

## OYSTER FISHERIES ON THE NORTH KENT COAST

By ROBERT H. GOODSALL

In *Polite Conversation*<sup>1</sup> Dean Swift wrote 'They say oysters are a cruel meat because we eat them alive; then they are an uncharitable meat, for we leave nothing to the poor; and they are an ungodly meat because we never say grace.'

The countless generations that have consumed these esteemed molluscs have paid scant heed to such considerations. The civilized Athenians held them in high esteem as a dainty food whilst the Roman partiality to the edible British oyster is renowned. Juvenal in satirizing the epicure Montanus wrote:

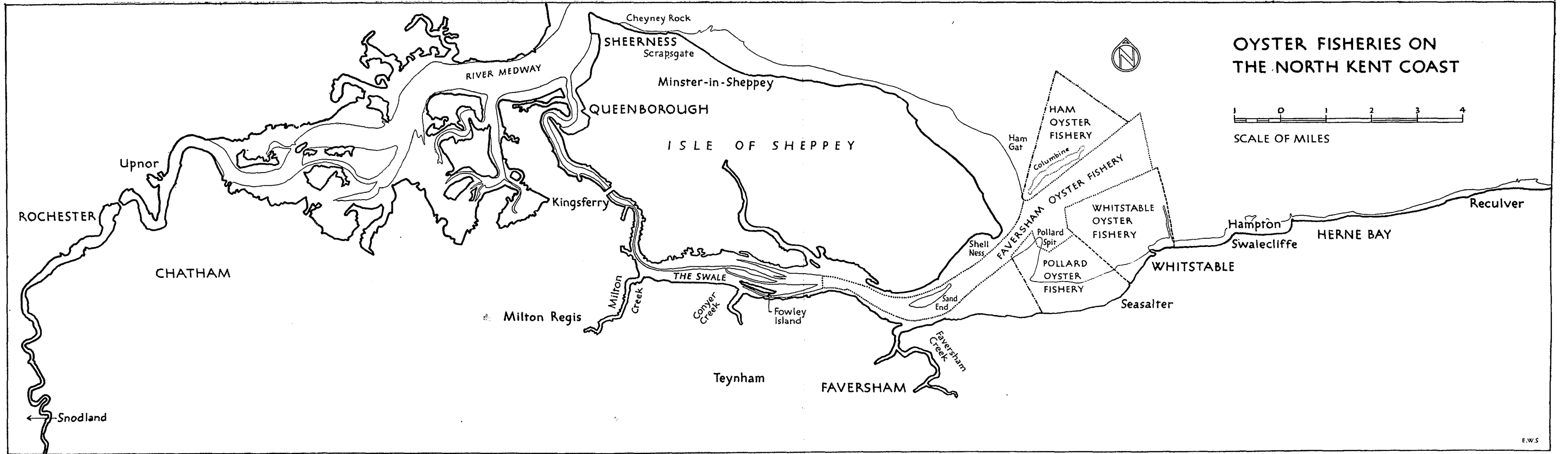
He, whether Circe's rock his oysters bore  
Or Lucrine Lake or distant Richboroughs shore  
Knew at first taste.

Most of the coasts of Britain produce oysters, *ostrea edulis*, but from time immemorial those bred and matured in the waters of the Thames estuary have been held to surpass all others in their excellence. They owe this outstanding quality to a particular feature of the estuary shores, the great number of small streams—'freshets' as the dredgermen call them—which flow from the bordering marshlands carrying fresh water and suspended alluvial matter to mingle with the salt and so create ideal feeding conditions over the oyster beds.

In these waters oysters breed in April and May, when they cast their spawn or *spat*. At first this spawn floats on the surface and if not killed by cold, devoured by fish or carried out to sea, after a few days sinks to the bottom and with an exuded sticky substance attaches itself to any rocks, stones, shells or other hard objects that lie to hand. Such host material has always been known a *cultch* and, as will appear later, has through the ages been guarded by special regulations enforced by the governing Water or Admiralty Courts of the individual Companies of Oyster Dredgers.

From spawning time until about the end of July—Lammas-tide—oysters are said to be sick but by the end of August they have completely recovered. This has given rise to the time honoured rule that they should only be eaten when there is an 'r' in the month.

<sup>1</sup> Dial ii.



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The oyster's greatest natural enemy is the *Asteria* (star-fish) which devours the bivalves by inserting its rays into the shells when they lie open for feeding, a practice noted by the Greek naturalist Oppian when he wrote the lines:

The prickly star creeps on with fell deceit,  
To force the Oyster from his close retreat.  
When gaping lids their widen'd void display  
The watchful star thrusts in a pointed ray,  
Of all its treasures spoils the rifled case,  
And empty shells the sandy hillocks grace.

All the Kent Companies of Dredgers were alive to this danger of attack by star-fish or, as they were customarily known, 'five-fingers' and strict regulations were enforced to ensure that the dredgermen collected them from the trawls and brought them ashore to be destroyed.<sup>2</sup> For example we learn from a 1734 entry in the Queenborough Assembly Book.<sup>3</sup>

'Whereas the Oyster Grounds of this Borough are now very foul by the vermin called Five Fingers for want of a due care of the Dredgermen to Destroy them in the working Season for remedy thereof. It is now ordered that all the Five Fingers which shall be dredged up on any working day shall be gathered together and not thrown overboard but brought on shore and laid on such places as the Deputy Water Bailiff shall Direct and in case any person shall willfully Neglect to save such Five Fingers as shall be dredged by him or in his Boat or Vessele he shall forfeit and pay 5d. for every such Neglect and for encouragement of Persons to save such Five Fingers It is further Ordered that six pence per Bushell shall be paid by the Chamberlain upon the Deputy Water Bailiffs Certificate or taken for every Bushell which shall be saved and Deposited as the Water Bailiffe shall Direct.'

A second and almost equally destructive hazard to the oyster broods has always been extreme cold. Over the centuries periods of exceptional frosts have often resulted in excessive mortality on the beds and following such winters the necessity to restock is duly noted in the annals of the several Kent companies. Some instances of this will be quoted later.

A third and equally ruinous cause of mortality has arisen in the present century as a result of oil pollution of the sea, particularly during the two Great Wars.

When primeval man first discovered the food value of shell-fish, particularly oysters, can never be established but there is ample evi-

<sup>2</sup> Farmers were glad to buy them to spread on their land as manure.

<sup>3</sup> Queenborough Borough Records A.C.1, K.A.O.

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dence that their gathering on the north Kent coast at the time when the Romans became established here was an important local occupation and provided a valuable item for export as well as a welcome addition to home diet.

At this time and through the centuries of Saxon domination the garnering of this sea-harvest would have been quite uncontrolled, each fisherman working alone, or perhaps with one or two others, if some primitive craft was available, but as soon as Kent came under Norman rule and great monastic establishments arose to power large supplies were needed to satisfy the tastes of the refectory tables and the monks of such houses as Christ Church and St. Augustine's at Canterbury, the Abbey at Faversham and St. Andrew's Priory, Rochester, hastened to acquire control of sea manors where oysters might be nurtured. Additionally bands of local fishermen at such places as Herne, Whitstable, villages adjacent to the Swale—particularly the future Queenborough—and Stroud gradually acquired a prescriptive right as individuals to gather oysters for sale in the local markets or the Queenhithe fishmart of the City of London.

The earliest controlled fishery on the North Kent coast may well have been the one at Seasalter which, as part of the manor, belonged to Christ Church, Canterbury.<sup>4</sup> As well as working the off-shore bank in shallow water known as the Pollard which was included as part of the manor, the 'Men of *Seasalter*' at the end of the twelfth century, held 'the fisheries of *Milton*' (next Sittingbourne) by the yearly rent of 20s. payable to the Manor of Milton.<sup>5</sup> It seems probable therefore that at this early date the Seasalter fishers cultivated and collected oysters along the whole length of the Swale. Then in the seventh year of his reign King John by Charter granted the Milton fishery to the Abbey of Faversham.

Subsequent to this period organized oyster fisheries became established in the waters of the Lower Medway from Rochester Bridge to the Thames, at Queenborough and various other points in the Swale, and Minster in Sheppey, in the Thames estuary off Whitstable, for a time in the eighteenth century at Swalecliffe and as late as the mid-nineteenth century at Herne Bay.

It was in the Tudor period that groups of free dredgermen first acquired charters for their organizations and were formed into Companies under the control of appointed officials and with bylaws to limit entry and regulate the work. Later in this paper each of these companies and its constitution will be reviewed.

Medieval refuse pits and middens when examined bear witness to the vast quantities of oysters that were consumed by all social grades

<sup>4</sup> Hasted, III.

<sup>5</sup> Hasted, II, 550, 630.

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of society.<sup>6</sup> Professor Rogers in his *History of Agriculture and Prices* recorded that in 1273 oysters sold at  $\frac{1}{2}$ d. per hundred. Later it was customary to sell them by the bushel, the price for which in 1388 was 8d. although ten years later it had fallen to 6d. As money depreciated in value so the price slowly increased, in 1572 they cost 4d. per hundred, some 500 going to a bushel. A century later this figure had risen to 2s. 4d. a bushel and by 1680 3s. 6d. a bushel. The Kent fisheries carried on a big trade with London but also they were distributed in large quantities throughout the county.

Prior to the establishment of Companies of Oyster Dredgers under Acts of Parliament from the seventeenth century onward, the fisheries operated under licence from Lords of the respective Manors and the State Papers bear witness to many cases of the conviction of individuals for fishing without licence. Also through the centuries there is a continuous story of friction between the Essex fishermen (the earliest notice in the Patent Rolls of Brightlingsea's participation in the Colne Fishery is 1362<sup>7</sup>) and those of Kent, the former making repeated raids on the Kent beds. Also in the sixteenth and seventeenth centuries there were arguments over boundaries between the different Kent fisheries.

These troubles came to a head in 1598 when the Archbishop of Canterbury, John Whitgift, was moved to write to his 'verye lovinge friends M<sup>r</sup> Peter Manwood and M<sup>r</sup> John Boys' in the following terms:

'. . . by a petition exhibited to me, by the Inhabitants of Whitstable there is a very great wrong latalie offered unto them w<sup>ch</sup> if it should be suffered would lend to their undooinge and would be a great hinderance both to the City of Canterbury, and to all the townes of the east partes of Kent, specially to the poorer sorte of people, who in these deere tymes are not able to bye flesh for their sustenance, but live altogether or for most p<sup>te</sup> on such victailes, as by daylie travaile is brought from the sea there. Now so it is (as they inform me) that certaine seafaring men of the Essex coast and other places have verye latalie repayred thither into Kent and there dredged oysters and caught great store of other fishe w<sup>th</sup>in the banks sholes and streames, and places of ffishinge neare Whitstable and thereabouts yea and w<sup>th</sup>in the p<sup>scincts</sup> of divers liberties w<sup>ch</sup> are yet p<sup>fectly</sup> knowne and the bounds thereof. And for as much as it is a great injury committed against the ould customes and privileges of the inhabitants of that Kentishe cost w<sup>ch</sup> they have ever quietly enjoyed w<sup>th</sup>out disturbance

<sup>6</sup> Mr. John Evans told the writer that when excavations were in progress at Wallend, in Grain, in 1939, a large deposit of oyster shells together with thirteenth century potsherds came to light and, he suggested, the former may have been derived from the fishery in Grain called NIWEWERE confirmed by Henry I (1100-1135) to the Priory of St. Andrew, Rochester (see *Textus Roffensis* and *Registrum Roffensis*).

<sup>7</sup> E. P. Dickin *A History of the Town of Brightlingsea, 1913*.

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and for that the matter requireth a speed in reformation for avoydinge of a further inconvenience that may growe therby. These are to praye you that you would call before you the p<sup>ties</sup> so offendinge and take such order w<sup>th</sup> them, as to Justice shall appertaine and as in your discretion, it shall seeme meete and hinderances as have bene allreadye donn to the Inhabitants of Whitstable and of those parts and for the p<sup>ventinge</sup> of furdre injurys that mey in like form be offered unto them hereafter. And that you would acquaint me w<sup>th</sup> your proceedinges herein. And soe I committ you to the tuition of Almightye God.

ffrom Lambeth the 29<sup>th</sup> of March 1598.

Jo: Cant.'

A few days earlier the Earl of Nottingham, Lord High Admiral and Henry Cobham had each written in similar terms to Peter Manwood and John Boys, the former on 19th March from 'the Court at Richmond' and the latter from 'his house in the Blackfriars this 21st day of March 1598'.

The High Admiral reinforced his direction to support the Whitstable men's petition 'because here are allwayes manye good Pilots, and men of great experience in sea matters for all these coasts, w<sup>ch</sup> are contynuallye at hand, and are veye willinge and readie to be employed about her Ma<sup>ty</sup> shippes and Navye Royall whensoever occasion requireth.' He must surely have written from his personal experience of these Whitstable seamen some of whom may have served under him on the 1596 Cadiz expedition and even during the invasion scare of the previous month.

On receipt of these directives Manwood and Boys lost no time in taking action; they issued the following:

'To the constables of Whitstable hundred and unto all other her Ma<sup>ty</sup> officers there and unto Thoman Rucke, Laurance Hewson, John Saver, Thomas Bread, Edward Bassett and John Bassett, William Saver, Christopher Spice, John Stephens, William Bredby (the petitioners)

These are in her Ma<sup>ty</sup> name to command you, and by reesen of letters to us directed from the most Reverend father in god my Lord his grace of Canterburye, prelat, and Metropolitan of all England, and one of her Ma<sup>ty</sup> honorable Councell, to require you to bringe before us such seafayringe menn, not beinge of this Countie, as shall come, and catch fishe, or dredge oysters in your baye of Whitstable, or groundes, unto you of ancient tymes knowen, used, belonginge, and appatayninge; To the great losse and hinderance of All the Inhabitanter of this Countrye, whereof his grace hath a most honorable and noble care, and this shall be your warrant.'

The pious hopes that the offending malefactors would be appre-

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hended cannot have been realized for on the 7th March, 1601 Manwood and Boys issued a second directive couched in almost identical terms as the first. Apparently this had no better result, the raids by the Essex men continued as before and on the 18th March, 1608 a long report on the situation was sent to the Archbishop signed not only by Peter Manwood and John Boys but also by Thom. Wilford, Henry Palmer, Ro. Edolphe, Alan Gprackling, Charles Hales, Henry Finch, George Newman, Charles Fotherby, Ri. Hardes, Mathew Hadd and William Mann.

From this report it appears that one offender who had been apprehended, upon being questioned, 'gave the inclosed answers besides other lewd behaviours', and as a result was committed 'to the common goale of the Countye, according as the greatness of his offence, as we take it, requireth'.<sup>8</sup>

The report continues, 'Also we have thought it our duties to inform your grace that since that tyme as well the fishermen of Essex and divers p<sup>ts</sup> of the Countie com in such numbers, to Dredge oysters and catch fishe there w<sup>th</sup> manye boates at once, that they will utterlie Destroye the grounds there and not obeye anye warrany (as we are informed) carrynge themselves in a dangerous manner havinge abound musketts and other offensive weapons. And since that tyme have (as we are likewise informed) sued two of the Whitstable men for comminge w<sup>th</sup> warrants by vertue of your Grace's l<sup>re</sup> and my Lord Admiralls, in the Vice Admiralls Court at Rochester, and upon their appearance there, besides the multitude of them exclaiming against them, there was also taken from them against their wills (as we are informed) the warrants w<sup>ch</sup> they carryed w<sup>th</sup> them to Justefye their proceedings, and a warrant in like manner by vertue of my Lord prevye Seales l<sup>res</sup> w<sup>ch</sup> was never used. Also we are informed they make common purses to beare out all charges that may befall them, so that except there be order therein pvicon of fishinge in these p<sup>ts</sup> wilbe spoyled.'

On the same day a letter in similar terms was sent to the Earl of Salisbury, Lord High Treasurer; because of the information it contains the preamble is worth recording.

'Whereas heretofore the Cittie of Canterburye hath bine verve much releved by the Inhabitants of Whitstable, by serving the same market w<sup>th</sup> oysters and other fishe taken upon the shores, streames, banks and shelves near Whitstable, w<sup>ch</sup> is bounded and lyeth from the Kings deepe channell called Reddeepe unto the mayne land. And between the land of the most. reverend ffather in God, the Lord Archbishop of Canterbury and the late Abbot of S<sup>t</sup> Augustine. And between the sayde Archbishop and the late prior of Christchurch now the Deane and

<sup>8</sup> This must be a matter referred to in some previous communication which is not included among those examined by the present writer.

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Chapter of Christchurch. And because this business hath bine formerly directed and ordered by the Kings Ma<sup>ty</sup> great Counsaile in the tyme of Henrye the 7<sup>th</sup> and so hath accordinglie continued quite tyll now of late. And because your honnor, as we are informed, hath the Royaltie, w<sup>ch</sup> the late Abbot of S<sup>t</sup> Augustine had touchinge some parte of the p<sup>misses</sup>. And because the heire of S<sup>t</sup> John Smith Lord of the Mannor of Whitstable is now the kinges Ma<sup>ty</sup> warde, we thought it our duties to certefye the state of some accidents that hath fallen out about the same fishinge of late.' The letter then reiterates the story contained in the report sent to the Archbishop.

To exert as much pressure as possible in high places still another letter in the same terms was despatched to the Earl of Northampton, Lord Privy Seal and Lord Warden of the Cinque Ports.

Apparently these efforts had no effect for in the following December the same group of signatories in desperation wrote once more to the Archbishop—'we must treulie enform your grace we know not what to do' and to reinforce their appeal for his help continued, 'in the Reign of King Henry the 7<sup>th</sup> the lorde Archbishop Moorton being then the Chancellor of England, the certentye of all their liberties and privileges (by order from him and the rest of the Lords of the Kings great Councell) was sett downe by the principall and most learned gentlemen of this shaire upon veiwe of the grounds, of evidence, and the church of Canterbury confine<sup>o</sup> and so have some Interest. After by the Archbishop Cranmer who to bring the greater relief from that place to his Cittie, made at his own charge that fayer waye of S<sup>t</sup> Thomas Hill (w<sup>ch</sup> is the best about this Cittie) out of his owne land, and other w<sup>ch</sup> he purchased, and lastlie what care your last most worthie p<sup>decessor</sup> tooke for it, whose vertue and honnor liveth for ever and shall never dye amongst us his will shewe your grace. After w<sup>ch</sup> tyme all things were in peace till now, that both straingers and other fishermen of this shire make spoyle of all. Therefore we humbly beseech your grace to take such order therin as to you shall seem meet to you in following the last orders and speaking to my Lord prevy Seale and my Lo: Admirall to ioyne in it Because of their jurisdictions upon the Sea, and to my Lord Wotton Lord Lieutenant of the Countie of Kent. or otherwise as to you grace shall best seem. And soe we humble take our leave, ffrom Canterburye the 19<sup>th</sup> of December 1608.'

Archbishop Bancroft replied, not very helpfully, to this letter on 24th December suggesting that the offenders should be called before the signatories who were to take such steps at law as 'seeme meete and convenient' in other words, to use a horrible modern expression, 'he passed the buck'.

<sup>o</sup> Confine = neighbouring or adjacent. O.E.D.



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As the law seemed quite unable to stop the raids it is hardly surprising that in the following years the situation remained as before. This is clear from a letter sent by George, Duke of Buckingham, and addressed from Whitehall on 22nd May, 1625, to Sir Thomas Walsingham, then the vice-Admiral of Kent. The story it tells and the suggested remedy are the same as those figuring in the correspondence of two decades earlier.

Finally among this collection of related documents is a letter written by James, Duke of York, from St. James, 7th May, 1669. The Duke, who was Lord Warden of the Cinque Ports at this time, had a personal interest in the oyster industry of the Thames estuary—he owned oyster layings on the Essex coast and when a storm blew up over an ejection order served on one of his tenants the matter was raised in the House of Lords in January 1670.<sup>10</sup> His concern for the Whitstable fishermen is therefore understandable.

This letter reads:

'After hartly S: Whereas I am informed That divers ffishermen in y<sup>e</sup> County of Essex and others of Stroud and Milton in Kent have lately wronged the ffishermen of Whitstable in Kent by drudging Oysters and ffishing in y<sup>e</sup> Banks, Shoals and Streams heretofore used, kept and maintayned as of Right belonging to that Town, w<sup>ch</sup> Intrusion tends (as I am Informed) very much to y<sup>e</sup> preuidice of y<sup>e</sup> Inhabitants of Whitstable and Hinderance to y<sup>e</sup> Citty of Canterbury and other Townes and places thereabouts, w<sup>ch</sup> have heretofore beene by them furnished with all their provision of ffish:—I have therefore thought good and doe (upon ye humble peticon of the ffishermen of Whitstable delivered by the hande of Cap<sup>t</sup> Edward Roberts Esq<sup>r</sup> on the behalfe aforesaid) hereby pray and Authorise you from time to time as often as y<sup>e</sup> ffishermen from Essex, Stroud, Milton or other stangers shall resort thither, and their ago ffishing contrary to Right & custome to take order for redress thereof as shall upon examinacon and prooffe bee according to equity & Justice, as I have ordered my Judge of Admiralty in such cases and if any of them shall nott followe y<sup>e</sup> Directions by you sett downe therein, then to demand good bond of all and every such Refractory person for his or their appearance before you att y<sup>e</sup> next Admiralty Co<sup>rt</sup> holden at Rochester, or else where, (thus not doubting of yo<sup>r</sup> Care and reliefe of these poore peticoners committing of them to you I haveing allsoe ordered S<sup>r</sup> Lyonell Jenkin<sup>Knt</sup> & my Judge of Admiralty allsoe to take care therein) I rest

yo<sup>r</sup> Affect Coz  
Yorke

S<sup>t</sup> James May 7, 1669

(In a different hand)

This letter was sent by his Ro<sup>yl</sup> Highness'

<sup>10</sup> Dickin *A History of the Town Brightlingsea* 136.

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Although this practice of oyster poaching on the Whitstable beds went on for so long it was not altogether a one-way business, the Whitstable dredgers were quite capable of giving, and probably often did, tit for tat by making sorties on the Essex beds. Following one such expedition in 1725 the Company of Southend Dredgers instituted a claim for damages amounting to the large sum of £17,000.<sup>11</sup>

Another source of friction between the fisheries was the demarcation of boundaries of the sea manors. One such dispute was investigated by certain 'principall and most learned gentlemen of this shire' and an 'awarde for the liberty of Whitstable' was made on the 18th December, 1608, signed by Peter Manwood, Robert Edolph, John Boys, Adam Spracklinge, Charles Hales, Charles Fothernye, George Newman, Richard Hardes and Willman Man.

The dispute was between Milton and Whitstable and the Privy Council called for a true report on the boundaries of the Whitstable and Seasalter Fisheries. Accordingly on the 1st May, 4. Henry VII (1490) at Whitstable before William Hawte, Henry Ediall, John Diggs and Reynold Sands evidence was given by persons representing both sides including William, Prior of Christchurch Canterbury, James Crowe, knight, Thomas Eden Esqr John ffineux, pariant at the lawe, William Brent, John Martin and a number of other gentlemen of the shire and a 'true vieue' of the boundaries was duly taken. This was followed a year later in June by a second hearing at Canterbury at which it was ruled that the Whitstable fishery lay 'from the King's deepe Channel called Beddeepe, unto the Mayne land, and between the land of the said Archbishop of Canterbury and the Abbot of St. Augustine, and between the said Archbishop and the said William, prior of Christchurch being part of the Manor of Whitstable then owned by the Colledge of Plecy (Essex), of which Thomas Ardern was the Master. It was further ruled 'that the men of the Lordship of Mylton maye dredge oysters w<sup>th</sup>in the said utter shallow from the Deddeepe unto the Edwin, under condition as followeth (that is to say) w<sup>th</sup> no more boats but as the utter shallow maye be in plite continuallye w<sup>th</sup> oysters, upstandinge, and all such persons of the said Lordship of Mylton that shall dredge oysters w<sup>th</sup>in the utter shallowe shall obey, keepen and p<sup>forme</sup> all such rules, customs and ordinance that here of ould tyme hath bene used. That is to say, all those that dredge oysters w<sup>th</sup>in the said shallowe shall trye out the oysters, and forthw<sup>th</sup> the offall, and younge broode that commeth of the same shall be cast over the boorde into the shallowe Sub pana (poena). Also that no p<sup>son</sup> or p<sup>sons</sup> shall dredge oysters out of seasonable tymes, that is to saye from the first daye of Maye unto the Advineula

<sup>11</sup> See *Arch. Cant.*, LX, 131.

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of St Peter to sell out of the said sheire of Kent. Also we have ordeyned, and award, that no p<sup>son</sup> or p<sup>sons</sup> of the said Lordship of Mylton shall deliver, eyther serve unto anye shipp, Catch or Monger, either to anye other stranger w<sup>th</sup> anye oysters that they shall dredge w<sup>th</sup>in the shallowe, but onlye ther owne market at home, or in that quarter of Kent. Neither they shall not dredge to carye awaye anye of the younge broode out of the said shallowe. Also we ordeine and awarde that if there be any stranger who shall dredge w<sup>th</sup>in the said utter shallow w<sup>th</sup>out licence of the said Lord or his Deputie of Whitstable, that then if anye of the said dredgers of the said Lordship beinge there the same time shall distreine and bring in all such strangers by their own skeyt or craft and the said dighresser so taken shall deliver forthw<sup>th</sup> unto the Lord of Whitstable or his Deputie, and they to be rewarded for their labour, by the discretion of the said Lord or his Deputie. Also the said dredgers of the Lordship of Milton shall not dredge anye oysters w<sup>th</sup>in the said utter shallow in any unlawful tyme that is to saye, on the holye dayes, or on the Satterdaies at afternoon, neither anye other daye after sunsett, breaking the ould ordinance.

The xvij daye of Decemb: 1608.'

From the time when the dredging of oysters was carried out uncontrolled, by individuals or small local bands of fishermen, a codified system of procedure and rule gradually came into being, as indicated by the documents already quoted, in many ways based on the medieval guild system with an elected or appointed official—a water bailiff in the case of fisheries—to supervise the operations of the group and regulated entry into the ranks by a system of apprenticeship. Eventually such fraternities of free oyster dredgers became companies under Acts of Parliament.

One feature common to all fisheries was the need, particularly after hard winters, to periodically restock the beds with imported brood oysters and during the close season, approximately April to August in each year, many of those employed in the industry sailed their boats to distant places along either side of the English Channel in search of such young stock.

In March 1769 *The Kentish Gazette* carried the following advertisement:

'This is to acquaint all Persons that the Oyster-men's Company of Whitstable have agreed to lay out upon West Country Oysters the sum of Six Hundred Pounds to be brought only from Shoreham, Portsmouth or Pool. Any person that chooses to go for them, may have One pound sixteen shillings upon a Wash,<sup>12</sup> but must be delivered in

<sup>12</sup> About 5½ gallons.

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good condition fit to lay on the grounds, and also delivered by In-Ground Tub upon the Shalls at Whitstable in Kent.'

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It is now appropriate to consider the Kent fisheries individually. Extending from west to east along the north coast of the county they were those of Rochester, Queenborough, Minster in Sheppey, Milton-next-Sittingbourne, Teynham, Faversham, Seasalter, Whitstable, Swalecliffe and Herne Bay.

### ROCHESTER

Hasted stated<sup>13</sup> that the Oyster Fishery 'carried on in the several creeks and branches' of the Medway 'within the liberties of this City' was operated by 'a company of Free-dredgermen established by prescription time out of mind subject to the government and authority of the Mayor and Citizens'.

In the reign of George II Parliament passed an Act<sup>14</sup> 'for regulating, well ordering, governing, and improving the Oyster Fishery in the River *Medway*, and Waters thereof, under the Authority of the Mayor and Citizens of the City of *Rochester*, in the County of *Kent*'.

When Daniel Defoe was writing his *A Tour thro' Great Britain*, published in 1762, he included a short description of the Rochester fishery and summarized the provisions of the Act below.

' . . . there is in the River *Medway*, at *Rochester*, and in several of its Creeks and Branches within the Jurisdiction of the City, an Oyster-fishery, which is free to every one who has served seven Years Apprenticeship to any Fisherman or Dredger, who is free of the said Fishery; and the Mayor and Citizens of *Rochester* hold a Court, commonly called *An Admiralty Court*, once a Year, or oftener, when Occasions have required it, for the regulating of the said Fishery, and to prevent Abuses committed in it. In these Courts they appoint from time to time, when Oysters shall and shall not be dredged and taken, which they call *opening and shutting the Grounds*; also the Quantity each Dredgerman shall take in a Day, which is usually called *Setting the Stint*. They have a Power to go on Board, and enforce these *Orders*; and when they have not found them duly observed, or that the *Brood* or *Spat* has been taken, which should have been preserved, they seize and throw into the

<sup>13</sup> Vol. II, 22.

<sup>14</sup> January, 1728. A copy is available at the Kent County Library, Springfield, Maidstone.

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River and Creeks the *Brood*, or such Oysters as have exceeded the prescribed Quantity.

'Persons who dredge or fish for Oysters, not being free of the Fishery, are called *Cable-hangers*, and are presented and punished by the Court. Every licensed Dredger pays 6s. 8d. yearly to the Support of the Courts. But several licentious Persons having, in Process of Time, contested the Authority of this Court, and great Inconveniencies arising from it, to the endangering the Fishery, and to the Destruction of all good Order and Rule, the Corporation and free Dredgermen applied to Parliament, and an Act passed, *Anno* 1729, established the Jurisdiction of the City of *Rochester*, and enforcing the Authority of the said Courts; and since that another Act explaining and supplying Defects; so that at present this Fishery is in a flourishing Condition, and all fair Dealers find their Account in it'.

The jurisdiction of the Rochester Corporation extended from Hawkwood, near Snodland, to Sheerness and from medieval times Water Courts<sup>15</sup> presided over by the Mayor were held at regular intervals afloat on the river. But the City of London claimed legal authority over the lower Medway as far as Upnor, where 'The London Stone' marks the upper limit, and the fishing rights were a continual source of contention between the two authorities.

As early as 1236 serious trouble arose between the local fishermen and the men of London and resulted in a number of the former being seized and confined in Newgate prison. It was only through the intervention of Henry III that finally they were released on the payment of a fine of £10 each. With such an extended shore line and many creeks it was difficult for the Rochester Water-bailiff to control the pilfering of oysters from the river-beds by non-freemen and this was one of the main reasons for the passing of the 1728 Rochester Fishery Act. However it was not entirely successful in this respect; cable-hangers continued to present an administrative problem.

In 1865 the finances of the fishery had reached a very bad state, money borrowed amounted to over twenty thousand pounds. Much of this debt was due to the losses sustained through a series of severe winters which killed off the stock. It became obvious that powers must be sought to raise additional capital if the Fishery was to be kept in being. So the year 1865 saw the passing of the 'Rochester Oyster Fishery Act'. Under this powers were given for the jury to carry on the Fishery and, with the approval of the Rochester Admiralty Court, to grant leases to the oyster grounds but with the proviso that no ground should be leased which had been worked by the jury at any time within ten years prior to 1865.

<sup>15</sup> As the illustration (Plate I, A) shows the custom is still maintained.

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The extension of Chatham Dockyard in the early 1860's, which entailed closing Swinborough Creek, adjoining St. Mary's Island, and the building of river embankments, was but one case out of many in which the traditionally used oyster grounds along the river and the rights of the dredgers were affected. In the case of the Dockyard suitable compensation was paid by the Admiralty and there have been a number of other occasions when commercial undertakings or private individuals have similarly had to pay compensation for encroachment on the oyster grounds.

By 1910 the Rochester Oyster dredgers were finding difficulty in keeping the industry going, the demand for their oysters being small.<sup>16</sup> Formerly there had been some 400 dredgers employed, working between 80 and 90 boats, but by 1914 these numbers had dropped to 20 men and 5 or 6 boats. At this time the Town Clerk of Rochester reported 'The Oyster Fishery used to be a very large affair, but it fell on hard times, and now the Oyster Fisheries are let to various firms and produce an annual rental of about £350.'<sup>17</sup>

### QUEENBOROUGH

When Daniel Defoe published his *Tour thro' Great Britain* he referred to Queenborough as 'a miserable dirty Fishing town; yet has a Mayor, Aldermen, etc. and sends two Burgesses to Parliament; although the chief traders of the Town seem to be Alehouse-keepers and Oyster-catchers, and their votes at an Election for Parliament-men are the principal Branch of their scandalous Traffick.'

Prior to 1361, when Edward III commenced to build Queenborough Castle, there were two small villages or fishing hamlets on Minster marsh the inhabitants of which no doubt included oyster cultivation among their activities. But despite the importance brought to the area by the presence of the Castle the size of the town, even as late as Tudor times, was insignificant. A return made during the reign of Elizabeth I recorded only 23 houses inhabited and the number of 'persons occupied in carrying things from port to port *and in fishing* (the present writer's italics) 45.'<sup>18</sup>

Obviously at this period oyster cultivation and dredging must have been carried out on a very small scale compared with Milton and Faversham eastward along the Swale. However during the seventeenth and eighteenth centuries the town grew so that in Hasted's time there were 120 or more 'neat houses' lining the 'one principal street' and the

<sup>16</sup> *Rep. Comm. Inshore Fisheries*, 1910, 223.

<sup>17</sup> *Victoria History of Kent*, III, 433.

<sup>18</sup> Hasted, II, 658.



*Photo Chatham, Rochester & Gillingham News*

A. Rochester Admiralty Court, 1965.



B. Queenborough Corporation Regalia.



A. Building at the Horsebridge, Whitstable now demolished. Nightly orders to the dredgermen were issued from the oriel window.



*Photo: Douglas West Ltd., Whitstable*

B. Whitstable Yawl about 1890.





*Photo: Douglas West Ltd., Whitstable*

Whitstable dredgers at work about 1890.

## OYSTER FISHERIES ON THE NORTH KENT COAST

trade of oyster dredging had considerably expanded. This is shown in the large collection of Corporation documents deposited at the Kent County Archives department. As Dr. Hull's introductory note to the Catalogue of the Queenborough Borough Records, c. 1325-1885, explains:

- (i) The borough was 'created' in 1368 as a matter of Royal policy.
- (ii) That for a variety of reasons it failed to develop to the extent that Edward III envisaged and was dependent throughout on a measure of external stimulus, and
- (iii) that its main source of wealth until the nineteenth century lay in its oyster fishery.'

The Borough's jurisdiction over the waters of the Swale was, as indeed it is today, from the junction with the Medway to Kingsferry. How far the town's oyster fishing activities extended beyond these limits seems to be unrecorded but, as we have seen, the Rochester fishermen were deeply jealous of their rights and such dredging as was carried on by men of Queenborough in the Medway and the creeks of the saltings must have been surreptitious.

In the latter part of the seventeenth century, during the Mayoralty of R. Polkey, the local fishing industry had become of sufficient importance to warrant the provision of a silver mace as a ceremonial badge-of-office for the water bailiff part of whose duty it was to control the activities of the oyster dredgers. This delightful 'period' bauble carries the inscription 'Charles Rex 1670. R.P., Mayor.' Its subsequent history will be referred to later.

An early reference to the fishery occurs in the Borough Records Statute Book under the date 1452-3.<sup>19</sup>

'No one shall drag any oysters from William Cheynes Fleet in Ward in Holfleet on pain 6s. 8d.'

The Assembly Book records an Order concerning the Oyster Sellers for the 1739 season.<sup>20</sup> These were to be 'M<sup>r</sup> Mayor, the Juratts and Bailiffs, when they or any of them shall Please to Attend', eight named Overseers and also William Salmon, Matthew Monger, William Tassell, William Breeze and Stephen Smith. At a meeting of any nine of these persons the majority were to have full power to sell Oysters to the Marketmen as from the 5th September for delivery on that day.

During the 'catchy' season 'the several Oyster grounds to be opened and worked in for the London and other markets'. The stint in any one boat to be limited to two bushels. Every Freeman was to pay two-

<sup>19</sup> K.A.O., Ob/AZ ff, 228-229, 17.

<sup>20</sup> Ibid. AC.1, 80.

## OYSTER FISHERIES ON THE NORTH KENT COAST

thirds of the price received for his catch to the Chamberlain for the use of the Corporation. Not less than eight boats were to work at one time for the London market and no free Burgess was to work 'unless there shall be Ten boats at least sett on to begin to work'.

It was further ordered 'that the Marketman from time to time shall go away for the London Markett with the Oysters that shall be taken in One Day's work unless leave shall be given by M<sup>r</sup> Mayor for the Free Burgesses of the Borough to work on a second day to compleat and make up a voyage.'

A by-law, undated but between 1824-1831<sup>21</sup> laid down 'that to prevent the Injury and Distruction of the Oyster Beds and stock of Oysters no person or persons shall suffer his or their ships, vessels or boats to ground or anchor above or to the southwards of the Stoneway in that part of the Swale within the Borough lying between Swalespitt (crossed out) and the said Stoneway and King's ferry (except strangers for one tide only or in stress of weather).'

The penalty for infringing this by-law was a fine of four pounds, while the water-bailiff was liable to be fined 20s. if he failed to give notice to the Owner, Master or other person in command of such offending vessels.

The Assembly Book I<sup>22</sup> records the business of a General Assembly Court of the Borough held at the Guildhall on Saturday 8th September, 1750 when the Oyster Fishery by-laws were reviewed and agreed. As this subject occupys 13 pages of the folio book a full extract would unduly extend the length of this paper. The 31 By-laws were again under review at a similar Assembly held on Wednesday, 15th September, 1762. At this meeting it was ordered that the Fishery and Oyster Grounds belonging to the Borough 'from the Beacon above my Lady's Hole to Swale Spitt to be opened and free to be worked in on Friday, the 17th of this instant September by all the Free Burgesses.' The daily stint was limited to one bushel for a single boat and two bushels for a double boat.

\* \* \*

This is not the place to recount the full story of chicanery and double-dealing which bedevilled Queenborough in the early decades of the nineteenth century but because the fortunes of the town were so closely tied-up with the fishery some reference must be made to the subject.

<sup>21</sup> Qb/AB 12. K.A.O.

<sup>22</sup> Ob/ACI. K.A.O.

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It is certain that at this period the local government was highly corrupt; this can be glimpsed between the lines when studying the Borough records.

The trouble came to a head in October, 1814 when, at a General Quarterly Assembly, one of the Jurats, Thomas Young Greet, 'made a motion that the present Mayor (Anthony Gibbs) had conducted himself in a manner derogatory to the character of Mayor' and 'the major part of the Jurats and Bailiffs' agreed that the said Anthony Gibbs should be 'removed from the said office of Mayor.'<sup>23</sup>

A week later a special Assembly was called at the house of the senior Jurat, William Stampe, for the purpose of electing a new mayor, those present being William Stampe, John Marshall, Anthony Gibbs and Thomas Young Greet, Jurats, and William Burgess and James Bowton, Bailiffs.

The first business was to read the Act against Bribery and Corruption. Then Thomas Young Greet was elected Mayor for the ensuing year and having made the usual declaration on oath, he took the chair and Anthony Gibbs delivered to him the mayoral regalia, renounced his office of jurat and was duly discharged.

On the 24th October a further meeting was held, first at the home of the new Mayor, and then on adjournment at the Guildhall. At this meeting Greet made allegations against the senior jurat, William Stampe, and moved that 'for reasonable causes he should be removed from his office'. Then at a later meeting Stephen Grestock, a free burgess, was elected as a Jurat.

Greet was a man of considerable means who had already been a member of the Corporation for a number of years. He also filled the office of Chamberlain and so controlled the finances of the Oyster fishery. By engineering the removal of William Stampe from the position of mayor and acquiring that dignity himself he became all-powerful in the Borough. The other members of the Corporation were obviously all 'yes men' and as a further step to strengthen his hold on the Borough he arranged, in January 1815, that Admiral Sir Robert Moorson should be admitted a free Burgess without paying the customary fees, a preliminary to the Admiral being sent to Westminster as one of Queenborough's Members of Parliament. A fulsome address of welcome marked the occasion.

To maintain the fishery considerable sums had to be expended annually on the purchase of oyster brood from other places and when funds 'in the kitty' were low resource was made to borrowing by way of Corporation bonds. By March 1815 the total debt outstanding was £9,745 and at the following month's Assembly the Chamberlain (Greet)

<sup>23</sup> Qb/AC 2. K.A.O.

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reported on the position while the Town Clerk presented a list of Corporation bonds.

Thomas Rutton (in trust for James Bowten)	for £300
Stephen Hobday	for £200
Martha Turner	for £100
Thomas Rutton (in trust for Robert James Hollely)	for £300
The like for James Gunner	for £115
The like for Henry Walsale	for £200
Ann White	for £200
Thomas Rutton (in trust for Thomas Cole)	for £300

Despite the serious financial position the Corporation, in 1817, added to its regalia—a silver oar with a long and elaborate silver chain. The miniature oar is inscribed '1817. Thomas Young Greet. James Bowton, Water Bailiff.' Fifteen years later this and the silver mace illegally disappeared from the Corporation's custody and were not located until a year or so ago when they were offered for sale under the hammer at Sotheby's. Fortunately a local appeal raised sufficient money for both objects to be purchased for the Borough and returned to their rightful home.

By August 1820 the outstanding Corporation debts had risen to £14,485 and 'there appeared to be a balance due from Thomas Young Greet, Chamberlain on the Oyster Fishery account of £1,040 6s. 6d.'; feeling among the townsfolk was running high. Two months earlier the Mayor, Jurats and Bailiffs had passed a new fishery by-law directing all persons wishing to be employed during the ensuing dredging season to enrol their names in the Water-bailiff's book. This action greatly angered the Burgesses and in August 46 freemen filed a Bill of Complaint in the High Court of Chancery.

When the hearing, a very long one, commenced the Complainants stated in evidence that the Borough of Queenborough had been incorporated from time immemorial and various Charters of confirmation had been granted, by Edward III, Henry V, Edward IV, Edward VI, Elizabeth I and James I, the last one stipulating that there should be one Mayor, four Jurats and two Bailiffs. The limits of jurisdiction by water were the West Swale from Kingsferry to Swale Spit at the Medway junction. From time immemorial there had existed within these limits an Oyster Fishery vested in the Company of Free Dredgers under the conservation and protection of the Mayor, Jurats and Bailiffs. The Deponents said there were about 270 free Dredgermen and that the average number of free Burgesses, being free Dredgermen constituting the Company, amounted to 120. Between 70 and 80 were employed in dredging oysters and large sums of money were expended

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annually in the purchase of oyster brood and spat from parts abroad for laying in the fishery.

The Dredgermen were paid for their labour during the dredging season which generally commenced about 3rd August and continued till the latter end of February, and afterwards when employed in fetching oysters from abroad. The chief part of the oysters caught were sold in the Cities of London and Westminster and for the support of the said fishery a loan of many thousands of pounds was annually obtained at Interest through the medium of the Mayor, Jurats and Bailiffs who acted as trustees.

Under the new by-law those who did not enroll or attend when catching, laying or cleansing was in progress were to forfeit 1s. for each night of absence. The water bailiff was authorized to engage non-freemen if he thought expedient.

A large proportion of the Free Dredgers refused to comply and, as a protest against what they considered their immemorial rights, on the night of 4th-5th August Anthony Gibbs, George Thompson and John Carey with some fifty others proceeded to dredge. The water bailiff, James Bowten, refused to receive the oysters caught, or pay the men, and threw the oysters overboard, his action being sanctioned by Thomas Young Greet who was present. Moreover from the 1st August the Oyster Grounds and stock of oysters had been continually advertised in *The Kentish Gazette* 'To be let or sold by Tender'.

At a meeting attended by a large body of the Free Dredgermen deputed were appointed to meet the Mayor, Jurats and Bailiffs about this advertisement and to demand to inspect the Fishery accounts. When questioned the Mayor and Water Bailiff replied that any Free Dredgerman who refused to comply with the by-law should not partake in any profits. Thomas Young Greet declared that the oyster ground and stock would be sold to the first person who would make him an offer and that the oysters belonged to him, he having paid for them by his own acceptances, and it would be a felony in any of the dredgermen taking them. No oysters would be laid on the Grounds nor would they be stocked the next year. The accounts should not be seen.

In later evidence it was stated that Thomas Young Greet 'being a man of large property and having considerable influence over the members of the Corporation had caused himself to be elected Mayor of the Borough annually ever since his accession to the Corporation contrary to the statutes and during the greater part of that time had also illegally filled the office of Chamberlain and had therein received and expended large sums of money on account of the Company of Free Dredgermen. As Chamberlain he had charged the account with law expenses relating to the Mayor, Jurats and Bailiffs or the said Greet

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as one of the Justices of the Corporation and not respecting the said Fishery Company.'

The Chancery Court hearing dragged on until February 1821 (the transcript of evidence occupies close on two hundred folio pages of the Assembly Book) when the Vice-Chancellor ordered that the defendants were at liberty to bring an action for trespass against the plaintiffs. This action was duly commenced at the Kent Summer Assizes at Maidstone on the 17th August 1821 before Mr. Baron Woode and a Special Jury. When the hearing culminated in a verdict for the Corporation and against the Dredgermen reaction at Queenborough was swift and, in the circumstances, understandable.

At the Assembly in September 1820 when the by-law trouble had come to a head, Stephen Grestock, Gent. had been elected Mayor, whilst Thomas Young Greet became deputy but continued to hold the office of Chamberlain. These two members of the Corporation, together with the Water Bailiff, Bowton and John Marshall attended the Assize Court. Next day the party drove back to Sheppey in two post chaises but as they approached Queenborough they were waylaid by a crowd of the burgesses and followed through the town with hooting and hissing.

The party was set down at the door of Mr. Greet's house, the four went inside and remained for a short while, then the Mayor, left for his own home nearby.

On his way three local men, William Winch, George Shrubshall Horne and John Carey, egged on 'by divers other evil disposed persons to the number of ten or more, . . . made an assault on Stephen Grestock and did beat, wound and illtreat him and then and there with loud and horrid oaths and imprecations, unlawfully, riotously and rontonsly (runtishly) menace and threaten Stephen Grestock to throw him into a certain pond' nearby.

From this assault the Mayor managed to reach the safety of his house but not before his serving maid, who had come to his assistance, had been hit in the face by an earthenware pot.

The 'unlawful, riotous and tumultuous assembly . . . did then and there make great noises, riot, tumult and disturbance for a long space, to wit one hour' as the Indictment had it when the three ringleaders of the rioters were prosecuted at the Kent Lent Assizes of March 1822. In fact the rioting continued into the night and after the Mayor had read the Riot Act military help had to be called in from Sheerness.

At the conclusion of the Assize hearing of the case against Winch, Horne and Carey the jury found the defendants guilty of assault but not of riot. Sentence was adjourned subject to recognizances being entered into by the defendants for £500 each. A note in the Assembly Book<sup>24</sup> following the transcript of the voluminous evidence reads

<sup>24</sup> Qb. AC 3. K.A.O.

'The Judgement of the Court was not afterwards prayed against the Defendants'.

The end of this unsavoury local saga was still eight years distant. Following the conclusion of the case Greet was again elected mayor and continued to occupy that position until September 1828 when he was superseded by John Marshall but retained the office of Chamberlain. Perhaps age and infirmity dictated the change for although at the next autumn Assembly he was once more appointed to the senior position Henry Walsall was made deputy 'to act during the sickness or licenced absence of the Mayor.'

By the end of 1829 Greet was dead for on 4th January, 1830 a Special Assembly was held at the house of John Marshall, the senior Jurat 'being a convenient place within the said Borough' when he, Marshall, was elected acting mayor 'in the room of Thomas Young Greet, late mayor deceased'.

The passing of one who for so long had dominated the civic life of Queenborough left the future of the fishery in a thoroughly unsatisfactory state and by the following autumn the feelings of the burgesses had risen to fever pitch. Reporting on a Court Leet held on 25th October a *Times* reporter wrote: 'It was supposed that after the death of the corporator of Queenborough, who had so long kept the fishermen in a state of starvation, that all differences between them and the corporation would be removed; but it appears that their having voted against the Government candidate is considered an unpardonable sin. The burgesses demanded from the select portion of the corporation an account of the produce of the fisheries, or such a remuneration for their labour in fishing as would enable them to live. The select refused either. The burgesses closed the doors, declaring the select should not depart except through the windows. The select read the Riot Act, and ordered the constables to disperse the meeting, but they refused. The select were then compelled to comply, amidst the shouts of the fishermen, who are the freemen of the borough.'

A more colourful account of the affair appeared in the *Maidstone Journal and Kentish Advertiser* of 2nd November, 1830. The paper's correspondent reported 'I have just left the Court Leet where a scene has taken place which beggars description. The freemen asked for a little more money to be paid them per Stint in catching Oysters, their present pay being insufficient for their subsistence; this was met by the Mayor and Chamberlain (the Ordnance placeman at Upnor, nearly twenty miles distant) with a most peremptory refusal, as the price oysters sold for, he said, would not allow it. They then asked to have the accounts produced that it might be proved to them that such was the case; and if so they asked why the select body should be living on the fat of the land from the produce of the fisheries, which belonged



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as much to the burgesses generally as to them, whilst they were left to drag on a miserable existence. Finding that nothing would be willingly given, they declared that not one of the select body should go out of the Court (unless they were put out of the windows) until they consented to allow them more. The windows were immediately thrown open and the doors guarded. The select body proceeded amidst all this din to swear in the Grand and Leet Juries as special constables, and then read the riot act; the constables were then arranged and ordered to force open the door—when they refused to act. The gentlemen, finding they could not get out, promised to give the men an additional shilling per bushel in future. The men received the announcement with hearty cheers and immediately opened the doors. Thus ended the proceedings of the day'. But as Daly remarked in his *History of the Isle of Sheppey* 'Great distress, however, continued in Queenborough for several years afterwards; and tradition asserts that grass grew in its principal streets.'

### MINSTER IN SHEPPEY

The Alston muniments preserved amongst the Kent County Archives<sup>25</sup> provide information about the small oyster fishery which belonged to the Manor of Minster.

The counterpart of a Lease dated 20th November 1657 from Francis Buller, Francis Clerke Esq<sup>r</sup> and John Buller Esq<sup>r</sup> to Sir Michael Livesey speaks of 12 acres of fresh marsh called Scrape Hope in Minster 'and the Oyster Ground and several fishing called Croggdeepe otherwise Crock-deepe in or near the Isle of Sheppey aforesaid', then in Sir Michael's occupation.

On the 20th May 1701 William III (1701) John Buller and Francis Barrell leased to George Weston and six other fishermen therein named 'all that Creek or Water called Crockdeepe als Crogdeep together with the Piscary or right of Fishing and dredging of and in the same Cr(eek) for seven years at an annual rent of £10.

When the tenants began to use Crogdeep they were 'disturbed', very probably by rivals from Queenborough or the Medway, so they paid no rent and surrendered the lease, it would seem at the end of the seven years tenancy for on the 27th February, 1710, John Buller and Francis Barrell accepted a Bond from a group of the fishermen for a loan 'to any 12 obligors (to be chosen if they should please by the majority of them)'. This was to be interest free 'for the encouragement of the s<sup>d</sup> Fishermen's laying and stocking the Creeks, Dredging grounds and places near the River Medway with setting oysters to be worked for and taken in such manner as the majority of the s<sup>d</sup> Obligors should conclude on and agree to and be for the respective equall and

<sup>25</sup> U 487, E.1.

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common good and benefit of the same Fishermen who should seal the same Bond and work for s<sup>d</sup> Oysters and none other.'

Francis Barrell was the residuary trustee of the estates of Sir John Hayward who, in 1651, had settled £50 per annum to be paid out of his Manor of Minster and certain other property in Sheppey for the benefit of the poor of St. Nicholas's parish in Rochester.<sup>26</sup>

In 1799, as the result of an order of the Chancery court, William Alston of Rochester, butcher and cow-keeper, with James Payne, bought the Manor of Minster from the trustees of Sir John Hayward's Charity, then eight years later they sold the manor to Charles Wyatt but Alston retained the seashore between Sheerness garrison and Serap(s) Gate with Cheyney Rock Oyster ground and the foreshore rights.

### KINGSFERRY

Harris in his *History of Kent*<sup>27</sup> provides the information subsequently repeated by Hasted<sup>28</sup> and Ireland<sup>29</sup> that the duly elected Ferry-keeper had 'a Priviledge to drudge for Oysters, exclusive of all others within the Compass of the *Ferryloop*, which extends one *Tow's* length (as they call it), i.e. Sixty Fathom on each side of the Castle (*sic*).<sup>30</sup> The Ferry was worked by a 'long cable of about One Hundred Fathom (and sometimes Two, are spliced together, so as to make a Length of One Hundred and Fifty Fathom being fastened at each End across the Water, serves to get over the Boat by Hand). In this Privilege he was lately disturbed by some of the *Queensborough* Drudgers, who being called to Account in Law for the Trespass, paid the Charges, and submitted without coming to a *Trial*.'

Presumably this right continued until the ferry was replaced by the first bridge.

### MILTON REGIS

According to Hasted 'The *fishery* belonging to the manor and hundred of *Milton*, seems to have been granted by King John, by his charter, dated May 19, in his 7th year, to the *Abbat and Convent of Faversham*, by the description of *The fisheries of Milton*, which the men of *Sesalter* then held by the yearly rent of 20s. payable at his manor of *Milton*, and by doing therefrom the customs and service which were wont to be to it.'

This grant, twice confirmed, remained with Faversham Abbey until it was dissolved. The manor remained with the Crown until it was

<sup>26</sup> Hasted, II, p. 63.

<sup>27</sup> 1719, p. 281.

<sup>28</sup> II, p. 64.

<sup>29</sup> IV, p. 119.

<sup>30</sup> Hasted corrects this word to 'cable'.

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granted to Sir Edward Browne and Christopher Favell by Charles I, in 1635. When the fishery was leased by the new owners—no doubt continuing the practice in previous centuries—to the Milton Company of Fishers and Dredgers. At that time, Hasted wrote, there were two Ladies of the Manor, Sophia, the Dowager Lady Wenman and her sister, Mrs. Anne Herbert, who continued the lease at a yearly rent of £100 and four bushels of oysters.

The Company of Fishers and Dredgers was governed by its customary officers, of which a Water-bailiff would have been the most important, and under long-standing rules and by-laws agreed at the Court Baron of the Manor.

At this period (1782) there were some 140 Freemen, each of whom, after he had been made free of the Company for six years, had the right to take one apprentice.

Defoe who visited Milton during his 'Tour' makes only a brief reference to the fishery—'the Oysters taken in the Grounds about this Town are the most famous of any in *Kent*'—a claim also made by Hasted, which certainly would have been disputed by Whitstable. 'The oysters produced from these grounds, within the limits of this fishery, are usually called *Milton Natives*, and are esteemed the finest and richest flavoured of any in *Europe*.'

Neither writer gave any indications of the extent of 'the grounds'. Certainly these must have embraced Milton Creek and probably a stretch of the Swale also, perhaps from Kingsferry to the western limits of the Faversham fishery, for at the end of the eighteenth century the not inconsiderable return from the sale of oysters varied from £3,000 to £7,000 per annum. Unlike Faversham however there was little, if any, trade with the Dutch.

### TEYNHAM

There was a small oyster fishery belonging to the Manor of Teynham, operated from Conyer Creek. Proof of this is provided by the Roper (of Linsted) muniments and occurs in an extensive document, a Deed of Bargain and Sale, dated 14th November, 1789, between The Right Honorable Lord Teynham and the Rev<sup>d</sup> Hopkins Fox, of Linsted, the relative passage of which reads: 'Also all that Quay called Conyer Quay in the said Parish of Teynham in the occupation of the said Philip Roper. Also all that Oyster Fishery situate in the said Parish and Manor of Teynham.'<sup>31</sup>

Although none of the earlier manorial documents included among the Linsted collection refers to this fishery there can be little doubt that it was part of the grant of the Manor made by James I to John

<sup>31</sup> K.A.O. U 498. T2.

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Roper and may well have existed during the middle ages when the Manor formed part of the possessions of the See of Canterbury. The County historians, Harris, Hasted and Ireland make no mention of it and the writer has been unable to discover the extent and limits of the oyster beds which must have impinged on those of Milton and Faversham, nor when they ceased to be worked. However, it is perhaps significant that the Admiralty chart of the Swale<sup>32</sup> shows Oyster beds at the eastern point of Fowley Island and a spot on the mainland nearly opposite, which indicates that one or other of the Swale fisheries used these in the nineteenth century.

### FAVERSHAM

In his *History of Faversham* (1764) Edward Jacob observed that oysters were the only staple commodity of the town.

The dredging of oysters along the east Swale and its mouth between Sheppey and the mainland must have been carried on from very early times. Doubtfully Hasted suggested that it was Henry II who made the first grant of the fishery at a yearly rent of 23s. 4d. to the Manor of Faversham which until the Dissolution was a possession of the Abbey of Faversham. Subsequently, of course, it continued with successive Lords of the Manor.

The oldest document preserved among the muniments of the present Fishery Company is a certificate rendered to the Court of Exchequer on 25th May, 1591 by Sir Thomas Fludd, knight, and William Beynham Esq<sup>r</sup> after close inquiry of the inhabitants of the Isle of Sheppey and examination of various Court Rolls and records which enabled them to indicate the fishing area. This was known as 'the Nebbe' and 'Ewsdowne or rather the ouse under Poynings Downe . . . two sev<sup>a</sup>ll places . . . parted one from the other by the channell now in some places much swarved up, but yet . . . in many places of good depth at a lowe water . . . and not drye at any ebbe.' This area abutted the foreshore of Leysdowne in the possession of Richard Thornell who, understandably, wished to preserve his rights.

The inquiry established that oyster dredging was carried on by fishermen of the town and hundred of Faversham duly admitted 'at her Ma<sup>ties</sup> (Elizabeth I) Court of Admiralty yereley holden w<sup>th</sup>in her Ma<sup>ties</sup> Manor of Faversham' and that the yearly rent of xxiijs iiiij<sup>d</sup> 'alwaies hath byne levied amonge (the fishermen) them selves, by way of assessment of every boate a porcion, according to the number of there boats' an indication that an organized company of free fishers was then in being. That disputes over the boundary of the fishing area might be avoided in future it was ordered that 'certeyne p<sup>sons</sup> indifferent' should

<sup>32</sup> Pub. 23, March 1918 corrected to 1947.

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'sett up stakes or beacons at the uttermost bounds of the said ouse . . . to be by the said fishermen continually kept and repaired.'

Nine years later another survey made by Sir William Sands and William Stede Esq. found that the Ness grounds (i.e. the Nebbe) extended 'from Shellness down along the Cullomband' (Columbine) and included 'all the channel over to the Snowt Weares'.

A much more detailed description of the boundaries resulted from a survey made in 1609 by Sir Michael Sands, Sir Richard Sands, Sir Francis Gilbourne and John Herty. The area began at *Tenham Robbs* on the south and west to *Black Shore* along *Tenham Gutt* eastwards. Thence along *Tenham Gutt* along *Ride Ferryway* to a place called *Stinke's Nass* and the south side of a channel called *Howflete* 'betwixt the sand and the land which channel in times past came out above the beacon at *Faversham Crick's-mouth*'. From this beacon 'to a place called *the Laynes* and eastward to the *West-hole*. Then from *West-hole* to *East-hole*, *Spit Cricks* and *the Hope*. From *the Hope* to *Nasse Grounds* on the east side of the channel. Thence to *Kimber Crick* and places called *Great Bales Poole* and *Little Bales Poole* down the west side of *the Pollard to the Weares* on the east side. Then to *Hampton Pitts* and so into the sea.'

In March 1655 the High Court of Admiralty decreed that tenants of the Manor of Faversham had the right to dredge for oysters on Harty Shore, the Nebbe, East Swale, Beacon Ground, Nesse Ground and Pollard Ground 'exclusive of the fishermen of Strood and Milton and all others'.

The year 1788 was an important one for 'the Company of Free Fishermen and Dredgermen of the Manor and Hundred of Faversham in the County of Kent' to quote the full title used in the Parliamentary Act then passed for 'More effectually securing the Oyster Fishery at *Faversham*,' for by it were codified the boundaries and rules.

The description of the boundaries follows almost word for word that given in the Survey of 1609.

The Act recited that the Fishery 'is maintained and preserved at the sole Costs and Charges of the said Company, who yearly expend a very considerable Sum of Money in purchasing Oyster Brood, and laying the same in the Waters and Creeks within the Limits thereof.'

'The *London Market* is regularly supplied, during the Oyster Season, with Oysters from the said Fishery, and a considerable Quantity of Oysters is Yearly exported therefrom to Foreign Parts, which are paid for in Money, and by Means thereof the said Fishery is a Source of national Benefit.' (The export drive was as important in 1788 apparently as it is today.)

'The said Oyster Fishery hath been for some Time past, and now is, greatly annoyed and prejudiced by Strangers, and Persons not being Freemen or Members of the said Company, dredging for and taking and

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carrying away the Oysters and destroying the Oyster Brood, in the Waters and Creeks within the Limits thereof'.

'The bringing of Actions at Law against such Strangers and other Persons, is attended with Difficulty and great Expence, and hath been found ineffectual for the Protection of the said Fishery, by Reason that such Strangers and Persons are generally in poor Circumstance, and unable to pay Damages, and many Times are unknown or cannot be found; and the Continuation of the said Depredations will very much tend to the Destruction of the said Fishery, which hath always been considered as a Nursery of Seamen for the Royal Navy.'

This paragraph underlines the recurring trouble (previously referred to) experienced by all the fisheries of poaching by members of other fisheries or unattached persons. The Act passed in 1788 was designed to combat these depredations and laid down rules for the appropriate action which might be taken against offenders, by their apprehension on a Justice's warrant and committal to appear and answer the charge before the next General Quarter Sessions of the County.

The Company operated under the jurisdiction and protection of the Lord of the Manor who appointed a Steward to hold two courts annually. The first, called the Admiralty Court, met on the first Saturday after Easter and duly appointed a foreman, treasurer and four members to form a jury for the year ensuing. The second, the Water Court, was convened on the last Saturday in July when 'the grounds were opened and considered.'

The rules laid down were similar in character to the other North Kent companies. They were:

- (1) The Freedom of the Company to be granted only after a seven year apprenticeship to a Freeman.
- (2) No one living out of the Hundred (unless serving the Crown) to share in the profits.
- (3) No widow of a Freeman to receive profits for more than one year after her husband's decease.
- (4) No Freeman to operate more than one 'cockle' on the fishing grounds.
- (5) A tenant who did not appear personally at a Court to do his service to be fined 12 pence.
- (6) Any member found with sixty brood of the size of a shilling or under in a bushel to be fined ten shillings.
- (7) Trawling was only to be carried out on Tuesday, day and night for the Wednesday's market; on Thursday, day and night for Friday's market; and on Friday, day and night, for Saturday's market. On this Jacob commented 'This last order seems now to be neglected, although I find it enforced in 1645.'

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It was the water bailiff's duty to set and maintain the beacons marking the fishing grounds, and if in default to pay six shillings and eight pence. Also he was entitled to demand 'of every Englishman four pence, and of every stranger twelve pence for beaconage.'

Jacob also observed that for long the dredgers had neglected to buy 'brood' in sufficient quantity to properly stock the grounds despite the fact that a certain John Marsh had bequeathed £2,000 the interest on which was sufficient to provide funds for the purpose and that the livelihood of many of the townspeople of Faversham depended 'on the produce of these grounds and from whom the whole town derives a considerable advantage.'

In 1840 an Act of Parliament was passed granting certain powers to 'The Faversham Oyster Fishery Company'. After reciting the bounds of the fishery the rules were restated, the only changes being that among the officials a Secretary might be included and the number of the Jury could be raised to twelve. Then on the 4th June 1930 a further Act received the Royal Assent to permit 'The Company or Fraternity of Free Fishermen and Dredgers of the Manor and Hundred of Faversham in the County of Kent' to be dissolved and its rights and assets transferred to a new 'Faversham Oyster Fishery Company.'

At the time of the Act there were 72 free members of the Company, 43 persons, sons of Freemen, who had served their apprenticeship (one of unsound mind) and 9 persons still serving their apprenticeship. Parts of the Fishery had been leased to 'other parties' (the Seasalter and Ham Oyster Fishery Company of Whitstable) but the remainder was still managed and carried on by the Company. The output and revenue had become seriously reduced with a consequent reduction of the number of men and boats employed and the money distributable among the men, so that the expenditure of new capital was required. Moreover as the constitution of the Company was 'ill-suited to modern conditions' and 'better maintenance, management and development of the said fishery' were needed the Act provided that the 'existing Company should be dissolved and that a new Company should be formed'.

In due course this change, in fact, came about but there was one complication. The old Company had made provision for six persons resident in the Municipal Borough of Faversham or the Brents or the neighbourhood, being Freemen of the said Company or widows of such Freemen, to become almspersons under the Faversham United Municipal Charities, a charity then under the jurisdiction of the Charity Commissioners. This provision was reported upon by the Attorney General of that time who stated that, while after the death of the 'Company' almspersons appointed before 'the qualifying date' of the Act (18th July 1928) no successors would be appointed, the Charity Commissioners would be able to deal with the matter under their statutory powers.

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The Faversham fishery, in common with all the others of the Thames estuary, suffered the full impact of the second world war and eventually ceased altogether to operate actively, the grounds being let in their entirety to the Seasalter and Ham Oyster Fishery Company.

### SEASALTER

As the history of the Seasalter and Whitstable Oyster Fisheries has been dealt with at some length in the present writer's *Whitstable, Seasalter and Swalecliff*<sup>33</sup> no more than a brief summary seems called for here.

From before the Norman Conquest the Liberty and Parish of Seasalter belonged to the priory of Christ Church, Canterbury<sup>34</sup> and the oyster fishery off the shore was always an appendage of the manor, the fishery ground being known as the Pollard.

Following the dissolution the Dean and Chapter became possessed of all 'the Beachy and Oazy Grounds and places between the full sea mark and the low water mark against their lands and within the liberty of the said Manor of Seasalter consisting of a great number of acres—appropriate for laying oysters thereon and upon which great quantities of oysters have grown and increased.'<sup>35</sup>

On 8th November, 1566, the Dean and Chapter granted a lease of the fishing grounds at a yearly rent of 3s. 4d. to John Lidyer of Hernehill, yeoman. Subsequently at intervals of twenty-one years this lease was renewed to groups of fishermen tenants down to 1823. In that year a new lease was granted to four co-partners of the Canterbury Bank who perhaps had advanced money to operate the fishery but when, in 1831, it was renewed it was to a Company of Free Fishers and Dredgermen, which negotiated a further renewal in 1838. Finally in 1859 the Dean and Chapter sold the ground and fishery rights to Mr. Thomas Gann for £2,000 and later he conveyed these to Mr. George Austin. In 1895 a Mr. G. L. Austin sold the business to the Seasalter and Ham Oyster Fishery Company Limited, the company which still operates the grounds.

As already noted there was continual friction between the Seasalter men and those of Faversham, the latter being accused of riotously entering on the former's grounds and carrying off great quantities of oysters although no doubt a similar charge might have been levelled the other way round. It was this friction which drove the Faversham men, backed up by the Lord of the Manor, to go to so much trouble to accurately establish and demarcate their fishery boundary.

<sup>33</sup> Cross & Jackman Ltd., 1938.

<sup>34</sup> Hasted, III, 550.

<sup>35</sup> Copy of Decree, 1734. Hearn and Others against Thomson and Others. Canterbury Chapter Library.



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In 1769 a boundary dispute came to a head between Viscount Bolingbroke, Lord of the Manor of Whitstable and the Dean and Chapter of Canterbury respecting their adjoining fisheries. In a report on the 13th May of the previous year *The Kentish Post and Canterbury News Letter* gave the following curious explanation of why the altercation had arisen. 'According to the account given by the men of the place who have known the grounds and boundary thereof for fifty or sixty years past, say that it did go sometimes from a place called Scabs Acre bearing North West in a straight line to a place called Shellness opposite Lasydown Church in the Isle of Shepway. But as the variation of the (magnetic) needle has for many years kept increasing to the Westward, is the reason that the Company of the Dean and Chapter have encroached on that of Lord Bolingbroke, only by their not rightly accounting for the said variation for that point of the compass which was North West sixty years ago is far from going the same now which is the reason of the dispute and Encroachment, for had the variation of the compass been to the Eastward as it formerly was, the Company of Lord Bolingbroke would by the same rules have encroached as much as that of the Dean and Chapter. This is therefore to give notice that the dispute, and variation of the compass which is the cause of it, will be explained and accounted for on Thursday the 26th of May instant and the Boundary marked out at the same time.' The notice was issued by 'John Hart, Land Surveyor in Longport, near and without the walls of the City of Canterbury'.

### WHITSTABLE

In his sixteenth-century *Perambulations of Kent* William Lambarde wrote 'The Oysters that be dredged at Reculver are reputed as farre to pass those at Whitstaple as those of Whitstaple doe surmount the rest of the Shire in savourie saltness.'

A. O. Collard<sup>30</sup> explained why this excellence should be. 'The fresh water which contributes so much to the high quality of the Royal Whitstable oyster is neither that of the Thames nor the Medway, both of which, probably, sweep wide of these beds, but the two or three streams or "freshets" which flow off the marsh-lands between Whitstable and Faversham Creek, over the beds and flats. These small streams obtain some warmth from the sun in their narrow courses, and perhaps convey certain seeds of water plants and other products which make for fattening, and supplement their marine diet of infusoria and microscopic vegetables.'

Prior to the sale of the Manor of Whitstable in 1792 a fraternity of Dredgers had, from time immemorial, enjoyed, under licence from the

<sup>30</sup> *The Oyster and Dredgers of Whitstable*, Joseph Collard, 1902.

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Lord of the Manor, the right to dredge and fish over the sea portion. This manorial right of fishery was made clear when Elizabeth I, in 1574, granted to Moyle Finch and Michael Hennage by Letters Patent 'All that our Manor of Whitstable of old called Northwood and now called St. Annes and Courtleys', a grant which among many other things included 'Fisheries and Fishings' and in the eighteenth century provided the title to the Fishery Royalty enjoyed by the Whitstable Oyster Fishery Company which came into being under *The Whitstable Oyster Fishery Act* of 1793.

Prior to this time the oyster beds had been worked by the Whitstable Company of Dredgers as tenants of the Lord of the Manor. The Orders or Bylaws under which this Company operated were in many ways similar to those in force at Rochester, Queenborough, Milton and Faversham. They were formulated with two main purposes in view, to regulate the times and manner of fishing and to safeguard the freedom rights of the Company. For example in the latter connection at 'A General Court of Dredging holden for the Manor and Royalty of Whitstable' in July 1704, it was agreed, among other things, that no Free Dredger should intercede with the Lord of the Manor to procure any unqualified person being made Free of the Company. The penalty—surely prohibitive—for such action being to forfeit £40 to the Lord of the Manor and £40 to the Company.

The penalty for any Freeman, not possessing a boat of his own, who took on an apprentice other than his own son was £20. No Freeman might take on a second apprentice until his first apprentice had served for seven years. Any apprentice who married before his apprenticeship expired was debarred from becoming a Freeman.

Apprentices were to be bound for seven years to a Freeman or Free Widow of the Company but if they were 'hired to work in or upon any other Oyster layings whatsoever "they were to be excluded from the freedom".'

The clause, designed to prevent the poaching of members by other interests, has a strangely modern 'Trade Union' ring about it; 'No Apprentice or Apprentices who hath served or shall serve their Apprenticeship or any part thereof from and after the 2nd Day of August, 1769, to any Tenants of the Seasalter Oyster Grounds or Pollard Men shall gain or obtain the Freedom of this Company on any pretence whatsoever.'

In 1791 Viscount Bolingbroke, the then Lord of the Manor of Whitstable, was, because of a mortgage, forced to sell the estate and it was bought for £3,000 by two local men, Thomas Foad and William Smith. However one Moyety was in the hands of James Smith, perhaps a mortgagee and a relation of William, and he sold his half share to ten members of the Whitstable Company of Dredgers for £1,530. As a

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result of these transactions *The Whitstable Oyster Fishery Act* materialized in February, 1792.

During the first half of the nineteenth century the Whitstable Fishery became a prosperous concern and by 1866 the Company had over 400 members (some being widows of former members), 300 being working members. The stock was valued at £400,000 the sale of oysters being at the rate of £900,000.<sup>37</sup> But this success was not to be maintained. During the 60's the Company was involved in long drawn out litigation concerning its right to claim an anchorage payment from any person who anchored a vessel on the soil of its sea manor. From the Petty Sessions at Canterbury the case went for hearing to the Spring Assizes at Maidstone, in March 1861, and eventually to the House of Lords, in July 1869, where it was finally settled in favour of the company but at considerable cost. Then in 1886 heavy financial loss was suffered when the Company's secretary and treasurer absconded with several thousand pounds. This individual succeeded in leaving the country before the defalcation was discovered and he was never brought to justice. A few years later severe frosts so damaged the stock of oysters that a £15,000 loss resulted.

The accumulative effect of these troubles was disastrous to the Company's finances and in 1896 a Parliamentary Bill was promoted to enable a reconstruction to take place. This passed both Houses and received the Royal Assent in June.

The capital of the new company was fixed at £250,000, divided into 25,000 shares of £10 each. Every Dredgerman's share was £200 which he could either receive in cash or in shares to that amount. Some took the cash and their shares were sold to outsiders.

Interesting evidence was given before a Departmental Committee on Inshore Fisheries by a Whitstable man, Mr. W. P. Coleman, in 1914. He stated that 'the Whitstable Oyster Fishery Company was "a working man's company that was constituted by the old Fishery Guilds that had existed time out of mind". In former times the price for oyster brood paid to the flatsmen<sup>38</sup> was regulated by the selling price of oysters and the quantity of brood available. When the fall of spat was large their wages were between 8s. and 10s. a day. In 1914 the price being paid for a wash (about 5½ gallons) was 4s. Millions of oysters went from Whitstable to Germany, Essex, Ireland, Boston and other places.'

<sup>37</sup> *Victoria History of Kent* quoting a Sea Fisheries Commission report.

<sup>38</sup> Flatsmen were those fishermen, not being members of the Company, who gained their living by dredging for brood (year old stock), half ware (two year old stock) and ware (three year old stock) on the public fishing grounds—the Flats northwards and eastwards of Whitstable—which they sold to the Whitstable and the Seasalter and Ham Companies.

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During the two Great Wars of this century the Oyster beds inevitably suffered through restricted maintenance and man power whilst following the 1914-1918 War there was a serious mortality among the stock, moreover from this period a new problem arose, the gradual diminution of the annual fall of spat upon which the future stock of mature oysters depended. These troubles and the incident of periodic severe winters, particularly 1962-3, have meant that the industry is now much more restricted than in its halcyon days of the latter part of the nineteenth century. But with the use of powered boats in place of sail and modern techniques gradual recovery may be confidently looked for.

### SWALECLIFFE

At the end of the eighteenth century there were oyster grounds belonging to the Manor of Swalecliffe. In 1792 the boundaries were defined in an advertisement which appeared in *The Kentish Gazette*.

'Kent,

Manor of Swalecliffe,

Near Whitstable.

The public are respectfully informed that so much of this manor belonging to the Right Honorable Earl Couper as extends from the shore into the sea, viz. from a place called RILL GUT, north by east, to the buoy placed in a line opposite the same on the land side from RILL GUT aforesaid to Hampton Rock, north by east to the buoy also placed opposite the same, is letten as a bed or ground for the growth of oysters; and therefore all persons are cautioned against trespassing on the said ground, it being intended to prosecute offenders to the utmost rigour of the law.'

It was this area which contained the beds operated by the Herne Bay, Hampton and Reculver Oyster Fishery Company now to be noticed.

### HERNE BAY<sup>39</sup>

From 'time out of mind', to use the term which so often appears in the records of these fisheries, the poor inhabitants of the coastal area between Hampton and Reculver had found useful employment in the collection of oyster 'brood' for sale to the Whitstable dredgers but

<sup>39</sup> This account is based on historical material contributed by Mr. Harold Gouch, Curator of the Herne Bay Records Society, to the *Herne Bay Press* for a centenary article on the Fishery, published on 17th July, 1964.

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it was not until 1864 that a fully constituted company came into being. On 25th July of that year the Royal Assent was given to an Act of Parliament to incorporate 'the Herne Bay, Hampton and Reculver Oyster Fishery Company'.

Among the directors of this new company were two local men, Edward Reynolds Collard and Alexander Smith, and an internationally acclaimed zoologist and fishery expert, Frank Buckland. The first mentioned was an important local figure and landowner (a tablet and a stained glass window in St. Martin's Church, Herne, commemorate his memory) and it was he who made available at Hampton the land necessary for the Company's operational headquarters.

As defined in the Parliamentary Act the fishing grounds extended over some nine square miles of sea-bed stretching from a defined point at Swalecliffe westwards to another point opposite St. Nicholas-at-Wade and extending a mile-and-a-half seawards from the high water mark. The Act provided for a pier to be built at Hampton Point to be linked by a tramway with the London, Chatham and Dover railway rather more than half-a-mile inland. Powers were also given for the construction of certain walls, buildings, cranes 'and other apparatus' and for dyke clearance. Section 31 of the Act laid down that 'the Company shall not take or use, otherwise than by Agreement, any Weir, Land or Fishery belonging to and occupied by Judah Downs'.

Downs, an old man, operated a fish weir built of stakes and binders extending seawards from his foreshore land and lived in a crazy dwelling made from parts of old boats and other flotsam and jetsam he had collected, a structure reminiscent of Peggotty's cottage in *David Copperfield*. When the contractors commenced to build the Company's new pier, shingle for the concrete infilling behind the timber piling was taken from the foreshore and as a result Judah Downs' weir was rendered useless. Not unnaturally he promptly took legal action and was awarded £900 damages. Eventually the Company had to buy him out altogether.

The establishment of the new fishery had been strongly opposed by the Whitstable companies but without success and it was duly opened by the Lord Mayor of London in 1866.

It is recorded that the tramway trolleys in which the oysters were conveyed on the first stage of their journey to Billingsgate were either drawn by horses or else propelled by sails when the wind was suitable. On the foreshore a new 'Hampton Oyster Inn' took the place of the ancient 'Beehive' house of refreshment.

The company operated with reasonable success until the late 1870's but then a series of hard winters so depleted the stock of young oysters that it ceased to pay its way and went into liquidation.

The scour of the tide occasioned by the removal of the shingle when

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the pier was built has resulted over the years in most serious erosion along the Hampton foreshore. A photograph taken by the writer forty years ago shows a cottage which long since has been claimed by the sea.

In conclusion the writer would like to acknowledge his thanks for the help he has received, from Dr. Hull and his staff at County Hall in making available documents among the County Archives, from Messrs. Tassell and Son, Solicitors of Faversham in allowing him to examine records belonging to the Faversham Oyster Fishery Company, from the Town Clerk of Queenborough and the editors of the *Chatham, Rochester and Gillingham 'News' and 'Standard'* and the *Herne Bay Press*. He is also greatly indebted to our Honorary Editor who, from his extensive knowledge of the Lower Medway, has made numerous valuable suggestions, and to our member Mr. Ernest W. Smith for expending so much time and trouble in preparing the map which accompanies this paper.