTION OF SEABIRDS.—The Rev. F. O. Morris writes to the *Times* :—I feel sure your readers will be glad to hear that the measures which I mentioned in a former letter to the *Times* as having been taken for the formation of an association in the East Riding for the protection of our native seabirds, with a view to the obtaining an Act of Parliament for that object, has been so far most successful. A large number of very influential noblemen and gentlemen have subscribed towards the necessary expenses, and have expressly allowed their names to be published as supporters of the movement. Among them I may mention Mr. Walter Strickland, the owner of Flamborough; Lord Londesborough, the owner of Speeton; the Archbishop of York, Mr. C. Sykes, M.P., Mr. W. H. H. Broadley, M.P., the Hon. Admiral Duncombe, Admiral Mitford, Lord Hotham, Mr. F. Buckland, Sir H. Boynton, the Archdeacon of York, Col. Akroyd, M.P., the Archdeacon of the East Riding, the Rev. Y. L. Greame, Mr. E. V. Harcourt, Mr. Tyssen-Amhurst, Dr. J. E. Gray, &c.

The campaign was publicised in *The Times* and other newspapers. This was in the *Sheffield and Rotherham Independent* 8 Dec 1868
British Library Newspapers, Part II: 1800-1900
Gale Document Number: R3212037016

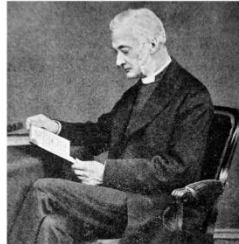
Barnes' diary showed the progression of the campaign in 1868

- ' Sept 24: Discussion re Act of Parliament
- 21 Oct: Preliminary Meeting to form the Association
- 22 Oct: Archbishop of York supports The Association
- 26 Oct: More letters about birds
- 5 Nov: Captain Klocker talk about Birds
- 11 Nov: A whole bundle of letters about Birds
- 2 Dec: Sea Birds Circular in print. Began to issue it.
- 7 Dec: Sent off a heap of letters and circulars about Seabirds
- 14 Dec: Nice letters received
- 28 Dec: New list of Bird Members '

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The initial circular stated that 'A Subscription of Five Shillings or upwards constitutes Membership'. The Association achieved its aims with a great deal of voluntary help and very limited resources. When one of the supporters requested reimbursement of expenses after the Act was passed, Barnes had to tell him that 'up to the present moment we have actually received less than £150 and I believe I am right in saying that we have less than £50 in hand', and pointed out that 'no one, except ourselves, has given so much in time and labour to the work than Mr Frank Buckland, yet he has never hinted at repayment'.

Principal campaigners



Henry F. Barnes
(1815-1896)
See individual display

Francis T. Buckland (1826-1880)

Francis Trevelyan Buckland, always known as Frank, was a son of William Buckland, a noted geologist and naturalist. Father and son shared an enthusiasm for tasting the wildlife they studied.

Frank Buckland kept exotic pets as a child, and his bear became quite famous. He studied medicine and was assistant surgeon in the Life Guards 1854-1863, before resigning to concentrate on his literary and scientific pursuits. He was already on the staff of *The Field* and subsequently founded *Land and Water*, which journal published the statistics which launched the Association. In 1863 he married Hanna Papes, with whom he had previously had a short-lived son; they may not have been able to marry before this, as permission was only granted to a small percentage of soldiers. He turned his attention mostly to fish and commercial fishing, and published extensively on the subjects. In 1867 he was appointed Inspector of Salmon Fisheries, travelling widely around the country in the course of his duties. He was also a popular, lively and unorthodox lecturer, much in demand.

Barnes praised Buckland for not reclaiming any money for the campaign, but it is evident from his letters that some of the expenses were borne by his employers



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Francis O. Morris (1810-1893)

The son of an Admiral, Francis Orpen Morris was born in Ireland. He showed his interest in the natural world at school and whilst a student at Worcester College, Oxford he helped in the arrangement of the Ashmolean Museum's collection of insects. He was ordained priest in 1835 and served several parishes in Yorkshire before being presented to Nunburnholme in the East Riding in 1854, where he remained for the rest of his life. He married Anne Sanders in 1835 and the couple had six daughters and three sons.

He is best known as a naturalist who published substantial illustrated books on natural history. He believed that all such studies 'infallibly lead from the works of nature up to the God of Nature', a natural theology that led him to oppose theories of evolution. In 1885 he was co-founder of the Plumage League, which opposed the excessive use of birds' plumage in ladies' fashions.

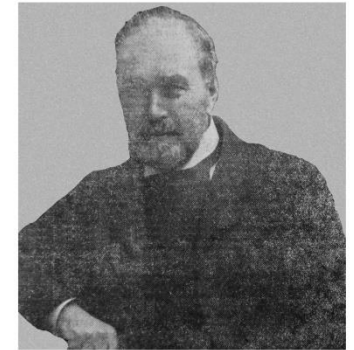
He wrote numerous letters to newspapers and magazines on a wide variety of subjects, and this played a key part in the Association's campaign.



Christopher Sykes
(1831-1898)
See individual display



I think that you and the other active promoters of the Association are entitled to our best thanks for putting the cause of humanity in a practical form



Picture from the *Chronicle* 30 Sep 1910
Bridlington Local Studies Library

Thomas Harland (1832-1910)

Thomas Harland was born in Market Place, where his father practised as an attorney. He followed his father into the legal profession in 1854 and practised in Squire Lane and King Street. He married Jane Thompson, daughter of the Vicar of Christ Church, in 1862 and they had eight children. Described by the local magistrates at his death as 'the father of Bridlington', his many public works included the positions of J.P., Alderman of the County Council, Lord Feoffee and Chief Lord, Harbour Commissioner and member of the Local Board which established improvements on the sea front.

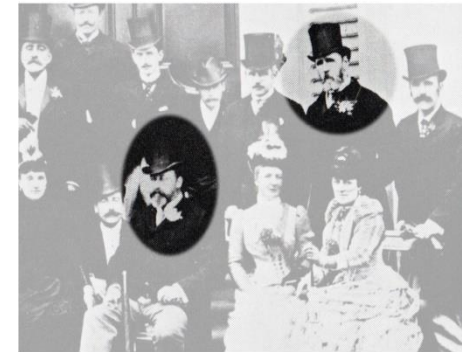
He had 'a very deep interest in Church work', and was a particular supporter of The Bible Society. A member of the Christ Church congregation for many years, he was treasurer for the building fund of Emmanuel Church at the time of his death. The Rector of the Priory said that 'there is scarcely a public body of the town or country which does not owe him a debt of gratitude for years of energetic, tactful, and withal most unostentatious work'. He also stated that Harland had 'raised more thousands for the Church than any other individual has raised tens. The Priory Church owes more to Mr. Thomas Harland than to any living man, or than all the living men put together'.

Christopher Sykes

The Bill was introduced into Parliament by Christopher Sykes (1831-1898), second son of the Sledmere estate and MP for the East Riding. In twenty seven years in Parliament he made only six speeches, and the Sea Birds Preservation Act was his one achievement.



I am sorry you should have so inexperienced an M.P. to introduce your Bill ...



Even his most sympathetic biographer described Sykes [above right] as 'a shocking snob', and at around the same time as the Act was passed he was introduced into the social group of the Prince of Wales (later Edward VII) [left]. Over the next twenty years he was to become the Prince's court jester, the patient butt of endless practical jokes, one of which was the placing of a dead seagull in his bed.

Sykes beggared himself in entertaining to the Prince's rich standards, losing both his homes and escaping bankruptcy only because a relative shamed the Prince into helping him.

Stamington Thorpe,
Brough,
East Yorkshire.

Jan 3 17th - 1869

My dear Sir

I beg to acknowledge the receipt of your letter of the 13th, which I should have answered sooner, had I not been so busy -

I shall have great pleasure in doing my best to introduce the

Bill for the Preservation of Sea Birds into the House of Commons, but you must remember that as yet I have never spoken in that august Assembly -

Could you get young Mr. Gladstone M.P. for Wulfric to be a Member of the Association, & to second it? He is M.P. for a sea Port & his name would be right -

Be sure you leave it to me to endeavour to find some one?

Yours very truly
Christopher Sykes -



Sykes was caricatured in *Vanity Fair* as 'the gulls' friend'. There was an intentional echo of another meaning of 'gull': 'one easily imposed upon; a dupe, simpleton, fool'.

In agreeing to introduce the Bill in Parliament Sykes pointed out to Barnes that he 'must remember that as yet I have never spoken in that August Assembly'. Several letters show him trying to find a more prominent seconder.



Poems by the Rev. Richard Wilton (1827-1903), Rector of Londesborough, were circulated widely as part of the publicity for the Bill. Wilton published four volumes of poetry in his lifetime.

THE FLAMBOROUGH PILOTS.

The lights revolve—now white, now red—
In vain; no warning ray is shed
From mist-enfolded Flamborough Head.

In vain the gun booms on the shore—
No warning sound is wafted o'er
The waves that to the darkness roar.

To straining eye and list'ning ear,
In heaven or earth, no signs appear
Whereby bewildered bark may steer.

But suddenly a voice is heard—
The wailing note of wild sea-bird;—
And all the sailor's heart is stirred.

"The Flamborough Pilots!" is his cry,
"Beware, beware, the rocks are nigh!
Turn the ship's head, and seaward fly."

Blest birds! kind white-winged pilots!—hark!
Like angels call they through the dark —
Like angels save that helpless bark!

'Tis morn—the mists are rolled away—
The beacon-lights are quenched in day ;
And boats come stealing round the bay.

The rocks with deadly echoes ring
With rifles that destruction bring
To angel-voice and angel-wing!

Oh, cruel sound! oh, piteous sight!
The gentle pilots of the night
Are MURDERED with the morning light!

And, lo! for lack of warning call,
Ships lost beneath that white sea-wall,
Where now the "The Flamborough Pilots" fall!



SEA BIRDS; OR, "THE FLAMBOROUGH PILOTS" - THE SAILOR'S FRIENDS

Harrison William Weir

The British Workman 1 Jul 1869

Hull University Archives, Hull History Centre: U DSB/183



THE SEABIRDS' FOE.

I.

When the wild waves at the retreating tide
Round some low promontory leap and wrangle,
And mid the rocks you see the fowler hide
Where Sea-birds stoop for food in oozy tangle :—

II.

When hidden in the hollow of his boat
The practised marksman with his gun lies rocking;
And wheeling round with curious eye—you note
The hapless Sea-birds to destruction flocking ;—

III.

When on hard rock or crimsoned wave they fall,
And at the slayer's feet in heaps are lying,
And now for food their unfledged nestlings call
In vain—on yon bare cliff by thousands dying ;—

IV.

By whom is nerved the sanguinary hand
Which spreads a cloud of woe o'er cliff and water,
And drives these living sunbeams from our strand?
By thy fair sister, wife, or gentle daughter!

V.

Who to set off the glory of her hair,
For her brave hat demands the Sea-birds' glory.
Nor will one feather from her tresses spare
To put an end to all this tragic story.

VI.

She is the Sea-birds' foe! She gives the word
Their snowy plumes to plunder, not to cherish ;
That she may *buy*—the murderous guns are heard ;
That she may *dress*—the lovely Sea—birds perish!

Sea Birds Preservation Act

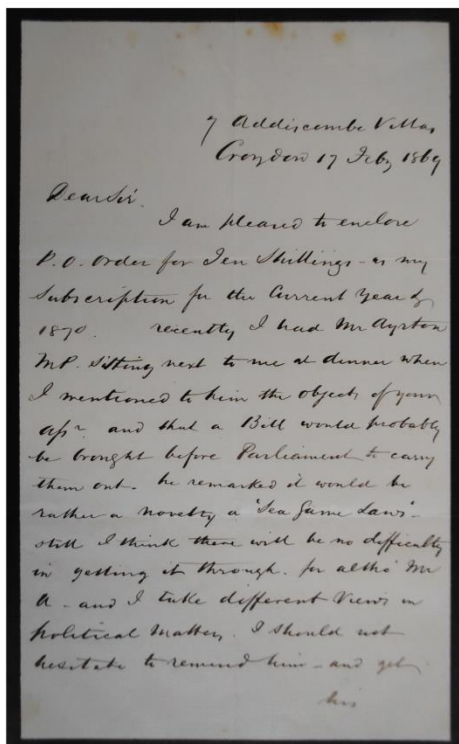
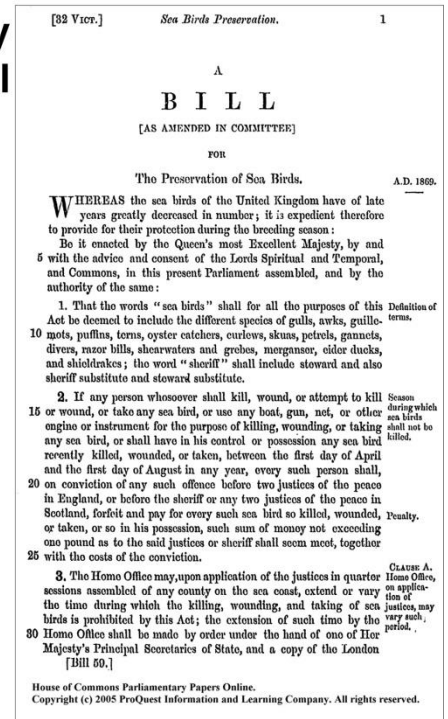
Christopher Sykes introduced the Bill to Parliament on 6 March 1869, hoping 'that the importance of the Bill would not be overlooked through the insignificance of its advocate'. It passed through Committee on 18 March and was passed in the House of Lords on 10 May. Generally supported by all parties, it received the Royal Assent on 24 June.



The Act sought only to protect the birds and their eggs during the breeding season. Although such measures as a total ban on shooting and the taking of eggs were discussed, it was probably wise of the campaigners to keep to a limited aim in this first protection measure.

'The Bill was not only framed in accordance with the strongly-expressed feeling of almost every class of his constituency (East Riding of Yorkshire), but from the numerous letters he had received from all parts of England, evincing the warmest sympathy with its objects, he was led to regard it as one of almost national interest. The sea birds of England were rapidly disappearing from our coasts. From Northumberland, Durham, Yorkshire, Norfolk, Devonshire, Cornwall, and Pembrokeshire, the same cry arose. He made his appeal even in the interest of those thoughtless pleasure seekers themselves who flocked to the coast in the summer months, chiefly from the populous towns of the West Riding of Yorkshire and of Lancashire. Those persons would have themselves to blame if, in a few years, they found that those rocks, which he once remembered as teeming with wild fowl, had become a silent wilderness.'

Extracts from Hansard: Christopher Sykes' speech in moving the Bill



How delightfully popular the Bill appears to be in the House!

The chair was occupied by Mr. CHRISTOPHER SYKES, M.P.

There were three points upon which he should be glad to obtain the opinion of the meeting— 1, whether or not a clause for protecting the eggs of sea-birds ought to be inserted in the bill; 2, whether it would be wise to omit a clause, making exception in favour of the destruction of birds for the purpose of using them as human food; 3d, whether the period from the 1st May to the 1st August was the best chosen season during which it was desirable that sea-fowl should not be killed.

On 10 March a meeting was held in the Zoological Society's rooms in London to consider the Bill. An account in the *Morning Post* records a mixture of serious decision making and some comments which are fairly typical of the age, but would be condemned as sexist in the modern world.

British Library Newspapers, Part II: 1800-1900
Gale Document Number: R3212081203

Mr. FRANK BUCKLAND, who as usual raised a laugh by his good-humoured, jocular way of dealing with the subject

As to the ladies, the question had already been disposed of, for when the subject was laid before them at a recent meeting at Nottingham they said that, in respect to the feathers of sea-birds for their hats and bonnets, they should be happy to do whatever "the philosophers" told them to do. (Laughter.) They had only therefore to tell them that they must not buy the birds during the breeding season, and they would gladly act upon such an injunction. (Hear and laughter.)



At least one M.P. regarded the Act as light relief. 'He remarked it would be rather a novelty a 'Sea Game Law' -'

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Not a modern measure

The Sea Birds Preservation Act was very much a measure of its time, the provisions reflecting an early approach to conservation. Most of those involved in the campaign saw no problem with the collection of eggs, or with the shooting of wildlife by gentlemen or 'sportsmen' (as opposed to 'cockney shooters'). Frank Buckland was keen to taste as many forms of wildlife as possible, and F.O. Morris had a 'large collection of butterflies, moths and birds' eggs.

the destruction of the gulls at Flamborough Head by cockney shooters (sportsmen of course they are not)

F.O. Morris, one of the Association's leaders, in a letter to *The Times*
24 Aug 1868
The Times Digital Archive
<http://tinyurl.galegroup.com/tinyurl/BTCIC2>
Accessed 2 Aug. 2019

'Almost the only plan I see would be to require a licence to carry firearms for any purpose & such a proposal would be laughed at.'

Letter to H.F. Barnes 9 Nov 1868

Hull University Archives, Hull History Centre: U DSB/8



I am anxious to help the good cause, because as a collector of stuffed birds, I feel to a certain extent myself, guilty.

The fishermen all round these islands look on the sea birds as lawful game, and though they would probably be glad to see mere Cockney sportsmen and landlubbers warned off the shore, they will not lightly submit to keep their own guns unused at home.

To make it penal merely to shoot a sea-gull would be to have the law set at defiance all round our coasts.

Daily News 10 Mar 1869

British Library Newspapers, Part I: 1800-1900
Gale Document Number: Y3203025460

Mr. Morris is a well-known and ardent entomologist and naturalist, and in these pursuits "kills and slays" any rare insect or bird that by chance falls in his path. And where is the lover of either of those pursuits who would not spend hours and days, and travel miles, and even offer a premium, for the capture of a poor, innocent moth or bird which may have winged its flight from a far-off country to our shores? Not a moth nor a bird of rarity is allowed to weather the storm of nets, &c., which these men of intellect spread far and wide, and what an elaborate description we find given by the lucky captor of his prize at the meeting of his society!

Some did pick up on the contradiction, as can be seen from an exchange in the *Yorkshire Gazette* in May 1867

British Library Newspapers, Part IV: 1732-1950
Gale Document Numbers: JF3231101184 / JF3231101249

Suffice it to say that the word "entomologist" should be spelled "entomologist;" that all right-minded entomologists are most careful to take no insects but what they want for scientific purposes for their own collections or those of others, and not one in 500,000 after all, that all the rest they are glad to leave to fly about in the enjoyment of their existence; that what they do take they kill with chloroform, prussic acid, or laurel leaves, without their suffering the slightest pain, and never wound or maim any they do not capture;

And, lastly, many poor families of the neighbouring villages used to earn an honest livelihood in summer by collecting the eggs for sale, which might then be seen brought in in panniers on donkeys, both for food and sale as specimens, their endless variety of colour and markings being most remarkable and interesting; but so few are now left that it is hardly worth their while to run the risk of collecting them.

F.O. Morris to *The Times* 3 Apr 1867

THE FIELD, THE COUNTRY GENTLEMAN'S NEWSPAPER

SATURDAY, MARCH 13, 1869.

It must not be forgotten, however, that the eggs of many sea birds are taken by the country people for food, although the birds themselves are not eaten. In legislating, therefore, upon the subject, care should be taken not to interfere with so legitimate a practice. Again, the rights of those landowners upon whose ground the birds breed should be recognised. It would be a hardship were a man prohibited from taking an egg or shooting a wild bird on his own land.

Bodleian Library, Oxford University



The most eminent member of the Association for the Protection of Sea Birds was Prince Christian, the husband of Queen Victoria's third daughter Princess Helena. Like his contemporaries he saw no contradiction between this and the enthusiasm for hunting and shooting which led him to decorate his home with 'hundreds of trophies' [*Times* obituary 1917]. Indeed, after joining the campaign he requested Barnes to send him some birds' eggs.

I think you had best send the eggs (when you have got them) to Prince Christian Frogmore House Windsor. Please write him to say that you are about to



I should be most obliged if you could take measures to do what H.R.H. wishes – as you know Prince Christian is a great supporter of the bill.

I think you had best send the eggs (when you have got them) to Prince Christian Frogmore House Windsor.

Letter from Frank Buckland to H.F. Barnes 28 Apr 1869

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Support

The campaign seems to have encountered very little opposition. Nearly all the letters preserved by Barnes are in support of the measure. Walter Strickland, the owner of Flamborough Head commented that 'it is quite curious that a bill with such extensive provisions should have passed the House of Commons without, as far as I saw, a single hostile comment'.

Mr. O. Stanley supported the second reading. He deemed that the Bill was one which it was important to pass, not only for the purpose of stopping the wanton cruelty of destroying sea birds, but because their preservation tended to prevent the occurrence of many shipwrecks. He had received a letter from Sir F. Arrow, Deputy Master of the Trinity Board, in which the writer stated that the Board attached the greatest importance to the preservation of sea-fowl, as the best of all warnings to seamen when in proximity of land in thick weather, and that he quite approved the Bill

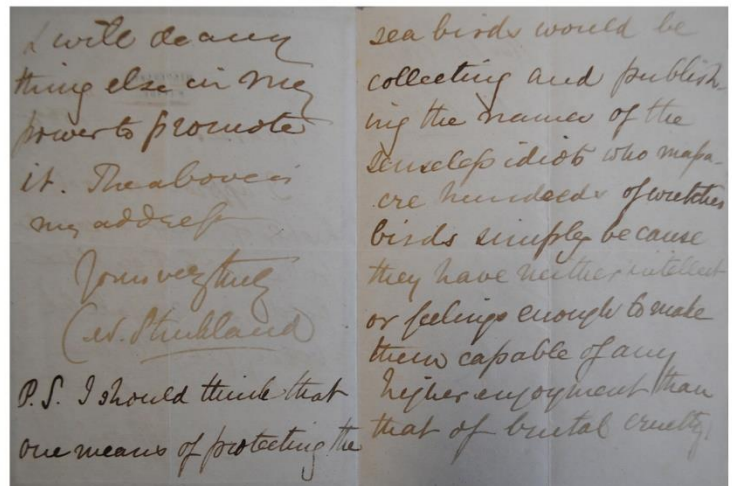
Hansard on the debate for the second reading of the Bill.



The Bishop of Oxford, 'Soapy Sam' Wilberforce, who was opposed to all blood sports, expressed his support with a witticism

'The Bishop said he would cordially support the movement in any way in his power ... The Bishop said "it would be a feather in any man's cap" if he brought about any measure to protect the birds'.

Hull University Archives, Hull History Centre: U DSB/36



'I should think that one means of protecting the sea birds would be collection and publishing the names of the senseless idiots who massacre hundreds of wretched birds simply because they have neither intellect or feelings enough to make them capable of any higher enjoyment than that of brutal cruelty.'

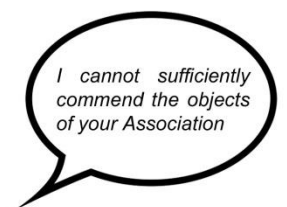
Letter to Barnes 13 Nov 1868

Hull University Archives, Hull History Centre: U DSB/15

But it may be asked of what use are these birds, after all? Supposing they are protected by law during the nesting time, what then? There is a very complete answer. The evidence of mariners, fishermen, agriculturists, and naturalists tends abundantly to prove that the various species of gulls deserve protection for many reasons. They are useful to mariners in warning them off rocks, shoals, and other dangers of the sea; acting, in fact, as living fog signals. They are useful to fishermen in directing them to the most productive fishing grounds. The fishermen always know where there is a shoal of fish by the movements of the gulls, which fly round and round the shoal, now and then swooping to take a fish as it rises to the surface. Were it not for this aid much time would be wasted, with much wear of nets. Many species of gulls follow the plough, and destroy quantities of grubs and worms, which they snatch from the upturned soil. Nay, more, they visit the fields and fallows, whether the plough be there or not, and rid us of many noxious insects. As scavengers, these birds are most useful in removing various kinds of offal from our shores and harbours. In addition to this, who will not readily admit that the presence of these wild birds on our coast contributes very greatly to the beauty of the scenery.

On all or any of these grounds, they deserve protection. And what is this to amount to? Simply the appointment and observance of a "fence time," as in the case of game and fish. Let them be unmolested for a certain period of the year, to rear their young and perpetuate their species, otherwise in a few years we shall have "killed the goose with the golden eggs."

We hail with extreme satisfaction the contemplated Act for the Preservation of Sea Fowl, and rejoice to think that in our future coast rambles we are still to be gladdened with the sight and sound of many wings.

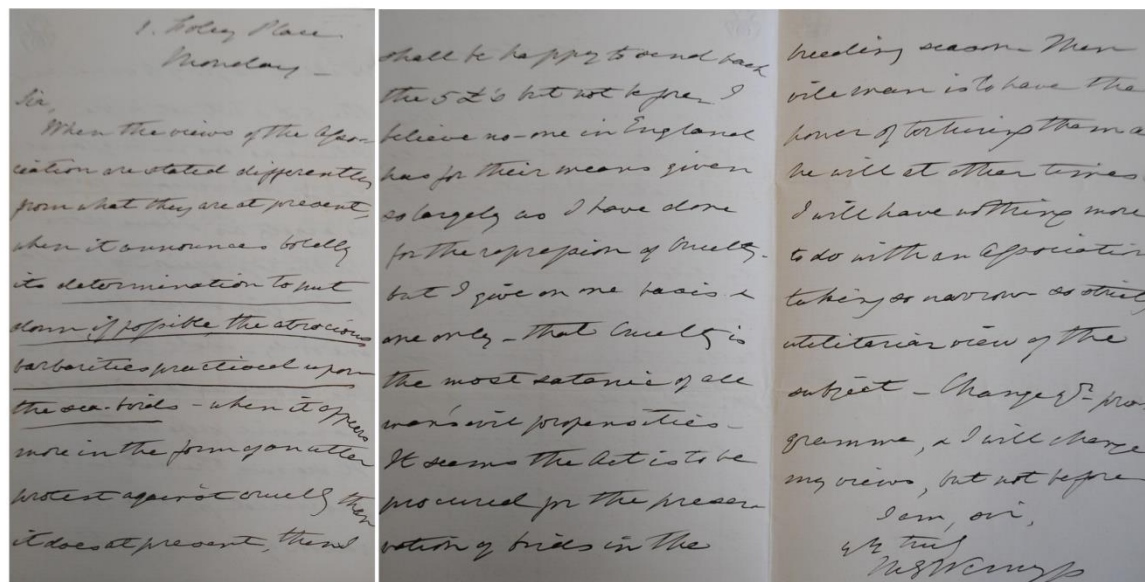


Even the sporting magazine *The Field* was in favour of the measure, regarding it as on a par with measures to protect game birds.

The Field 13 Mar 1869
Bodleian Library, Oxford University

Opposition

Obviously those responsible for shooting the sea birds would not have been in favour of the Act, and there is likely also to have been resistance from those who made money from hiring out boats and guns. However, there was very little public opposition to the campaign, and most of what there was stemmed from the opinion that it did not go far enough.



Miss Mary E Wemyss (who founded the Gloucester and West Gloucestershire Society for the Prevention of Cruelty to Animals) sent a £5 subscription, but demanded it back when she discovered that the Act was to be limited.

When the views of the Association are stated differently from what they are at present, when it announces boldly its determination to put down, if possible, the atrocious barbarities practised upon the sea-birds – when it appears more in the form of an utter protest against cruelty than it does at present, then I shall be happy to send back the 5£'s but not before ... I give on one basis & one only – that cruelty is the most satanic of all man's evil propensities. It seems the Act is to be procured for the preservation of birds in the breeding season. Then vile man is to have the power of taking them as he will at other times ...

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I will have nothing more to do with an Association taking so narrow, so strictly utilitarian view of the subject. Change your programme, & I will change my views, but not before.



The principle of the Bill has met with general approbation, and it is with great pleasure that I see every prospect of the passing of a measure in which I have long interested myself. I am compelled, however, not to regard with favour all the provisions of the proposed Act. In my humble opinion the Bill in some respects does too much, and in one particular too little.

It seems not to have been known to the House of Commons that there is a considerable population both in Scotland and Ireland to whom the taking of sea fowl is an absolute necessity of existence. Not to overlook my own, I will only mention here the inhabitants of some of the Hebrides and of the coast of Donegal. They kill a large number of sea fowl in the breeding season, but they do so to furnish food for themselves. These and others in like circumstances have never waged a war of extermination on sea fowl; their interests are intimately concerned in the preservation of the stock, and they may be safely left to use their own judgment as to the number of birds they should kill and the time of capture.

The chief object of the Bill is to stop the barbarous and disgusting slaughter which, from other motives than those actuating the people of the west of Scotland and Ireland, is yearly perpetrated at places like Flamborough Head and the Isle of Wight. On these and similar spots the slaughter is effected by guns or rifles. The Scotch and Irish who eat sea fowl, so far as I am aware, never use such weapons. Would it not, therefore, be sufficient merely to prohibit the "shooting" of sea fowl within a certain time to be named? This would effectually protect the birds from the massacres which are so reprehensible, and yet leave their just rights to the persons I have mentioned, nay, more, they would be exceedingly grateful for such a measure.

I believe that the "close time" proposed—namely, from the 1st of April to the 1st of August—is too short. Mr. Carr writes:—"To give efficient protection the close time must be long. A close time of five months, or from April 1st to September 1st, is no less too long. In April the birds are assembling on the cliffs, and if then molested by guns many of them will leave. Throughout August protection is needed, that the birds may tend their young of the second brood, which are numerous where the first eggs are taken in spring and early summer." The truth of these considerations is self-evident, and I need scarcely say I entirely concur in Mr. Carr's recommendation.

One more remark I have to make. The list of "sea birds" named in the Bill is defective. I do not wish at all to add to their number—it is now, perhaps, larger than is required; but considering the number of species by which many of the species are known, I think it only fair that persons affected by the Bill should be able at once to recognize the protected birds by their most familiar local names, and these for convenience sake I will arrange alphabetically, thus:—Auk, boobie, curlew, diver, eider-duck, gannet, grebe, guillemot, gull, kittiwake, murre, merganser, murre, oystercatcher, pullet, razorbill, scaup, seagull, sea porpoise, sea swallow, shearwater, shillalake, skua, tarrac, tern, and willock.

The moderation evinced by Mr. Sykes and his judicious treatment of the question deserves the highest praise of Scotland, but there is no doubt that enthusiasts have urged him to alter the originally reasonable provisions of the Bill, and I much fear that if passed in its present state it will be by its very stringency defeated in its object.

I am, Sir, your obedient servant,
ALFRED NEWTON,
Magdalen College, Cambridge, March 25.

In a letter to *The Times* of 26 Mar 1869 Alfred Newton, one of those who had inspired the campaign, offered support for but also criticism of the Bill. The Times Digital Archive, <http://tinyurl.galegroup.com/tinyurl/BSysR6> Accessed 1 Aug 2019

Then, I don't see of what use or ornament these birds can be. And what is the food of the birds? chiefly small fishes, and many thousands must be caught during the stay of the birds. Now, supposing the birds were to be let alone to multiply, and, instead of thousands, there were millions of them, not a single small fish would there be for miles round, and as a consequence the larger fish, which feed upon the smaller, would be driven to other parts, thus obliging the poor fishermen to travel farther for their catches. So much, then, for the use of the birds.

The headland of Flambro' juts far into the sea, and is altogether out of the line of sight-seeing visitors to the East Coast watering-places. Very few frequent Flambro' Head, for the good reason that there is nothing to see but the Cliff, and in all probability there never will be anything else. Hence, the birds are forgotten, and seldom visited but by fowlers. I cannot, therefore, see any ornament in the birds, for what is the use of a thing of beauty if it be never looked at?

Seeing, therefore, that the birds (being of the commonest kind) are neither of use nor ornament, surely the reverend gentleman will not use his time and eloquence to so vain an object as the useless birds of Flambro', when he may with much greater satisfaction apply his talents to the nobler work of his calling, but leave the birds for the pleasure of those few who, after toiling months in the counting-house, may have found time to spend a few days at the sea-side, and who delight to hear the echoes of the gun. It is their only opportunity of recreation, and, like all others (entomologists and naturalists included) pursue the pleasure most suited to their taste.

Extracts from a letter written by 'A Fowler' and the reply

Yorkshire Gazette May 1867

British Library Newspapers, Part IV: 1732-1950

Gale Document Numbers: JF3231101184 / JF3231101249

Even a "needy knife-grinder" may better employ the time that he can escape from the "counting-house" in reading the literature of his country or watching the habits of birds or insects, than in heaping up a boat-load of harmless gulls, which engaged as they are at such times with their nests and young there is neither art nor skill in shooting and a dolt or a child might shoot as easily as a self-styled "fowler."

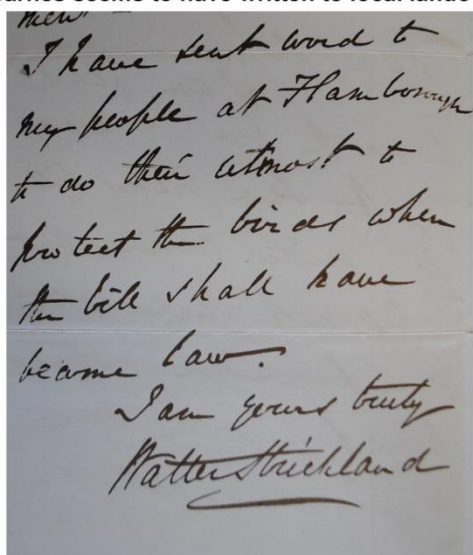
If the said "fowler" knows of no better "recreation" than listening to the "echoes of the gun," I recommend him to stand close to a target when the volunteers are practising, and he can enjoy the sound in perfection without wantonly destroying a boat-load of birds, and leaving their young to die of starvation: let what is sauce for the gull be sauce for the goose. As to his childish argument that if the gulls were not wantonly destroyed they would increase *ad infinitum* till they swallowed up the fish of the sea, the answer is that nature keeps the balance of all these things which he would destroy. Robins, lapwings, black-caps, starlings, and hosts of other birds are never shot off wholesale, but no one ever yet heard that any of them increased in the ridiculous manner which he supposes—each keeps its proper place in creation. He tells us that he is ignorant of any "use or ornament that these birds can be," but that to enjoy the mere "recreation" of shooting them wholesale and without difficulty, is "most suited to his taste." I have not the slightest doubt of it, and a very low and depraved taste it is.

What happened next

Within three weeks of its being passed the Act was deliberately tested by a man from Sheffield. He was prosecuted successfully.

The Association for the Protection of Sea Birds seems to have been wound up fairly quickly, but there is evidence that Barnes continued to be involved in campaigning for wildlife protection.

Barnes seems to have written to local landowners as passing of the Act approached, urging them to uphold it.



*I have sent word to my people at Flamborough to do their utmost to protect the birds when the bill shall have become law.
I am yours truly
Walter Strickland*

'I will take care that my tenantry are requested to do what they can to prevent the wanton destruction of Sea Birds, but as I have no Keepers on the coast .. this is all I can do, I fear.'
W.H. Harrison-Broadley MP, to Barnes 5 May 1869

Hull University Archives, Hull History Centre: U DSB/129

'I have sent word to my people at Flamborough to do their utmost to protect the birds when the bill shall have become law.'

Walter Strickland to Barnes 5 May 1869

Hull University Archives, Hull History Centre: U DSB/128

It was Walter Strickland's Game Keeper who apprehended the first offender.



PETTY SESSIONS, July 10th, (before Major Prickett and Major Nelson).—*John Tasker*, of Sheffield, india-rubber manufacturer, was charged with being in the unlawful possession, on the 7th July, of 28 sea birds of different species, viz., auks, parrots and gulls, which had been recently killed.—James Marr, Flamboro', keeper to the Rev. N. Strickland, said, on Wednesday last, about 7 o'clock p.m., I saw the defendant at the north landing place, and when I met him near the top of the cliff he had 28 sea birds in his possession. He readily gave me his name and address. On Saturday before notices were extensively circulated in Flamboro', respecting the killing of sea birds and an abstract of the Act of Parliament relating thereto.—Mr. E. Woodhead, solicitor, a visitor at the Quay, appeared to defend the case, and grounded his defence on the presumption that the act under which the charge was brought did not come into operation or take effect until April 1870. This was not admitted.—The Chairman said, this act having only just come into operation, we take a very lenient view of the case. The fine for each bird is £1, but we hope that the object of the act will be obtained by the infliction of a penalty of 2s. 6d. on the defendant for each bird found in his possession, which will amount to £3 10s., with 9s. costs.

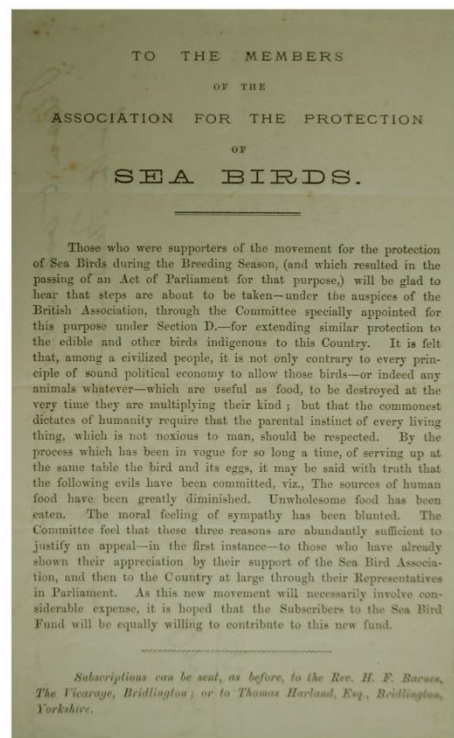
Account of the first prosecution under the Act in the *Bridlington Free Press* 17 Jul 1869

Bridlington Local Studies Library

Mr Tasker of Sheffield shot 28 birds after reading the Act in order to try the law ... Walter Strickland's Keeper took him.
Barnes' diary 10 Jul 1869

Hull University Archives, Hull History Centre: U DSB/204

The first conviction under the Sea Birds Preservation Act took place here today.
Thank God for this



The above leaflet was circulated in 1872 to encourage former members of the Association to support further moves, Barnes and Harland again collecting subscriptions. In 1874 they were among those reappointed by the British Association for the Advancement of Science to a 'Committee for the purpose of considering the desirability of establishing a 'close time' for the protection of indigenous animals'.

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Thanks to:

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S. Zahra