

APPENDIX D:

Oyster Wars: The Historic Fight for the Bay's Riches

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Oyster Wars

THE HISTORIC FIGHT FOR THE BAY'S RICHES

By Ross M. Kimmel

"He was a bold man that first ate an oyster."

Jonathan Swift, ca.1738

Gluttony and greed, two of the Seven Deadly Sins, nearly eradicated the Chesapeake's oyster beds over 100 years ago. These same two frailties of human nature also coarsened and cheapened the lives of many people living on the Bay. The examples of the past stand to instruct human behavior today, if we but pay attention.

Swift's "bold man" – whoever that may have been – piqued a powerful appetite among people everywhere in the world where oysters

could be had. Archeologists have discovered that human consumption of oysters dates at least to Neanderthal times. The ancient Greeks and Romans relished the bivalve. Huge shell middens in the Chesapeake region attest to Native Americans' reliance on this rich source of protein. Colonists didn't consider the oyster a delicacy, but a staple.

Until the mid-19th century, the Chesapeake's human population was thin enough so that oyster harvesting posed little threat to that hardy species of water-filtering shellfish. But with the onset of the Industrial Revolution – and better

methods of food preservation and faster means of transportation – it was possible to appease widespread human hunger from the bounty of the Chesapeake Bay. To the silver mines of the American west and well beyond, in the 1880s, the Bay supplied nearly one-half the entire world's annual demand for oysters!

As rough and tumble as life was in those western mining camps, it only rivaled the roughness of life on the Lower Chesapeake, especially on the Eastern Shore, during the boom days of oyster harvesting. Sadly, avarice got out ahead of common sense during the scramble to strike it rich mining oysters, and by the end of the 19th century, the Bay's supply was depleted to a point from which it has yet to recover.

Following the Civil War, with large amounts of capital available, businessmen contrived ways to turn the subsistence harvesting of oysters into a rapacious industry. John Crisfield, an Eastern Shore railroad magnate, gathered some investors to quietly acquire land at the southern tip of Maryland's Eastern Shore. Crisfield and his investors chose a strategic spot around Somers Cove to found their oyster empire, a center for mass harvesting, packing and selling Bay oysters to the world.

The site commanded the rich oyster beds of Tangier Sound, and a new railroad built by the investors provided a means of quickly marketing oysters. Docks received the daily harvests and packing houses employed hundreds of people, white and black. All the support industries and coarse amusements that went along with the boom-town mentality pervaded tidewater



Oyster tongs circa 1880



Oyster pirates

towns supporting the oyster fleet and unsavory means sprang up rapidly to soak up the money that was being made. The town of Crisfield grew quickly, like its American frontier mining camp counterparts, into a honky-tonk, brawling den of swaggering watermen, prostitutes, drunkenness, violence, and quick profits from oystering.

“There is no greater disaster than greed.”

Lao Tzu, ca. 600 B.C.

Competition for oysters led to lawlessness on the Chesapeake. First New England watermen who had exhausted the oyster beds in their local waters sailed into the Chesapeake, angering Maryland and Virginia watermen who considered the Bay off limits to outsiders. Shots were fired, people were killed. Then Maryland and Virginia watermen went to war with each other. Ultimately watermen from individual counties went to war with watermen of rival counties, each poaching in the others’ rivers as the oyster supplies dwindled.

At the same time, there was a dim awareness among government officials that the oyster supply just might not last forever. Attempts were made from the federal to the local level to regulate such things as who could take oysters, where and when they could take them, and legal harvesting size – things we take for granted today. Watermen ignored the law and enforcement

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years after the end of the Civil War, Maryland established the forerunner of today’s Natural Resources Police – the Maryland Oyster Navy. The Oyster Navy’s first commander was Hunter Davidson, a Kent Islander and Naval Academy graduate. Davidson’s charges were to bring order to the lawlessness on the Bay and to enforce oyster-harvesting laws. Though he was personally equal to the task, his Oyster Navy wasn’t. It was out-gunned and out maneuvered by watermen at nearly every turn. Davidson gave up in the early 1870s, and moved to Paraguay. For the next decade or two, the Oyster Navy was dominated by political forces sympathetic to the oyster industry. The carnage, of both oysters and people, continued.

“And the heart of the great ocean sends a thrilling pulse through me”

Henry Wadsworth Longfellow, ca. 1850

While the flush times of the oyster boom days provided employment for Eastern Shore men and women, it was hard work under very rough conditions. The roughest conditions, though, were out on the water. Watermen were – and still are – a tremendously hardy breed that weathered extremely cold and wet conditions during the harvest season (and heat in the illegal harvest season). Weather-beaten and often consumptive, watermen lived a bare-knuckled existence. Boat captains were so desperate for labor that a form of

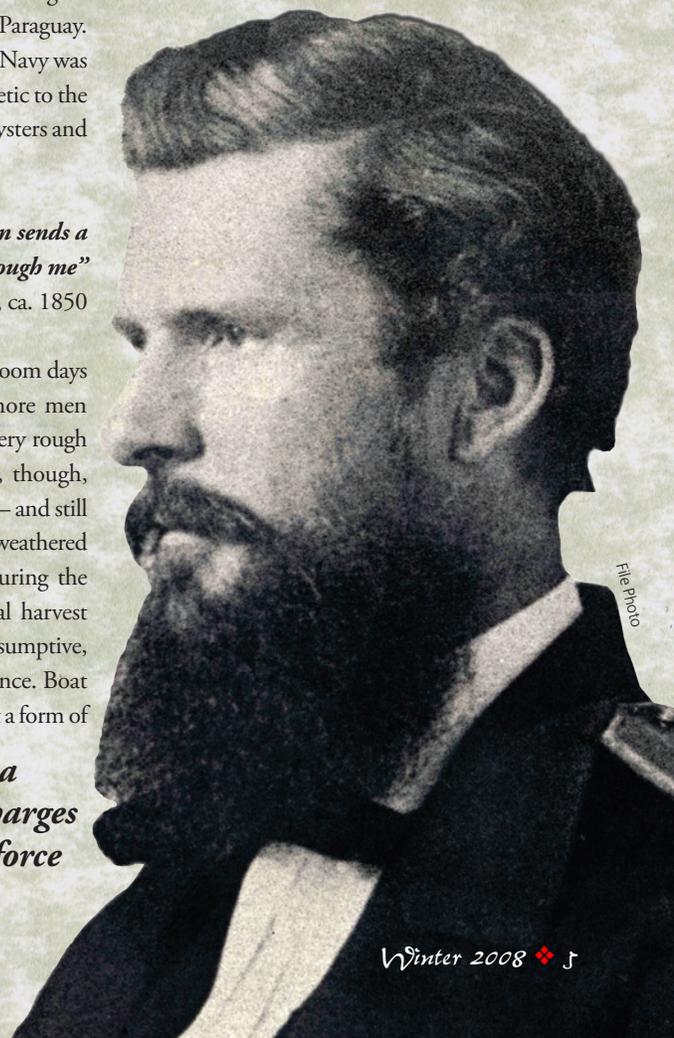
was impossible anyway. For one thing, elected officials recognized that antagonizing watermen was political suicide. For another, little or no funds were appropriated to support enforcement. The rape of the Bay continued.

In 1868, three

slavery continued on the Bay long after the Civil War ended. Captains commonly shanghaied crewmen from saloons and flophouses and forced them to endure severely deprived conditions working the oyster boats.

Irish, German and Italian immigrants to Baltimore were especially vulnerable to this temporary form of enslavement, and many did not survive the experience. The bodies of crewmen who had been “paid off by the boom,” that is, swept overboard by a swinging boom after an oyster run, washed up on shore or snagged in fishing nets regularly.

One particularly well-documented case tells of a young German, Otto Mayher, who was well-educated but not conversant in English. Eager to find employment, he voluntarily signed onto an oyster boat with two fellow countrymen. Sickened by exposure and over-exhaustion, Mayher was severely beaten with a marlin spike, hoisted half-naked on the halyards and drenched in ice-cold water, strung up by his thumbs, had his lower limbs beaten with an iron bar, and finally, when he attempted to escape on shore, had his neck broken.



File photo

While Mayher's case helped start reformation of the treatment of oyster crews, it wasn't until the availability of cheap and reliable gasoline engines to operate oyster dredges in the early 20th century that the abuse ended.

The first scientific survey of Chesapeake oyster resources was undertaken in 1878 by a young U.S. Naval officer named Francis Winslow. Sailing on the Maryland Oyster Navy vessel *Leila*, Winslow was able to demonstrate scientifically that oysters were being taken from the Bay at a rate greater than natural replenishment could replace. His warnings, however, went largely unheeded.

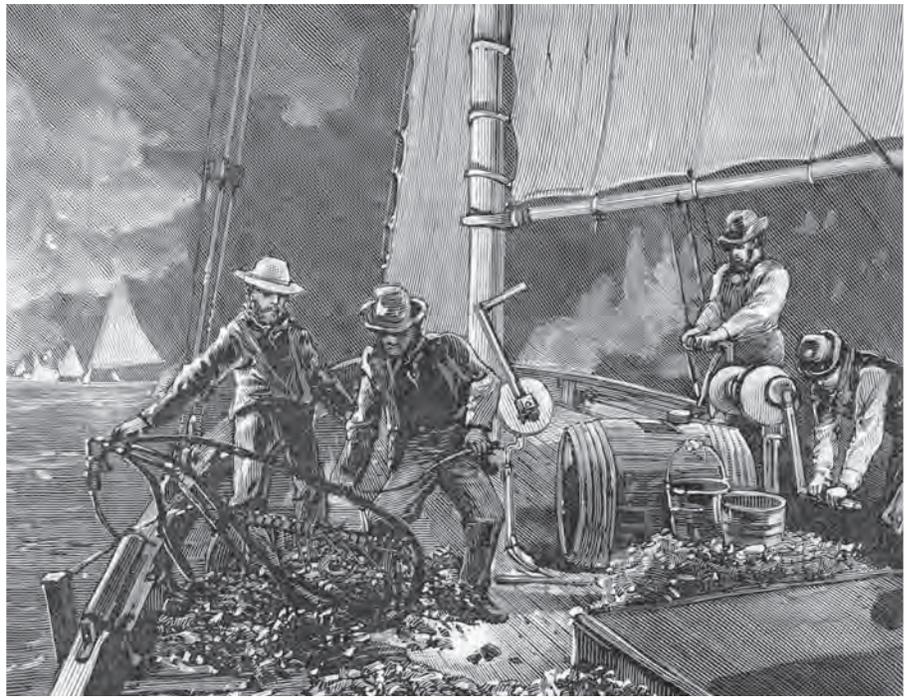
"It is the spirit and not the form of law that keeps justice alive"

Earl Warren, ca. 1955

Countervailing social forces mitigated, at least a little, the piracy and lewdness wrought by the Oyster Wars. Methodism was a firmly ingrained religious tradition on the Eastern Shore, and Methodist missionaries sought to bring Godliness to the pirates, largely without success. Vigilantism also sought to stem oyster piracy, with fortifications and artillery brought to bear by citizens against poachers. The still undermanned and inadequately supplied Oyster Navy fought pitched sea battles with pirates, using rifles, shotguns, and even cannon. And although the outrages of oyster pirates were turning public opinion in favor of law enforcement, the final shots of the Oyster Wars would not be fired until the 1950s.

Meanwhile, the depletion of the Chesapeake Bay oyster supply became palpable. From a harvest of 15 million bushels in 1884, the number declined by over a third in a mere five years! After some frustrating rivalry, Maryland and Virginia authorities began to cooperate before the turn of the 20th century. Under new leadership, and with increased support from the state legislature, the Maryland Oyster Navy began to become a force to be reckoned with by 1900.

Though much has been accomplished in the past century, the depletion of the Chesapeake's seafood resources is a continuing problem. While the outrageous behavior of the oyster pirates has been stemmed, other complex forces operate on the Bay's dynamics. Pollution, over-harvesting, siltation and the impact of pleasure



ABOVE: *Oyster pirates dredging at night.*

BELOW: *Dredging for oysters on the Chesapeake Bay, hard work for hard men.*



boating all present today's generation of Bay residents with challenges no less threatening than those of the Oyster Wars. Does the good in human nature have the power to vanquish the bad? Time will tell. ❖

*This article is based upon John R. Wennersten's book *The Oyster Wars of the Chesapeake*, published in 1981 by Tidewater Press in Centreville, MD — a must read for anyone interested in learning more about the largely unknown, but crucial, episode of the Oyster Wars in Maryland history.*

Ross Kimmel is the state-wide historian for the Maryland Park Service, and has been with the department for 33 years. During his tenure he helped found the Resident-Curatorship program to help preserve historic properties. He also chaired the Maryland Forestry and Parks Centennial Committee.

The Mariners' Museum, in Newport News, Virginia, graciously provided the historic illustrations for this article. Visit their website at www.mariner.org to learn more about them.