

**THE HERNE BAY, HAMPTON AND
RECVLVER OYSTER FISHERY
COMPANY. EVIDENCE TAKEN ON
OATH IN THE COMMITTEE OF THE
HOUSE OF LORDS, APRIL, 19 & 20, 1866**

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The Herne Bay, Hampton and Reculver Oyster Fishery Company. Evidence Taken on Oath in the Committee of the House of Lords, April, 19 & 20, 1866 by Various

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VARIOUS

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Herne Bay, Hampton and Reculver
Oyster Fishery Company.

EVIDENCE TAKEN ON OATH

IN THE COMMITTEE OF THE HOUSE OF LORDS,
APRIL 19 & 20, 1866,

ON

THE BILLS PROMOTED BY THE WHITSTABLE AND THE
HERNE BAY &c., FISHERY COMPANIES,

WITH AN

Explanatory Introduction and Notes

CONTRIBUTED TO

BY SEVERAL HANDS.

LONDON:
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1866.

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THE HERNE BAY, HAMPTON, AND RECVLVER, OYSTER FISHERY COMPANY.

EVIDENCE taken on oath in the Committee of the House of Lords, April 19 and 20, 1866, on the Bills promoted by the Whitstable and the Herne Bay &c., Fishery Companies, with an explanatory introduction and notes.

So many facts and opinions of much interest to the shareholders were elicited in the Committee of the House of Lords to which were referred the Bills promoted in the present session by the Company and the Whitstable Company, that it has been considered expedient to print, for the information of the shareholders, all the evidence of any importance to them which was given on oath before the Committee, with some necessary explanations.

In order that the statements in this pamphlet should be altogether accurate, application was made for information on many points to the Company's energetic Secretary, and it is due to that Gentleman to acknowledge the value of his most candid and obliging explanations on every matter on which enquiry was made. It is also fitting that the shareholders should know that the Secretary was thus giving effect to the wishes of the Board.

It will be observed that some of the evidence against the Company was given with a boldness of assertion which had to be corrected by cross-examination; but although for the sake of avoiding needless length some evidence relating to the Whitstable Company and the evidence on some questions on manerial rights, which were rather vaguely raised by the Ecclesiastical Commissioners, are omitted, care has been taken not to leave out a single

statement which was intended to be prejudicial to the Herne Bay Company.

The Directors are evidently anxious that every shareholder should be fully and accurately informed as to the condition and prospects of the Company's property and affairs, and not the less so because of their conviction that the more rigid the investigation to which the Herne Bay Fishery is subjected—so that the scrutiny be honest and not deliberately prejudiced—the more satisfactory to the shareholders will be its results.

The last parliamentary contest between the Whitstable Company and the Herne Bay Company related chiefly to a piece of ground below low water mark, which each Company desired to secure as an addition to its own oyster grounds.

In order that the relative position of the two Companies may be understood, it is necessary to go back to times past.

The Whitstable Company are a most ancient body of "free fishers and dredgers," who, from father to son, have carried on the business of an oyster fishery during (it is probable), a period of at least 2,000 years. It was about A.D. 80, that Julius Agricola first exported oysters from the neighbourhood of the Reculvers to Rome, and for the ancestors of the Whitstable free dredgers, Rome was during about three centuries their Billingsgate. It is therefore likely that they are the oldest known business firm in the world, and they are entitled to the respect which in our aristocratic country we gladly pay to ancient lineage.

They are not only "free dredgers," but they are fair dredgers, and whatever may be the rivalry between the two Companies, the Herne Bay Company need have no fear that the members of the Whitstable Company will forfeit their good repute by acting otherwise than as honest neighbours. It will not be the fault of the Herne Bay Company if the two Companies are not good friends.

After the lapse of many centuries, the Whitstable Company were in the year 1793 incorporated by an Act of

Parliament, under which they purchased their fishery, which before that time they had rented of the Lord of the manor.

The Whitstable fishery lies on the southern side of the estuary of the Thames, eastward of the Isle of Sheppey and where the waters of the Medway and the Swale flow into the sea.

In order to the fattening of the best oysters, the soil on which they lie must be of a particular character, and the water that covers them must be neither fresh nor salt, but a due admixture of the two. The Whitstable fishery has the requisite advantages of both soil and water, and the great superiority of "Whitstable natives" over almost all other oysters is mainly owing to these advantages.

The members of the Whitstable Company are a fine body of nearly 400 men, brought up from their youth to the business of their fishery, but all their intelligence and industry would be thrown away, if the soil of their oyster grounds were mere mud or moving sand, and the water which flows over them were unmixed sea water.

Careful culture of their oyster beds is of course one of the requisites for the production of first-rate oysters, and it is not improbable that it is owing to great care in cultivation that the "Whitstable natives" have of late years surpassed in popularity the old favourite "Milton oysters," which were formerly heard of among "the cries of London," and which were fattened on oyster beds near to the Whitstable grounds.

The extent of the Whitstable fishery is somewhere between two and three square miles. Like other large oyster grounds, its quality varies in different parts; some parts being more fit for breeding oysters than for fattening them, but a great part being better adapted for fattening.

Eastward of the Whitstable fishery, and stretching for several miles along the coast of Kent, are other grounds,

many parts of which, in the quality of the soil and of the water, possess much the same advantages as the Whitstable grounds. The chief if not the only advantage over these which the Whitstable grounds possess, is that a natural bank of boulders and shingle, still called Whitstable "Street,"—a name evidently of Roman origin; "*via strata lapidibus*"—runs out into the sea at the eastern end of the grounds, and as a breakwater gives some protection to the shallower parts of the grounds, which is not enjoyed by the shallower parts of the more eastwardly grounds.

Northward and eastward of the Whitstable grounds and including these eastern grounds is a large extent of "flats," probably about 60 square miles, on which the "spat" of oysters falls.

All the true "Native" oysters sold in England have been, and still are, with the exception of a few from the Northern Essex coast, obtained from these "Flats." But of these 60 square miles of "Flats," about 29 square miles only are good natural oyster beds adapted for breeding, and the Herne Bay Company's fishery includes six of these 29 square miles, and according to the best evidence, the portion by far the most prolific of "spat" and "brood," of the whole of the "Flats."

The oyster goes through the several stages of "spat," "brood," "half-ware," "ware," and "oyster."

The "spat" or spawn is emitted from the oyster in immense quantities. Mr. Frank Buckland has ascertained that 800,000 spat can be produced by a single oyster. Other observers, perhaps not so accurate, have estimated the number at 1,500,000, and some have gone so high as 3,000,000.

But much and long continued scientifically accurate observation is needed, in order that we may arrive at something like certainty about the propagation of the oyster. All the known fisheries on the coasts of the United Kingdom seem to have been managed on the "rule of thumb" principle—"what father did, I do," gives the clue to their management.

¹ All the evidence given by the free dredgers leaves the same impression on the mind—that the witnesses observed what was forced on their observation and nothing more; that fifty years' experience left a man as ignorant of everything beyond what was palpable to his sight and touch as he probably was when he had been only five years in the business; and that he consequently had the undefinable horror of "science," which his forefathers had of magic. Like uneducated men, he thought that whatever was new to him must be nonsense.

He can tell you that there is "a good spat," or "a heavy spat" in the estuary of the Thames about once in every seven or eight years, but what are the conditions (except a warm season) on which it is dependent, he evidently neither knows nor cares to know. It is probable that Mr. Frank Buckland is the first person interested in oyster-culture, who, during the 2,000 years of the Whitstable fishery, took the pains to ascertain the specific gravity and the temperature of the water opposite to Whitstable and opposite to Herne Bay, which he found to be on the same morning exactly the same—1.024 and 59°.

So far as can be learned at present, the spat floats in the water for a time, and if it be not carried out to sea nor killed by cold nor swallowed by fish, it falls to the bottom in order to anchor itself there for life. If it falls on mud it perishes at once, if on weed it perishes with the weed. But if it falls on a clean bottom of "culch"—broken shells, small stones and the like—it adheres to the hard substance and there grows.

The Herne Bay Company, in imitation of their neighbours, are preparing their grounds for the reception of spat by clearing them from weeds, and parts of their grounds as beds for fattening oysters by also laying on them a surface of culch.

They have thus already cleared about five square miles for spat, of which about one square mile is occupied by the fattening beds which are already culched.

Portions of the flats have natural beds on which the spat falls and thrives.

When it has arrived at the "brood" stage or at a more advanced stage it can be dredged up from the flats and removed to other grounds better adapted for fattening.

Before the Herne Bay Company's Act was passed, parts of what are now their grounds were open to the public as common grounds from which any persons might dredge up brood, &c., at their pleasure, and from them the Whitstable Company got a great quantity of the oysters which they fattened on their own grounds.

The Act of 1864 which gave to the Herne Bay Company exclusive rights over parts of these eastern grounds, of course deprived the Whitstable Company of the opportunity of dredging up brood, &c., there, and, as was to be expected, the Whitstable Company most strenuously, though in vain, opposed the application to Parliament for the Act. The Whitstable Company applied to Parliament in the sessions of 1865 and 1866, for an extension of their fishery, but in each case without attaining their object.

It is to be hoped that their money will be better employed hereafter.

The Company's oyster grounds extend from west to east about seven miles along the coast of Herne Bay and northwardly about one mile and a half into the bay and their total area is about nine square miles.

Of this area about one third (three square miles) lying between high and low water mark is "foreshore."

Mr. Plummer, the steward and solicitor of the Whitstable Company, says in his evidence, "the ground between high and low water mark is valueless in the oyster fishery. It is necessary that it should be covered with water;" and, so far as regards the foreshore in its mere natural state, his evidence is in this respect accurate.

The western portion of the Company's grounds is in the Manor of Swalecliffe, of which Earl Cowper is the Lord. The manor comprises also ground beyond the