

The Commonwealth of Massachusetts. *Commissioner*
= *on fisheries and game*

A REPORT

UPON

THE MOLLUSK FISHERIES

OF

MASSACHUSETTS.



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Buzzards Bay District.

The Buzzards Bay oyster industry is in a state verging on chaos. In some specially favored localities it is in a flourishing condition; in others hardly less favorable it is almost completely stagnant. Great natural advantages exist, which if properly utilized would create a business of immense proportions. These resources are for the most part but poorly improved, and in many cases are neglected altogether. A spirit of uncertainty, which discourages confidence and checks initiative, seems to pervade the business atmosphere. Amid this uncertainty and conflicting forces, one fact, at once the starting point of the whole difficulty and at the same time the sole solution of the problem, stands out vividly clear. This is the need of proper *legislation*.

The troubles which beset the Buzzards Bay oyster industry are directly traceable to defects in the present legislative system. These defects are both active and passive. In some cases unwise and illogical laws are in operation, which hamper business activity; in other cases laws for which there is a crying need are laid aside or neglected. A reform in certain aspects of town supervision is the demand of the hour. Until the present system receives an overhauling, it is doubtful if the industry will ever experience full prosperity.

In order to gain a clear insight into the difficulties which darken the immediate outlook in this region, it will be necessary to take a brief survey of the history and present status of the industry.

The beginnings of the oyster fishery in Buzzards Bay arose from the exploitation and subsequent depletion of the natural beds. These beds, of which there are several scattered along the coast from Bourne to Mattapoisett, furnished for a long time a large annual output of oysters. In the early '70's the supply began to decrease rapidly, and the fear of total extermination caused the selectmen of Marion, Wareham and Sandwich (Bourne) to attempt a strict supervision of the fishery. These attempts were in all cases unsatisfactory, and about 1875 the artificial culture of oysters began almost simultaneously in the three towns by the issue of licenses or grants to private individuals. The measure was popular from the first. Almost all the available land was speedily appropriated, and a flourishing but exotic industry, stimulated by a considerable outlay of capital, burst into life.

At Marion the new business lasted precisely fifteen years. The industry was largely a losing venture. The oysters did not grow well,

and were of inferior quality. In time, doubtless, when the causes which produced these effects had been studied, a stable and well-ordered industry would have resulted. It is but natural to assume that where oysters grew in a "wild" state, cultivated ones could likewise be grown. Such an outcome, however, was not destined to follow. The grants had been so given that they all expired at the same time. When this date arrived, the majority of the inhabitants of Marion were of the opinion that the oyster grants would yield far better returns if utilized merely for the quahaugs which grew naturally on them, and the whole harbor was consequently thrown open as common ground. From that date the quahaug fishery has waned almost to the point of extinction, but no efforts have been made to resurrect the old oyster industry, which has practically disappeared.

At Bourne the industry began with bright prospects. The present business, though somewhat impoverished, still possesses those inherent resources which are capable of developing a more extensive industry.

At Wareham the business was of slower growth and more logical development, and it has continued to increase, until at present the town possesses an important industry. It has struggled with many problems which have retarded its growth, and which still embarrass it. These are primarily problems of legislation, as the industry stands in need of better regulations before it can attain its maximum development.

In all these difficulties, which have been briefly outlined and hinted at, the main source of annoyance has been the strife between two rival factions,—the oyster and quahaug interests. These interests have ever been at war, and the result has been almost fatally destructive to both. The questions at stake in this controversy have been broad in their general interest. The quahaug industry is essentially democratic, representing roughly labor as against capital, and demands that tidal flats and waters be kept as common property for general use. The oyster industry, on the other hand, is essentially exclusive, representing organized capital, and maintains that oyster grants are as much the subject of private ownership as farms and city lots. The whole aim of legislation has been to reconcile these wholly opposite theories. The problem has been complex and many-sided, and it is not strange that the selectmen of the towns in question have been unable to harmonize the two factions or pass regulations suitable to both parties. Certain it is that in trying to benefit both they have benefited neither, and the present confusion has resulted.

The matter is one certainly of sufficient importance to merit attention from the State. It is not merely local. The whole Commonwealth is interested vitally in the development of its industries, and it is unwise to allow so important an industry as the oyster fishery to remain solely in the hands of local authority, especially when local authority has shown itself unable to cope with the problem.

The present system in vogue in the Buzzards Bay district is perhaps unfair to both parties in its policy. The selectmen may lease an unlimited number of grants, of an unlimited area, to any citizen or number of citizens of the town in question. Theoretically at least they may grant all the available area in sight to one man. There must of course be the formality of a hearing, and sufficient pressure may be and is frequently brought to bear upon the selectmen to retard them from exercising the full extent of their authority; but nevertheless the system is unjust to the majority, and it is small wonder that the quahaug fishermen feel aggrieved that some of their former privileges are thus curtailed. Furthermore, the clause which demands that these grants should be used for the cultivation of oysters is oftentimes openly evaded, and a good portion of the granted area, though not used for oysters, is closed to the quahaugers.

On the other hand, the oystermen, while apparently enjoying great privileges, in reality are severely handicapped. An oysterman obtains a grant perhaps with great difficulty, owing to opposition from the quahaug men. He can carry on no extensive business without the expenditure of considerable capital. If he "seeds" his grant, the first two or three years are spent in the maturing of the first harvest. The grant is given only for ten years; consequently, when it has run for seven or eight years the owner is in doubt whether to plant any more "seed," as he does not know that his license will be renewed and naturally does not wish to plant a bed for his unknown successor. Again, if he is fairly successful and wishes to expand his business, he cannot without great risk invest in the costly equipment necessary for such an enterprise, as he has no certainty of getting a sufficient amount of territory or of keeping it any length of time. Furthermore, additional complications arise from the disputes with owners of adjoining shore property. This is particularly unfortunate, as this tidal area along the shore is most valuable for the collection of oyster set or "seed."

From the foregoing statements it appears that the oyster and quahaug factions are in the position of two combatants who continue to fight, while the object of the strife is lost to both. It is impossible to handle so grave a problem by merely theorizing, but a few ideas might be suggested as bearing favorably on the subject. It would seem wise to refrain as far as possible from granting the best portions of quahaug territory, for there is sufficient room for both industries to flourish. Then, too, grants might be rented at so much per acre as long as the owner desired within certain time limits, assuming that he paid his annual rental and improved his grant. These and other suggestions might be made which would seem an improvement over the present circumstances; but it is doubtful if conditions can be much bettered until some motive force and centralized authority is supplied by proper legislation.