

Jamestown, R. I. Sept, 19, 1893

To

His Excellency,

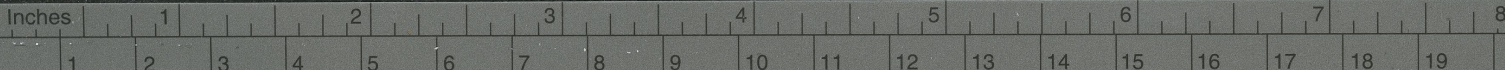
Elias Carr,

Governor of North Carolina,

Dear Sir:

In the course of a few weeks you will be called upon to appoint Commissioners of Shell Fisheries. With some hesitancy I address you on the subject of the appointments and offer the advice contained in this letter.

My personal interest in the matter is well known, and I fear that the ideas I submit may be thought merely the offspring of that interest, and lose thereby the consideration they intrinsically merit. But if you will excuse the recitation of the fact, I would call to your attention that I have, both in Europe and in this country, some reputation for knowledge of Shell-fish and shell-fish industries; that my study and investigation of the subject has extended over nearly twenty years and almost every state and country and that the value of my labors and views have received both at home and abroad public and official recognition. I may claim, therefore, some title to speak with authority and as the policy I recommend has been advocated



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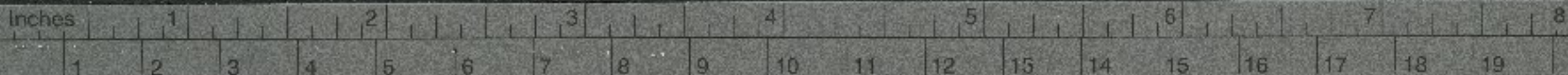
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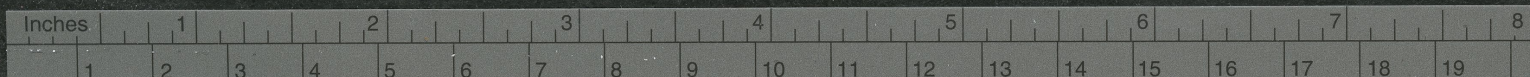
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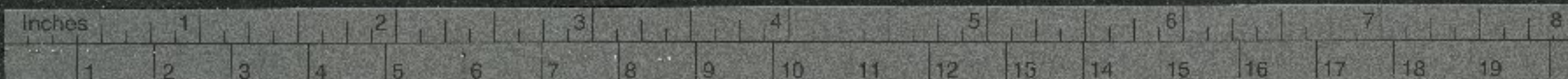
not only by myself but by every other authority on this subject, in the world, I trust that no slight personal interest I may now have, will militate against the advice I offer or the course I suggest for adoption.

The oyster industry, with us as with every other community must depend fundamentally upon the supply of oysters. If there are no oysters, there will be no industry; if the supply is inadequate the industry will languish and as the supply decreases the industry will decline. These facts are so self evident as hardly to need mention; but they seem to have been ignored for the last four years in our state. The supply of oysters is, south of the Delaware, almost entirely derived from what are called natural beds - i.e. areas on which oysters have sprung into life through natural causes without human agency. These areas are held as common property, - open to the fishing, generally unrestricted, of all men. Such restrictions as have been attempted have mostly been in the interest of this or that class using the beds. Many plans and schemes have been proposed and adopted; but they all, however speciously argued, have resulted in protecting one class against another. It may be the tongers, the dredgers, the canners or other consumers; but never the beds. This is quite natural and indeed I doubt if under our system of



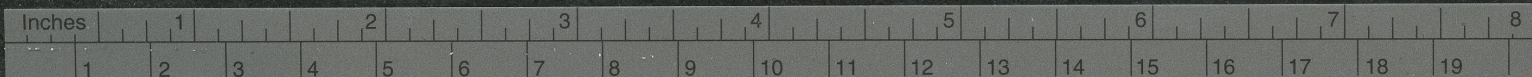
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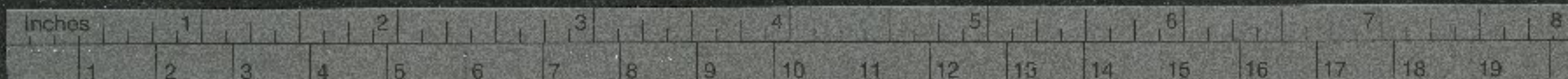
government, any adequate protection of the beds can be devised, or if devised, carried out. But under such conditions it is obvious that sooner or later the beds must be destroyed. The destruction may be delayed, but it is certain, eventually, to come. The truth of this theory is proved by the experience. The natural beds of every State, in fact of every country in the world, where the oyster industry exists to any extent, have either perished or become greatly impaired. When the beds perish so does the industry.

Now what is the remedy for this state of things? Shall we stop all work on the beds? We will then preserve the oysters; but of course, will have no industry. If we restrict the fishery we diminish the supply and the industry will languish. If we stop the fishery, the industry perishes. The truth is that the demand for oysters exceeds the supply and the proper remedy is not to decrease that supply but to increase it; for so long as the supply is inadequate the tendency to overwork and destroy the beds will continue. You can remedy that tendency by destroying the demand, or by increasing the supply. The latter course is the policy I and all other authorities have long advocated. It is the only policy, at home or abroad, that has proved efficacious in maintaining the industry, and it is the maintenance



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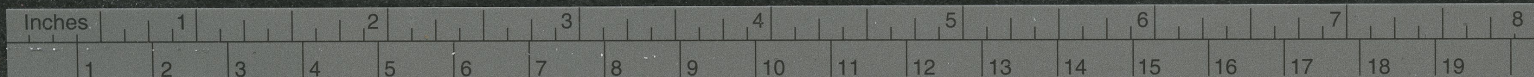
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of the industry and not the beds, that is of value to the community. The former course, of destroying the demand, has been the policy followed for the last four years in North Carolina. Its effect is to keep the beds intact and in some degree to preserve their fecundity; but it has practically destroyed the industry and the beds and oysters are of no more value to any one than if they did not exist. It does not seem to me that this is a wise policy; on the contrary, I think every effort should be made to utilize every natural advantage possessed by the State, - to build up its waste places and to provide as many and divers means of livelihood to its citizens, as is possible.

Both investigation and experience have shown that the supply can be increased by artificial means - that is by processes analogous to those of agriculture or stock raising; and experience has likewise shown that these processes - the artificial aid - can be applied successfully by private enterprise alone. History proves that whenever the State has attempted such action disastrous failure has resulted. The true, in fact, the only wise and efficacious policy is, then, to induce artificial increase of the supply through the efforts of private enterprise.

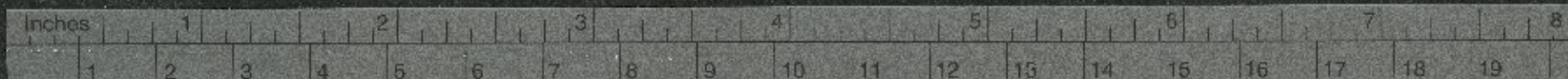
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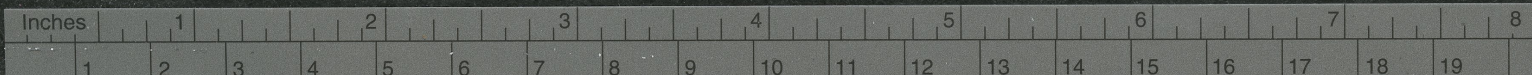
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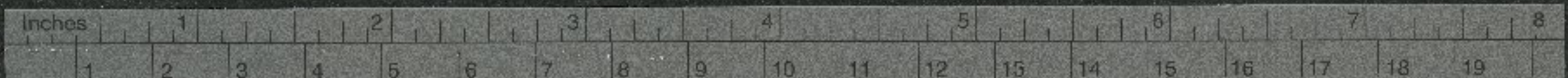
individuals could enter this field of enterprise under the same conditions, so far as the State could guarantee them, as would be found in other pursuits. No other inducement, encouragement, or advantage was or has since been offered; and no other is needed. All the oyster industry requires for its well being is the application of those laws and principles which centuries of usage have proved not only best, but the sole essentials of prosperity; that is, security for the property and freedom in its management. The rest can be left to the judgement and interest of the individual.

Subsequent to 1887, the legislation has followed the course so familiar in other States. It has favored one class or interest, or another, or been directed against one interest or another. In 1889 it was in favor of the local markets. In 1891 in favor of one class of fishermen and against another; in favor of one locality and against all others. In 1893 it was against the principle of artificial increase of supply, which, as I have explained, is the fundamental principle of a successful industry. In addition, the administration of the law has, for the last two years, been steadily in this same (latter) direction. I am aware that it is not in your power to change or modify the laws; but if you will read those of 1889, '91 and '93 you cannot but perceive how loosely they are drawn, how variously they may be



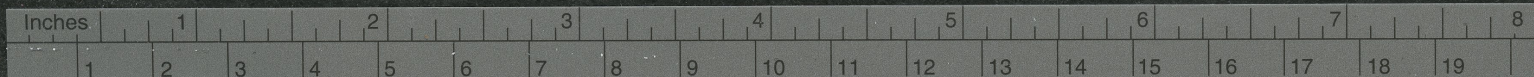
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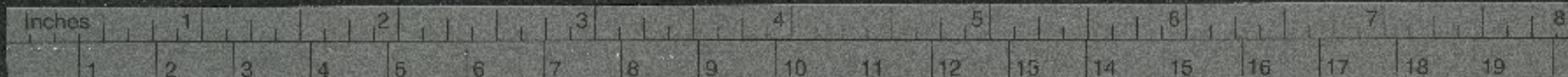
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We have some 8000 acres of natural beds within our limits. They cannot possibly have a long existence, if this existence is to be useful. If it is not useful they might as well not exist. But we have some 500,000 acres of now unproductive bottom which can be made productive. We have also an opportunity which I fear, if not already past, is fast slipping away from us. The great beds of the Chesapeake, producing 80% of the oysters of the country are deteriorating so rapidly that both in Maryland and Virginia efforts are being made to adopt the very policy I advocate and which our State did adopt in 1887. I have now before me a letter, enclosing at the request of the Governor of Virginia a copy of his Special Message to the Legislature, and asking my opinion of the course advised. I find his recommendations exactly the same as my own to the Legislature of 1887, and in principle, entirely similar to the act of 1887. So Virginia is at last realizing that there is but one remedy which will preserve her failing industry. Rhode Island, Connecticut, New York, New Jersey and Delaware realized some time ago that the same



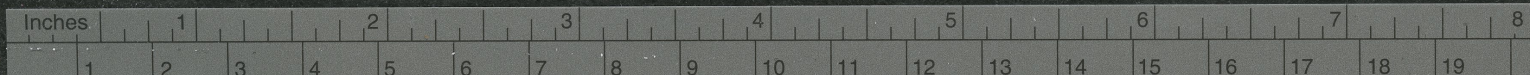
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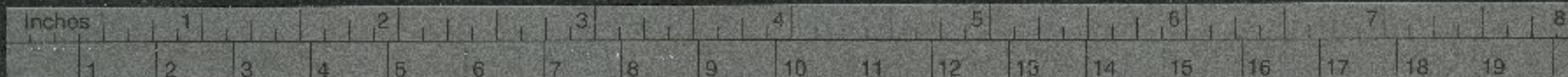
remedy alone could revive the industry in those States. Shall we wait for a complete destruction of our industry before following this example? In the face of the adverse legislation of the last few years I am not sure that much of consequence can be accomplished. But I am sure much evil can be averted. I think the opinion is well-nigh universal in the East that to the present Commissioners is owing, in a large degree, the present satisfactory condition of affairs. I am quite sure their continuance in office will perpetuate this evil. I believe if the Commission and especially the chief place, is filled with intelligent men of scrupulous disinterestedness, free from class prejudices and with appreciation of the principle I have advocated, we may yet have a large and successful business established. I would therefore advise you in making your appointments to select men who will in all proper ways foster and encourage the entry and cultivation of oyster bottoms; for I most firmly believe there can not only be no lasting and satisfactory life for the industry without such encouragement, but on the contrary, if the present policy is continued, the industry will be destroyed.

I sent you some months ago a pamphlet (Report Fish Commis. of N. C. 1885) containing a lecture by myself on the subject and setting forth at great length the arguments for the policy I have here advocated. I hope you either have or will



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try to read it before coming to a conclusion as to your course in the matter. I have endorsed the envelope containing this "personal", to ensure its meeting your eye and with the desire to leave you at liberty to treat the communication as "personal" or "official" as you pleased. The magnitude of the interests

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