

REGULATIONS FOR THE TAKING OR
CATCHING OF SPONGES

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HEARINGS

BEFORE

THE COMMITTEE ON THE MERCHANT
MARINE AND FISHERIES

HOUSE OF REPRESENTATIVES

ON

S. 6385

TO REGULATE THE TAKING OR CATCHING OF SPONGES IN THE
WATERS OF THE GULF OF MEXICO AND STRAITS OF
FLORIDA; THE LANDING, DELIVERING, CURING, SELL-
ING, OR DISPOSING OF THE SAME; PROVIDING
MEANS OF ENFORCEMENT OF SAME; AND
FOR OTHER PURPOSES

THURSDAY, AUGUST 1, 1912

WASHINGTON
GOVERNMENT PRINTING OFFICE

1912

A BILL To regulate the taking or catching of sponges in the waters of the Gulf of Mexico and Straits of Florida; the landing, delivering, curing, selling, or disposing of the same; providing means of enforcement of same; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the approval of this act it shall be unlawful for any citizen of the United States or person owing duty of obedience to the laws of the United States, or any boat or vessel of the United States or person belonging to or on board such boat or vessel to take or catch any commercial sponges, by means of diving or diving apparatus, in the waters of the Gulf of Mexico or Straits of Florida outside of State territorial limits, or to land, deliver, cure, offer for sale, or have in possession at any port or place in the United States or on any boat or vessel of the United States any commercial sponges taken by means of diving in said waters: *Provided,* That sponges taken by means of diving apparatus between the first day of October and the first day of July following, of each year, in a depth of water not less than forty feet nor more than one hundred and fifty feet shall not be subject to the provisions of this section.

SEC. 2. That it shall be unlawful for any and all persons, boats, or vessels describe in the first section of this act to take or catch, by any means or method, in the water of the Gulf of Mexico or the Straits of Florida outside of State territorial limits, or to land, deliver, cure, offer for sale, or have in possession, at any port or place in the United States or on any boat or vessel of the United States, any commercial sponge taken in said waters measuring, when wet, less than five inches in their maximum diameter.

SEC. 3. That the presence of sponges on any vessel or boat of the United States equipped with diving apparatus, or serving as a living or deposit boat for divers, between July first and October first of each year, or the presence of sponges of a diameter less than five inches on said vessels at any time, or the presence of sponges of less than the said diameter on any other vessel or boat of the United States engaged in sponging on the waters of the Gulf of Mexico or the Straits of Florida outside of State territorial limits, or the possession of any sponges of less than the said diameter sold or delivered by such vessels shall be prima facie evidence of a violation of this act.

SEC. 4. That every person guilty of a violation of this act shall for each offense be liable to a fine of not less than one hundred dollars nor more than five hundred dollars, which fine shall be a lien against the vessel on which the offense was committed. And every vessel used or employed in violation of this act shall be liable to a fine of not less than one hundred dollars nor more than five hundred dollars, or forfeiture and shall be seized and proceeded against by process of libel in any court having jurisdiction of the offense: *Provided,* That every person or vessel guilty of a violation of section two of this act shall be liable to a fine of fifty cents for each sponge of a diameter less than five inches found in the possession of such person or vessel.

SEC. 5. That any violation of this act shall be prosecuted in the district of the United States of the district wherein the offender is found or into which he is first brought.

SEC. 6. That it shall be the duty of the Secretary of Commerce and Labor to enforce the provisions of this act, and upon his request the Secretary of the Treasury, the Secretary of the Navy may employ vessels of the Revenue-Cutter Service of the Navy, respectively, to that end.

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REGULATIONS FOR THE TAKING OR CATCHING OF SPONGES.

COMMITTEE ON THE
MERCHANT MARINE AND FISHERIES,
HOUSE OF REPRESENTATIVES,
Thursday, August 1, 1912.

The committee met at 10.30 o'clock a. m., Hon. Joshua W. Alexander (chairman) presiding.

The CHAIRMAN. If there is no objection, we will go ahead with the hearing on Senate bill 6385, a bill to regulate the taking or catching of sponges in the waters of the Gulf of Mexico and Straits of Florida; the landing, delivering, curing, selling, or disposing of the same; providing means for enforcement of same; and for other purposes. This hearing is held at the request of Mr. Sparkman, and we will proceed.

STATEMENT OF HON. STEPHEN M. SPARKMAN, A REPRESENTATIVE FROM THE STATE OF FLORIDA.

Mr. SPARKMAN. Mr. Chairman, I shall make only a brief statement, the main purpose being to introduce a couple of gentlemen to the committee, Mr. Cheyney and Mr. Meindanis, both of Tarpon Springs, the center of the sponge industry in Florida and practically in the United States, because all the sponges gathered in American and nearby waters are taken from the Gulf of Mexico off the coast of Florida.

This is not a new proposition here, for in 1906 there was quite an agitation coming, first, from Key West, where the sponge industry had been carried on for many years, and, secondly, from Tarpon Springs and vicinity, for some legislation on the subject, there having been none prior to that time, that is, no national legislation. After an extended hearing before the Committee on the Merchant Marine and Fisheries a bill was reported from that committee which was enacted into law and approved June 20, 1906. That law only undertook to prohibit the landing, delivering, curing, or offering for sale at any port or place in the United States any sponges taken by means of diving or diving apparatus from the waters of the Gulf of Mexico or Straits of Florida with a proviso—

that sponges taken or gathered by such process between October first and May first of each year in a greater depth of water than fifty feet shall not be subject to the provisions of this act: *And provided further*, That no sponges taken from said waters shall be landed, delivered, cured, or offered for sale at any port or place in the United States of a smaller size than four inches in diameter.

The trouble at that time, as I intimated a moment ago, came, first, from Key West. For a half century perhaps, sponging had been carried on in Florida waters, mostly in the waters north and north-east of the island of Key West. That was done by a method known

as hooking, a very primitive means of gathering sponges. The operator takes a pole upon which a hook or hooks are placed with which, while lying face downward in a yawl or skiff boat, propelled through the water, and looking through a bucket-like contrivance with a glass bottom, he can look and gather the sponges at considerable depths, not greater, however, than 50 feet.

You will observe, as I said, that was a very primitive method of carrying on that business. The business was carried on by this method for many years, and quite an industry had sprung up in Key West. Gradually working up the Gulf coast they had by 1905 extended their operations north of Tarpon Springs, a town about 35 miles northwest of Tampa, with Tarpon Springs as the center of operations. In other words, the sponges gathered north of Tampa Bay were carried into Tarpon Springs from time to time, cleaned, placed in marketable condition, and shipped by rail to other markets.

About 1904 or 1905 a lot of Greeks located there and inaugurated what is known as the diving method of gathering sponges, which soon worked a revolution in the industry and was rapidly driving the hookers out of the business. The divers could gather sponges more rapidly and in much greater quantities than the hookers, and the latter finding it impossible to compete with the former, came here asking for legislation, either to prohibit entirely or to restrict as much as might be possible the operations of the divers.

These divers, I may say, using diving suits can operate in 200 feet of water, perhaps even in greater depths, as they had been accustomed to doing in the waters of the Mediterranean, which contains valuable sponge grounds, and where they had learned the art of diving.

Senator Taliaferro, at that time a Senator from Florida, was appealed to by the Key West people, and he introduced and had passed through the Senate a bill, or perhaps two bills, being restrictive of diving operations, and about the time they reached the House, as is the case here with the present bill, the people in Tarpon Springs becoming alarmed sent representatives here, who went before the Committee on the Merchant Marine and Fisheries, where they were accorded quite an extended hearing, with the result that a bill was prepared as a compromise measure, introduced in the House, and passed, being the act to which I have already referred. At the time, as I happen to know—because I was, perhaps, as much interested and had as much to do with the passage of that compromise measure as anyone else—it was intended largely to be an experimental measure; no one could precisely tell what its effect would be on the industry, but it was known and understood that it could be altered or repealed at any time. Information as to the spawning season was not available, but a closed season was nevertheless provided. That 50-foot proposition was for the benefit of the hookers who could not operate below 50 feet, so that under that law they can gather sponges at any time of the year, but the divers are confined to the period between the dates just mentioned.

Now, it seems that some considerable time elapsed before any serious effort was made to enforce the law, but finally the Government had some parties arrested for alleged violations of the law, but the case dragged along for some time, finally reaching the Supreme Court, where a decision was rendered the early part of this year. That deci-

sion sustained the constitutionality of the law which had been attacked.

The CHAIRMAN. In what respect was the constitutionality of the law challenged?

Mr. SPARKMAN. It was challenged on the assumption that the terms of the bill embraced State waters and was, therefore, repugnant to the Constitution of the United States, the idea being that Congress had no authority to prohibit internal commerce between the States dealing in the products of those States. I thought I had a copy of that decision with me, but I find I have not.

Dr. MOORE. Here is a copy of the decision [handing the same to Mr. Sparkman].

Mr. SPARKMAN. Well, I will not read it, although it is not very lengthy. The Supreme Court held that while it might be construed as embracing State waters, it was easily susceptible of a construction that it did not embrace such waters, and under a well-known canon of construction, viz, that where two interpretations can be placed upon a statute that construction will be adopted which will uphold the law, and this being possible in that case, the Supreme Court held that the law was constitutional. After this decision was rendered there was, as I am informed, no serious effort made to enforce the law until two or three weeks ago.

Mr. BURKE. Will you give us a citation to that decision?

Mr. SPARKMAN. The decision was rendered February 19, 1912, in the case of the *Abby Dodge*, A. Kalimeris, claimant, appellant, v. The United States.

Mr. BURKE. In what is it reported?

Mr. SPARKMAN. This pamphlet, you know, does not give the volume, but it was decided February 19, 1912.

The CHAIRMAN. I think it is 226 United States.

Mr. SPARKMAN. But I take it that decision cuts no figure in this investigation.

The CHAIRMAN. This bill embraces that.

Mr. SPARKMAN. It was not necessary to introduce a bill to alter the law in that regard, because the Supreme Court having sustained the constitutionality of the act there was no necessity for changing it in that particular to meet constitutional requirements, although it might be necessary if there should be further litigation or some question should be raised as to the construction of the statute; that is, as to what it actually means. But so far as that particular constitutional question is concerned, there is no necessity for legislation.

Mr. HARDY. I notice there seems to be a difference. The law of 1906 says nothing about excluding waters of the United States, while the bill you have here has some language of that kind.

Mr. SPARKMAN. That was an amendment which was made after the bill was introduced, I believe, and was inserted in the Senate and is a committee amendment, very likely.

Mr. HARDY. But not necessitated by the decision?

Mr. SPARKMAN. I do not think there is any necessity for it in so far as any constitutional question is concerned, nor have I ascertained just why this legislation was desired. I asked Senator Fletcher as to the agitation that prompted the introduction and passage of the bill through the Senate, and he told me, as I understood, that the Bureau of Fisheries had gotten behind it and seemed to want it. Dr. Moore,

perhaps, knows all about that; I do not, except as I was informed by Senator Fletcher. I think on the very day the bill passed I received a telegram from some of the people in Tarpon Springs—Mr. Cheyney was one who wired me—asking me to take some action in the matter. Mr. Cheyney came immediately with Mr. Meindanis, who, being a Greek himself, represents a great many of those Greek divers there, or perhaps I should say Greek boats, operating in the Gulf waters. Now I have, Mr. Chairman, quite a number of telegrams here, sent from Tarpon Springs, Cedar Keys, Clearwater, and Tampa, favoring a total repeal of the present law. The senders not only oppose the enactment into law of the Senate bill, but favor a total repeal of the closed-season law, leaving the conditions as they were before the passage of the act of 1906.

Personally I can see no serious objection to the legislation they propose. It was said at the time of the former hearing before this committee that there was great danger of the sponge industry being destroyed or very considerably crippled by these divers; that they gathered them in such great quantities that the supply would soon be exhausted; and, further, that the divers, by treading upon the smaller ones, would destroy a great many sponges, so there would be none left to take the place of those gathered. But I am informed by these gentlemen that neither one of these results follow the diving operations. They, for instance, say that while more sponges are being gathered than before the passage of the law, there seems to be no appreciable diminution of the supply. Furthermore, that the diving operations seem, in some instances, to better conditions; that by treading upon and scattering them the number is increased; that if you break one of them into several pieces, the broken parts will attach themselves to rocks or anything to which they can cling, and thus attached will grow and produce marketable sponges. It may be a little paradoxical that the destruction of one will produce many, but it seems it is true in this case.

These gentlemen, however, can tell you more about that than I can. Mr. Cheyney is the greatest sponge operator in Florida. And Mr. Meindanis is thoroughly familiar with the industry. I will say for him that he is a highly educated gentleman, and is thoroughly familiar with conditions and everything connected with the sponge industry off the Florida coast. These gentlemen can tell you all about the business, and certainly Dr. Moore can. I am told that he is the greatest sponge expert in this country, which is equivalent to saying he is the greatest in the world.

I have, as I said a moment ago, a great many telegrams and letters and in addition three petitions numerously signed by the people of Tarpon Springs; I do not know whether they are signed by everybody there or not, as it is quite a large town, but certainly they are very numerously signed. These petitions ask a total repeal of the act of 1906, and the placing of no restrictions whatever on the gathering of sponges.

THE CHAIRMAN. I understand they oppose the enactment of Senate bill 6385?

MR. SPARKMAN. Yes; they do not want it enacted into law; they do not want any legislation on the subject, except repeal of the old law.

I think, however, that it will be well to enact some legislation on the subject of a restrictive nature, such as I am going to suggest presently. A gentleman, Mr. K. I. McKay, a prominent lawyer of Tampa, who represents, as he writes me, nearly all of the sponge industry in Tarpon Springs, seems to favor some restrictive legislation. He writes me an interesting and instructive letter which I will file with the committee without reading.

The CHAIRMAN. Do you desire it to go in the record?

Mr. SPARKMAN. Yes, sir; and I desire all these telegrams also to go into the record. Among these telegrams is one as before stated from Clearwater, the county seat of Pinellas County, on the Gulf coast, and about 15 miles south of Tarpon Springs; also one from the president of the Board of Trade of Cedar Keys, which is north of Tarpon Springs, and in the county of Levy, asking a repeal of the law. Quite a number of the business men of Tampa are likewise favorable to the repeal of this old law, but I have one telegram opposing it received this morning just before coming here. It is from the board of governors of Tampa Board of Trade. This board of trade is a very large body, the largest perhaps in the State, and composed of several hundred members. I wish this telegram also to go in the record. The board of governors seem to base their opposition to a repeal of the law on the ground that in their judgment a closed season is necessary to protect the industry, but they give no facts. Likely I will receive these later from the secretary.

I would now like to have Mr. Cheyney given an opportunity to furnish the committee with the information that I am unable to give it, because he is thoroughly posted and knows all the details of the industry. He is, I believe, in favor of repealing the old law and opposed to the enactment of any other restrictive legislation except such as would limit the size of the sponges gathered, and in this, as at present advised, I concur. I think it would be a good idea to restrict the sizes to those larger than 5 inches in diameter. I believe that would fully protect the sponge grounds and that it is the only effective course consistent with the life of the industry so far as it is carried on by diving.

Mr. HARDY. In other words, your idea is to limit the size of the sponges to be taken and thereby prevent the destruction of the whole industry?

Mr. SPARKMAN. Yes, sir; I think that would be the case. I do not see any use in having a closed season any more than is furnished by nature. The territory over which they gather these sponges is immense. Mr. Meindanis has a chart which will show the sponge field so far as they have discovered it, and the reason they have not discovered more is likely because they can not operate the deeper waters of the Gulf; But it extends from a place near the mouth of Tampa Bay clear up to and beyond St. Marks, even as far as Carrabelle.

Mr. WILSON. How long does it take the average sponge to reach a size of 5 inches?

Mr. SPARKMAN. Dr. Moore is quite well posted as to that and I think can inform the committee better than I can; but I see in his work he states it to be about four or six years. Which was it, Doctor?

Dr. MOORE. About four years to reach an average size of about 6 inches; but I think that is an underestimate. I think they grow more

rapidly than that. That statement was made very conservatively with the point in view of lending no undue encouragement to persons who wished to take up sponge culture, and that statement was very conservatively made for that reason.

Mr. SPARKMAN. I gathered that from your work. The doctor has written a very interesting book on sponges, and I found the statement I made a moment ago in this work; but, as he says, that is perhaps a conservative statement.

Dr. MOORE. We have found in one case that a sponge grown from a cutting the size of an egg developed in four years to a diameter of about $11\frac{1}{2}$ inches; but that was an unusual rate of growth. Ordinarily in that time they would grow to a diameter of between 6 and 8 inches, and possibly 9 inches in some cases.

Mr. SPARKMAN. If you gentlemen will take the bill, which is before you, I will show you just what I was going to suggest by way of amendment. On page 1, line 8, after the word "sponges" strike out the balance of the line and lines 9 and 10 and, on page 2, lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and also 11, down to the word "catch."

The CHAIRMAN. Let me understand you. On page 2 strike out lines 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10?

Mr. SPARKMAN. Down to the word "catch," in line 11.

The CHAIRMAN. Suppose you mark a bill as you desire it amended.

Mr. SPARKMAN. Yes; I have one so marked here, and will hand it to you.

Mr. AYRES. Your idea is to make it applicable the whole year?

Mr. SPARKMAN. Yes; the only restriction being as to the size of the sponges gathered. Dr. Moore is here, and, of course, you want to hear from him, and I do myself, but I suppose it would be better, possibly, to hear from these other gentlemen first, so that he may understand what they want, and with the permission of the chairman I will introduce Mr. Cheyney.

The letters, telegrams, and petitions mentioned by Mr. Sparkman follow:

TAMPA, FLA., July 27, 1912.

HON. S. M. SPARKMAN,
Washington, D. C.

DEAR MR. SPARKMAN: You are doubtless familiar with the provisions of chapter 3442 of the Statutes at Large, the same being act of June 20, 1906, purporting to prohibit the taking of sponges from the waters of the Gulf of Mexico by means of diving apparatus during the months from the 1st of May to the 1st of October of each year. I understand that the passage of this act was brought about through the petition of the sponging interests at Key West to Senator Taliaferro. The Key West spongers had been accustomed to gathering sponges from the Gulf of Mexico by means of grappling hooks, and of course the catches by this method were comparatively small and prices were necessarily high. When the Greeks invaded Tarpon Springs with their diving equipment and commenced gathering sponges in large quantities from the deep waters of the Gulf, the market for a time became somewhat flooded and prices dropped very largely, and with the idea of putting a stop to this apparent danger of overproduction the Key West sponging interests sought to have Senator Taliaferro introduce a bill prohibiting the bringing into the United States of any sponges taken from the waters of the Gulf of Mexico or Straits of Florida by means of diving apparatus. Representatives of the sponge divers at Tarpon Springs went to Washington to confer with Senator Taliaferro, and he told them he had given the pledge to introduce and support such a bill and did not very well see how he could avoid keeping his promise. After many conferences the bill which was finally enacted was drafted as a compromise measure, the intention being to thereby provide that no sponges taken by the diving method during the months of May, June, July, August, and September should be brought into the United States.

The impression seemed to prevail amongst the spongers engaged in fishing by the diving method that the Government did not intend to enforce this law, and the impression also prevailed quite generally amongst the members of the bar that the act was unconstitutional, and I am free to confess that I was firmly of the opinion that the act was unconstitutional for reasons which appear to me very clear. However, a test case was made and carried to the Supreme Court, which, during January of this year, held the act to be constitutional, so that question is no longer open, although questions bearing upon the construction of the act may still be raised.

During the last few days the Government has shown an unexpected activity in the enforcement of this law and has seized practically all of the vessels engaged in the sponge-diving industry at Tarpon Springs under libels filed by the district attorney praying for the imposition of penalties and forfeiture of the vessels and their cargoes, and the masters have also been arrested under the criminal section of the act. I have been engaged by the owners of nearly all of the vessels to represent them, and while I do not feel greatly concerned about the outcome of the suits which have been instituted, yet it is extremely unsatisfactory for an industry such as this to be operating even apparently in violation of law. Several days ago the Board of Trade of Tarpon Springs held a mass meeting, with the result that Mr. John K. Cheyney, with whom you are, of course, well acquainted, sent several telegrams to the Florida delegation at Washington, and I understand that Senator Fletcher has introduced a bill amending the act of 1906, and that the same has passed the Senate, but my information was gathered from newspapers, of course, and these have not purported to give the text of Senator Fletcher's bill, so I do not know just what provisions are contained therein. This morning I telegraphed you as follows:

"Government has commenced enforcing act June twentieth, nineteen six, relating to closed season, sponge diving, Gulf Mexico. Law as now framed serves no purpose except to seriously cripple industry producing for this district upwards of six hundred thousand dollars annually. Understand Senator Fletcher has introduced bill amending law and same has passed Senate. It is urgent that some relief be given at once, but we would not care to indorse bill unless we know terms of same and find it gives adequate relief. Please have copy proposed bill mailed me to-day and see letter to you in to-night's mail."

I trust it will not put you to too much trouble to send me by to-night's mail a copy of the bill introduced by Senator Fletcher. If you send it, I should receive it in Monday morning's mail and can then wire you if it is satisfactory, and if not, can wire you suggesting the objectionable features.

I am told by all the people engaged in this industry that there is no danger of the supply of sponges in the Gulf becoming exhausted or even substantially depleted by the continuance of the diving fisheries; in fact, I am assured by the divers who actually gather the sponges that the cutting of the bunches from the coral reefs and rocks on the bottom where they grow is like cultivating a field and that they frequently tear or cut loose a bunch of sponge from the bottom and go back in six or eight months and find the bed fully grown up with sponges of commercial size and in quantities six or eight times as great as the original bed. They account for this increase of production by the fact that when a sponge is cut from its original footing there is a secretion discharged which contains the propagating germ, and this secretion spreads over the ground and rocks and of course produces a large number of young sponges, which grow rapidly to commercial size.

I am not prepared to vouch entirely for the correctness of this information, except that it is given me by those who should be in position to know, but these claims can be verified by proper investigation.

As you doubtless know, there are at Tarpon Springs at the present time between two and three thousand Greeks who are engaged in carrying on the sponging industry by means of diving, and they gather from the bottom of the Gulf of Mexico and bring into Tarpon Springs sponges which sell in the open market at that place annually for upward of \$600,000, so the industry is obviously of no little commercial importance to this part of the country. As stated in my telegram of this morning, the strict enforcement of the present statute would seriously cripple the business, because the months of May, June, and July, on account of weather conditions, are amongst the very best for the business, and, in addition, if the sponge boats are prohibited from following their business during these months, the large number of people employed in the industry will remain idle and the vessels, involving an expense of many thousands of dollars, will be tied up, and it is a well-known fact that a vessel which is tied up, even temporarily, deteriorates very rapidly in value.

It is generally believed by the people who are directly affected by the present action of the Government that the activity in the prosecution of these cases has been instigated by a large sponge brokerage firm in New York, which is reputed to have bought something over 50 per cent of the sponges that have been bought in the market this

year, and that they are trying to stop the production in order to be able to control the market and dispose of the stock they have on hand at an advanced price. Whether this is true or not, I am not prepared to say, but there are several things that have come to my knowledge which tend to verify the suspicion; but the truth of the suspicion is, for the present purposes, not of a great deal of importance, because it is our idea to get relief by way of amendment of the present law rather than to make attacks upon individuals. These people tell me that they will have no objection to a law prohibiting them from fishing with diving apparatus during the months of August and September, if the Government is desirous of having a closed season in the sponge fisheries, because they say the weather conditions during these months do not permit of the successful prosecution of the business, and as there seems to be no particular season during which the sponge requires especial protection, I can not see that there is any good reason why the closed season should not be fixed during the months when the fishing is not profitable.

From the newspaper accounts there is a prospect of an early adjournment of Congress, so, of course, we do not know if it would be possible to secure the passage of a satisfactory law at this session, but I have explained to my people that it will be better to let the law remain as it is until the next session of Congress than to have an unsatisfactory bill passed at this session and then have to make a fight at the next session for a further amendment, and I assume you will agree with me on this proposition, but I will appreciate it very much if you will indicate to me your view with reference to the probability of securing the enactment of a suitable law in the event we find serious objection to the bill as introduced by Senator Fletcher.

Thanking you in advance for the assistance I know you will give us in this matter, and with kindest regards, I am,

Yours, very truly,

K. I. MCKAY.

TARPON SPRINGS, FLA., July 29, 1912.

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.

DEAR SIR: A trial of several years has proven the enforced closed season for sponging by the diving process to be very objectionable.

First. Because it does not stop the taking, but simply prohibits sponges from being landed in this country, thereby depriving us of our rightful commerce.

Second. We believe the weather conditions will naturally protect the sponge beds, because sponge fishermen can only operate in calm weather and moderately clear water.

Third. The present law makes it unprofitable for the sponge operators, who are forced to lay up for five months each year hundreds of vessels and diving apparatus, all of which depreciates in value as rapidly when idle as when in use, and annually throws approximately 2,500 men out of employment during that time and causing heavy expense, to reassemble.

I summarize the law in effect as depriving this community to engage free and untrammelled in an industry on a profitable basis, one that brings to us a yearly product valued at nearly a million dollars per annum. These sponges are taken from the waters of the Gulf of Mexico by the diving process. No other known method can secure them at a depth where the best sponges are found. We want the law repealed. A petition is being largely signed here, in fact, unanimously, "praying for the early repeal of the law making a closed season for landing and selling at any port or place in the United States any sponges caught by the diving process." We want no law at all governing or relating to the sponge business except perhaps one in conjunction and similar to the State law as to minimum size of sponges taken.

So far as I can learn the sponge buyers are the only ones interested or want a closed season, therefore supplying them their only chance to work a corner on the market.

We want to be allowed to gather sponges whenever the weather will permit. Is there any good reason why we should not do so? We are unanimous, I believe, in our prayer to repeal this law.

Thanking you for your prompt attention to this matter, I am,

Yours, very truly,

G. E. NOBLIT.

TAMPA, FLA., July 29, 1912.

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

People interested in sponge industry unanimously oppose Senate bill 6385 in so far as it provides for closed season. They claim no closed season necessary, because weather conditions invariably prevent fishing more than half days each month. If

not possible to pass bill this session eliminating closed-season feature, desire old law remain until next session, when subject can be presented thoroughly with data to support contention. All approve legislation prohibiting taking sponges less than 5 inches diameter. Believe Mr. Cheyney's ideas are same as the rest parties interested.

K. I. MCKAY.

TAMPA, FLA., *July 30, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

As a wholesale merchant in Tampa, transacting business with the people engaged in the sponge industry at Tarpon Springs, we hereby urge you to support a bill at this session which will eliminate the closed-season feature of the present sponge law.

CONSOLIDATED GROCERY CO.

TAMPA, FLA., *July 30, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

As a wholesale merchant in Tampa, transacting business with the people engaged in the sponge industry at Tarpon Springs, we hereby urge you to support a bill at this session which will eliminate the closed-season feature of the present sponge law.

ARMOUR & CO.

TAMPA, FLA., *July 30, 1912.*

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Washington, D. C.:

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THE BENTLEY GRAY DRY GOODS CO.

TAMPA, FLA., *July 30, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

As a wholesale merchant in Tampa transacting business with the people engaged in the sponge industry at Tarpon Springs we hereby urge you to support a bill at this session which will eliminate the closed-season feature of the present sponge law.

W. B. WIT CO.

TAMPA, FLA., *July 30, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

As a wholesale merchant in Tampa transacting business with the people engaged in the sponge industry at Tarpon Springs we hereby urge you to support a bill at this session which will eliminate the closed-season feature of the present sponge law.

CHAS. H. MOORHOUSE.

TAMPA, FLA., *July 30, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

As a wholesale merchant in Tampa transacting business with the people engaged in the sponge industry at Tarpon Springs we hereby urge you to support a bill at this session which will eliminate the closed-season feature of the present sponge law.

CRENSHAW BROS. & SAFFOLD.

TAMPA, FLA., *July 30, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

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PENINSULAR NAVAL STORES CO.

TAMPA, FLA., *July 30, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

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AVERY & OWEN CO.

TAMPA, FLA., *July 30, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

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TAMPA HARDWARE CO.

TAMPA, FLA., *July 30, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

As a wholesale merchant in Tampa transacting business with the people engaged in the sponge industry at Tarpon Springs we hereby urge you to support a bill at this session which will eliminate the closed-season feature of the present sponge law.

C. W. GREENE CO.

TAMPA, FLA., *July 30, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

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KNIGHT & WALL CO.

TAMPA, FLA., *July 29, 1912.*

HON. S. M. SPARKMAN, M. C.,
Washington, D. C.:

Business friends of ours at Tarpon are very anxious to have repealed the laws now enforced against sponging during certain months of the year. We will highly appreciate your helping them out in this matter. We believe that the present laws are detrimental to the interest of Tarpon and benefit no one.

KNIGHT & WALL.

CEDAR KEY, FLA., *July 31, 1912.*

S. M. SPARKMAN,
Washington, D. C.:

Our board of trade wants you to support petition sent from Tarpon Springs to change the sponging law so that divers can work entire year.

W. R. HODGES,
President Cedar Key Board of Trade.

TARPON SPRINGS, FLA., *July 29, 1912.*Congressman S. M. SPARKMAN,
Washington, D. C.:

The act closing the sponging season from May to October, now being enforced, will prove very disastrous to the town and surrounding country. Serious results are already being experienced: therefore we, with the citizens here, beg you to use your best efforts to have this law repealed at this session of Congress.

SPONGE EXCHANGE BANK.

TARPON SPRINGS, FLA., *July 30, 1912.*Hon. S. M. SPARKMAN,
Washington, D. C.:

The town council, at special meeting, adopted resolutions requesting you gentlemen to repeal law closing sponging season. Last two years have proved that nature takes care of the season and there is no longer any need for a closed season. Entire population, American and Greek, are unanimous in this request.

TOWN COUNCIL.
H. B. WEBSTER, *President.*
W. F. FERGUSON.
W. T. ROBERTS.TARPON SPRINGS, FLA., *July 30, 1912.*Congressman S. M. SPARKMAN,
Washington, D. C.:

DEAR SIR: We believe it is in your power to change or get any bill through Congress that you want to, and it is our sincere desire to have the closed-season clause stricken from the sponge bill now pending before your body and allow the diving for sponges all the year.

L. D. VINSON,
*County Commissioner, Pinellas County.*TARPON SPRINGS, FLA., *July 31, 1912.*Hon. S. M. SPARKMAN,
Washington, D. C.:

The Greek American Bank of this city joins in the request for a repeal of the law that will give us an open sponging season all the year round.

ERNEST MERES,
*President Greek American Bank.*TARPON SPRINGS, FLA., *August 2, 1912.*Hon. S. M. SPARKMAN, M. C.,
Washington, D. C.:

In my opinion the law should be repealed, and give Tarpon Springs an open sponge season all the year. The people are unanimous in this request. I join with them, asking it as a personal favor.

SAML. E. HOPE.

TARPON SPRINGS, FLA., *July 29, 1912.*Congressman S. M. SPARKMAN,
Washington, D. C.:

The prosperity of our city depends upon the sponge industry. It is the unanimous opinion of the citizens of Tarpon Springs that the act closing the sponging season should be repealed immediately to relieve the straitened circumstances of our citizens. Do your utmost to put the repeal through at this session of Congress.

J. F. COGAN,
Mayor of Tarpon Springs, Fla.

CLEARWATER, FLA., July 30, 1912.

Congressman SPARKMAN,
Washington, D. C.:

Work to repeal closed-season clause in sponging act, and oblige.

C. S. BINICKER,
CHAS. H. EVANS,
J. A. MATCHETT,
H. W. BIVINS,
W. C. BLACK,
ROY V. SELLERS,
LEROY BRANDON,
A. E. SLOAN, *County Judge,*
Citizens of Clearwater, Fla.

TAMPA, FLA., July 31, 1912.

Hon. S. M. SPARKMAN,
House of Representatives, Washington, D. C.:

This resolution was passed unanimously at a meeting of the board of governors held this afternoon:

"Resolved, That the president and the secretary of the Tampa Board of Trade be instructed to wire our Representatives in the House and Senate to oppose the repeal of the law providing for the protection of the sponge industry, as such repeal would tend to the destruction of one of the remaining valuable resources of the country."

W. B. POWELL, *Secretary.*

TARPON SPRINGS, FLA., July 28, 1912.

To Senator Duncan U. Fletcher and Congressman S. M. Sparkman, our National Representatives.

GENTLEMEN: Your petitioners represent unto you that the sponging season that has just been closed, under the law as it now stands upon the statute books of the Government, is working a hardship upon our entire community, throwing from between 1,500 to 2,000 men out of employment, and causing great financial loss and unrest of all concerned in this industry.

Therefore, we, your petitioners, who are citizens and residents of the town of Tarpon Springs, Fla., and its vicinity, and who are interested directly and indirectly in the sponge industry, pray that you gentlemen will use your best endeavor to procure a repeal of the "closing" section of the act that is now being rigidly enforced in our midst, and if possible this repeal be secured at this session of Congress.

And your petitioners will ever pray.

W. DIAMANDIS
(And 97 others).

TARPON SPRINGS, FLA., July 28, 1912.

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And your petitioners will ever pray.

G. M. MUNNIER
(And 94 others).

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And your petitioners will ever pray.

J. R. Durrance; Harry C. Shaw; Sam Jones; G. Woblit; J. M. Baggett; Jno. J. Hedrick, jr.; Kendall Cartaing; R. McCrary; L. Forsythe; Nicholas Pautelis; R. V. Goodwin; C. L. Knowles; C. Catsiread; Rev. Chr. y Angelojocolo; J. R. West, jr.; W. F. Ferguson; Theodore J. Petzold; D. T. Youngblood; J. F. Cogan; A. D. Smith, jr.; E. B. Liles; Ernest Meres; J. R. Drane; J. F. Gillett; R. T. Jones; R. W. Pinholster; G. N. Cretoko; W. H. Rouse; G. C. White; E. A. Pierce; Chas. H. Lee; Harry Bell; Jim Johnson; J. E. Jackson; S. B. Youngblood; C. H. Beckett; A. G. Jones; J. M. Cremer; N. B. Kunsch; W. D. Grable; B. J. Knowles; J. E. Douglass; D. Alinuostrato; I. J. Belcher; W. T. Sawyer; G. L. Cowart; Alfred Allen; Charles Bussels; J. H. Smith; T. W. Jones; J. N. Craig; George T. Pinder; Ralph Gaskell; W. G. Adderley; A. P. Beckett; C. M. Hill; Geo. N. Truax; R. C. Hill; T. E. Graham; I. W. Kramer; C. H. Lutz; J. A. Lutz; J. W. Cooper, jr.; Earl E. Hogue; J. S. McNeill; J. C. Beekman; Geo. A. Louders; Paul Cheyney; F. M. Wharton; W. W. K. Decker; Duncan Morrison; M. Cowart; Cestos Arvenistis; L. D. Vinson; H. J. Smith; Harry McCreary; W. M. Smith; B. W. Medearis; N. A. Van Winkle; W. D. Driver; C. H. Driver; Casey Driver; Malcolm N. Hill; Jno. T. Hill; George Gage; A. E. Smith; M. K. Gourley; W. R. Rowland; Robert Louis Könecke.

TAMPA, FLA., July 29, 1912.

To Senator Duncan U. Fletcher and Congressman S. M. Sparkman, Washington, D. C.

GENTLEMEN: The citizens of Tarpon Springs, Fla., and vicinity, having petitioned you to pass, if possible, at this session of Congress, a bill repealing the "closed season" section of the act that is now in force regulating the diving for sponge, your undersigned petitioners of the city of Tampa, being directly and indirectly interested in this industry, and the welfare of Tarpon Springs, respectfully request that you gentlemen, as our representatives in Congress, will, if possible, pass a repealing act at this session of Congress, to go into effect immediately.

Respectfully submitted.

J. R. Durrance, secretary Tarpon Springs Board of Trade; Perry G. Wall; S. N. Honaker; C. A. Bashford; Chas. E. Ball; Consolidated Grocery Co., W. A. Fallehn, vice president; W. B. Gray; Contes Plumbing Supply Co., by E. W. Contes; Thos. W. Cowart; B. R. Hinson; J. E. Wall; F. M. Cooper, jr.; G. T. Henderson.

TAMPA, FLA., July 29, 1912.

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this industry and the welfare of Tarpon Springs, respectfully request that you gentlemen, as our Representatives in Congress, will, if possible, pass a repealing act at this session of Congress, to go into effect immediately.

Respectfully submitted.

J. R. Durrance, secretary Tarpon Springs Board of Trade; Tampa & Tarpon Springs Land Co., by D. F. Conaley, president; Owners Realty Co., by Frank L. Cooper, sales manager; Thrower Bros., per L. L. Thrower; The Wall Realty & Investment Co., by E. Walters, manager; Wier Realty Co., by Will M. Fam; Swann & Holtsinger Co., by Eugene Holtsinger, general manager; Davis Mercantile Co., per Jno. E. Hall; O'Neill & Stone; Leo G. Taylor; Sexton & Harris, per C. W. Harris; Beckwith & Warren Co.; Macfarlane Investment Co., by Hugh C. Macfarlane, treasurer.

TAMPA, FLA., July 29, 1912.

To Senator Duncan U. Fletcher and Congressman S. M. Sparkman, Washington, D. C.

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Respectfully submitted.

J. R. DURRANCE,
Secretary Tarpon Springs Board of Trade.

CHAS. H. BROWN.
JAS. W. BOOTH.
WM. APPELLHEIM.
W. T. ROBERTS.

STATEMENT OF MR. JOHN K. CHEYNEY.

MR. CHEYNEY. Mr. Chairman and gentlemen, I have no notes or prepared address, and, in fact, I am hardly equal to any formal address in any case. But I was sent here by our townspeople who are interested in this industry both as operators, buyers of sponges, and merchants—every one interested in the industry directly or indirectly. At a mass meeting held just prior to my starting they requested Mr. Meindanis and myself to come here and lay this proposition before you, that the industry, according to our judgment, and all of those who are engaged in it directly, does not require any closed season to protect the growth of the sponges in the first place; in the second place the closed season, in connection with natural weather conditions, which make it impossible to work for many months in the year, renders it impossible for those people to earn a living, and therefore they can not go on these boats, because of the weather conditions. These are facts that I am stating, gentlemen, of course. In the six years' operation of these people there in this diving process, which is the only matter under consideration—everything else is open and free; there has never been any legislation on any other process of gathering sponges—those people have not made enough money out of their industry to pay for their boats.

Last winter they had almost a complete failure. For a period of three or four months last year they were unable to do anything because of excessively windy weather but they made a trip in the spring

and early summer which fairly put them on their feet again; that is they made up a part of their loss of the previous season. But if they can not continue they will have to stop because they can not recapitalize themselves to go out. These are commercial reasons and I do not know whether that is what you want or not but being a practical man they are the points that always appeal to me.

THE CHAIRMAN. You say they can not recapitalize themselves? Why not?

MR. CHEYNEY. Because the difficulty of getting the money necessary to operate the boats without they can assure those people there from whom they borrow the money the local banks that they can operate them successfully.

THE CHAIRMAN. About how much of an investment does it involve?

MR. CHEYNEY. The trip of one diving vessel requires an advance of about \$2 000 for a two months' trip; that is to say they use about 15 men, 6 of whom are divers. Those divers remain in the water probably from 5 to 10 minutes at a time because the depth of the water in which they are working will not permit them to stand the pressure any longer. Those divers really get the big end of it, but they are the only people who make it possible for the rest to engage in the business. And they require an advance in fact all of them do. It is the old system of bounties. Five hundred dollars for provisions and \$1,500 in cash is required to send out one of those boats. Now, there are 60 of those vessels at the outside I think but about only 50 in operation now.

THE CHAIRMAN. What is their tonnage?

MR. CHEYNEY. You understand that the actual operation of diving is done from a small working boat; but the schooner, which is the storage and living boat, averages about 22, 24, or 26 tons and up to 30 tons. There are one or two boats, though, of 40 tons. However, they are small boats, drawing from 3 to 5 feet of water, on account of the shallow water on the coast.

Now, gentlemen, the point that interests us and the main reason for our coming here is that they want some relief.

MR. HARDY. It seems to me that the important question with reference to legislation on this subject is, Will there be any danger of destroying the industry if there are no restrictions put on it, or will the diving industry ultimately destroy the sponge field if there are no restrictions? In other words, are these restrictions necessary to preserve the sponge field, or are they only for the purpose of helping somebody who is following a more crude method of procedure?

MR. CHEYNEY. We do not feel that this closed season is necessary for the preservation of the industry. No one has the question nearer to heart than I have, personally, and Dr. Moore will tell you that I was here six years ago, interested in this legislation, but only here because my presence was necessary to prevent the enactment of legislation which would have absolutely prohibited diving at any time on the coast. Mr. Sparkman has explained that fully to you, and I will not say any more about it, but will be glad to explain any questions which might occur to your minds.

MR. SPARKMAN. I would like, as I know something about this matter, to ask Mr. Cheyney a few questions. Why do you advance the opinion that permission to operate the year around would not injure the industry or not have a tendency to destroy the supply?

Mr. CHEYNEY. Because of our experience in the prosecution of the industry for this length of time. In the first place, we have not reduced the supply, or, in other words, we do not know as to that, but we have not reduced the output except in this last year, when it was reduced by, perhaps, \$600,000, owing to this particularly unfavorable season. Prior to that we had an output valued at variously from \$600,000 to \$700,000 a year.

Mr. HARDY. Does your investigation show that in the Mediterranean, where I suppose this diving process has been followed a great deal longer than in our waters, there is any diminution of the crop of sponges?

Mr. CHEYNEY. Not the output.

Mr. HARDY. How about the grounds? Do they find the supply of sponges comparatively just what it has always been there, or is there an exhaustion?

Mr. CHEYNEY. I could not speak very authoritatively regarding the Mediterranean grounds, because the only knowledge I have of those grounds is through the doctor's book and information that is given to us through reports of that character.

Mr. STEPHENS. Is this industry owned by American citizens?

Mr. CHEYNEY. No. Do you mean, when you speak of the industry, the vessels?

Mr. STEPHENS. Yes.

Mr. CHEYNEY. There are two branches of the industry, the producing portion of it and the marketing portion of it. The producing portion, which is the operation of the vessels, is entirely in the hands of our Greek citizens, because they are employing Greek labor.

Mr. STEPHENS. Are they Greek citizens of the United States?

Mr. CHEYNEY. Many of them. We have quite a large voting population of Greeks there.

Mr. STEPHENS. What proportion of them would you think were American citizens?

Mr. CHEYNEY. Well, I would judge there were not more than 20 per cent of them citizens of the United States at the present time. But few of them have been here long enough to acquire their rights, but I think they are taking out their citizenship papers as rapidly as they can.

Mr. AYRES. May I ask you where these different boats are owned along the coast? Are they owned at Clearwater and Tarpon Springs?

Mr. CHEYNEY. They are all owned at Tarpon Springs. The other places that feel an interest in that industry are interested through their business associations with Tarpon Springs.

Mr. AYRES. Do the sponge boats themselves extend as far down as Bradentown and below there?

Mr. CHEYNEY. No; we regard the sponge grounds that are under discussion at the present time—because they are the only sponge grounds on which the divers are working—as commencing at about the mouth of Tampa Bay and that they extend from there. They extend far offshore and away to the northwestward as far as Carrabelle, which is near Apalachicola. And I would like to make a point right here, because it occurs to me in connection with the question you asked me a while ago. One of our reasons for believing that this industry can not be destroyed by the continuous operation of these divers is that they are all the time finding and developing new fields.

New grounds that we never dreamed of before are being discovered, which are extending the old grounds farther offshore and farther to the north and south.

Mr. STEPHENS. Is that necessary in order to keep up the output?

Mr. CHEYNEY. Well, that I do not know, but I do not think that could be so, because they go out into these grounds and have nothing to guide them except the compass, and they sail until they find a bar, and in doing that they find grounds that have never been worked before. And that was so during the last season. I think they opened up an area of about a thousand square miles to the west that had never been sponged before, and it was not known that sponges existed there. Now, the strong point is that the operation of about 50 or 60 vessels in such a vast area as that makes it unlikely that they will destroy the industry, because while they are working in one place another place would be recuperating. If it were held that the grounds can be depleted by repeatedly working on them, I would think that question might be alarming, but it certainly can not be held so, and Dr. Moore in his book does not hold so.

Mr. STEPHENS. Does the present industry work more than one-fifth of the field each year?

Mr. CHEYNEY. It does not work more than one-hundredth of the field each year, certainly not of the 9,000 square miles that are known and have been operated on.

Mr. STEPHENS. Do I understand that they do not intend to work the second year the field on which they have operated the first year?

Mr. CHEYNEY. As a rule, they do not go back to the same general locality, although there could be no doubt about their finding an equal quantity of sponges there the next year, because there is no way, in such a vast area, of determining where they were before. The men who are on these boats are not mariners and have no instruments with which to determine just where they were the year before. As an illustration of that, a short time ago, and within the last couple of months, there was a large schooner, on which there was a cargo of three or four thousand dollars' worth of sponges, that went down and her masts showed above the water, but they have never been able to find that vessel since. They are sure her masts showed above the water, and they put up buoys out there, and they have gone out to try to find that vessel, but they can not find her. I mention that to show the absolute impossibility of cleaning up certain areas consecutively.

Mr. STEPHENS. You say the masts of the vessel are showing?

Mr. CHEYNEY. Yes. It was in water which was, perhaps, 30 or 40 feet deep. But they can not find the masts.

Mr. STEPHENS. I thought you said they were showing.

Mr. CHEYNEY. They were showing at the time the crew left the vessel.

Mr. SPARKMAN. And they have never been able to find the masts?

Mr. STEPHENS. I understand now; they were showing at the time the crew left the vessel and are not showing now?

Mr. CHEYNEY. Yes, sir; that is the idea; they are not showing now.

Dr. MOORE. They might be showing if they could get to the grounds to ascertain.

Mr. STEPHENS. When this law was passed, did you favor a closed season?

Mr. CHEYNEY. I did favor a closed season at that time.

Mr. STEPHENS. You have changed your mind now?

Mr. CHEYNEY. I have changed my mind. At that time it was purely experimental. These divers had only recently come to the country, and they came in great numbers. We even had to appeal to the Department of Immigration to stop them in the New York Harbor, because they were coming down in such vast numbers that the industry could not handle them, could not house them, and could not take care of them when they came.

Mr. SPARKMAN. I would like to say right there, in connection with the question propounded to Mr. Cheyney, that there were two interests represented before the committee in 1906: the divers, represented by Mr. S. C. Hope, of Tarpon Springs, and Mr. Cheyney here representing himself and the industry generally. The divers did not want any closed season at all, and it was with a great deal of difficulty that I could induce their representative to agree to the bill even in the compromise form in which it was finally presented. After returning to Tarpon Springs he wrote back to me asking that the bill be changed so that there should be no closed season at all. And I took his letter to the chairman of the committee, but the bill had been reported, and he refused to alter it, stating that he thought it ought to be passed and tested, and that if it did not work well it could be changed or repealed afterwards.

The CHAIRMAN. Was not the issue then between those who fished for sponges in the old way and the divers?

Mr. SPARKMAN. Yes; and I will say that those who represented the old way of gathering sponges had withdrawn from the contest. They seemed to be satisfied with the closed-season provision, and since then I understand they have left that particular field to the divers and have gone back to Key West and contiguous waters. Is that correct, Mr. Cheyney?

Mr. CHEYNEY. That is correct. They are operating in their old grounds, the Bay of Florida, as it is called, lying between Key West and the coast, the mainland, there is quite a vast area of water, and some years ago it was practically exhausted, but they are now finding sponges there in greater numbers than they ever have for a number of years. Last year they had a very good crop, and they are doing all their work there; they do not come on to the divers' grounds at all, and have not for two years past.

The CHAIRMAN. What is to hinder the divers from going and occupying that ground and coming in conflict with them?

Mr. CHEYNEY. I presume there is nothing to hinder them, but the diver finds his best and most valuable product in very deep water, much deeper water than exists in that locality. The divers are now working in from about 100 to 120 feet of water, and there is no such depth of water in that vicinity. As I say, the divers find the best sponges, the sponges that bring them the highest prices, in the deepest water in which they can work. And it seems to us down there that, as these men continue to work out into deeper water and get the more valuable product, that it can not but leave the shallow waters to recuperate, if there has been any depletion.

The CHAIRMAN. These fishers by the old method were forced out of that territory and back to Key West?

Mr. CHEYNEY. They could not compete with the diving methods there and returned to their own grounds and are getting considerable

product, but in the aggregate it is not nearly as good nor per pound as valuable.

Mr. WILSON. How does the commercial value of American sponges compare with Mediterranean sponges year by year?

Mr. CHENEY. I think Dr. Moore can answer that better than I can, but I should judge one-half.

Dr. MOORE. About one-half of the Mediterranean bath or honey-comb sponge.

Mr. AYRES. May I ask you another question about the commercial end of the matter? How are these divers paid?

Mr. CHEYNEY. They are working under a share system.

Mr. AYRES. Do they get so much percentage of the catch?

Mr. CHEYNEY. When a cargo is sold it brings so much money; from that total the cost of the provisions and the actual cost of operating is deducted; thereby each man pays his pro rata share of that. Then the balance of it is divided into so many shares. On an average there are 15 men all told on a vessel, and there would be 36 shares, and a diver would get, perhaps, three shares, while an ordinary workman would get but one share. Those proportions, of course, vary, but I understand that is about the relative proportion.

Mr. AYRES. When a boat has been loaded with sponges, and it goes into Tarpon Springs, what happens? What becomes of the product then; who buys it?

Mr. CHEYNEY. The sponges are bought by merchants or buyers, as we call them there. Most of them represent northern houses that are engaged in selling sponges.

Mr. AYRES. About how many sponges does a boat produce in a trip?

Mr. CHEYNEY. The recent boats that came in averaged, I would say, \$4,000 per boat.

Mr. AYRES. But what I was trying to get at was the wholesale price per sponge or per pound.

Mr. CHEYNEY. The pound basis is used. The average price per pound to-day, or the price paid during the past season, at the market there was \$4 for a wool sponge, which probably occupies 90 per cent of the entire product, the others being of cheaper grades. But \$4 would be a safe average paid during the past season.

Mr. STEPHENS. \$4 per pound?

Mr. CHEYNEY. Yes, sir.

Mr. STEPHENS. In what condition?

Mr. CHEYNEY. Cleaned.

Mr. STEPHENS. Is that done at Tarpon Springs?

Mr. CHEYNEY. No; that is done by the fishers out on the boats. They are then tied on to strings, what we call bundles, 4 feet 10 inches long, and the cargo is priced as containing so many bundles of wool, so many bundles of yellow, and so forth.

Mr. AYRES. Then the boats bring the sponges to Tarpon Springs practically ready for shipment?

Mr. CHEYNEY. No; ready for sale to the buyers. After a buyer gets the sponges they are taken into a packing house, taken off the strings, and clipped, as it is called, by using sheep shears, the rotten portions broken off, the irregular portions, and gotten into shape for sale, the basis of sale being the size of the sponges, and each size has a varying price. When I said that \$4 was the average price, that

means that the weight of that entire cargo, divided by pounds, would be worth \$4 per pound.

Mr. AYRES. How long does an average trip take?

Mr. CHEYNEY. Most of their trips extend over eight weeks. If they should by any chance have bad weather or very unfavorable weather, they are compelled to come in earlier, and perhaps will not have a full cargo, but it usually takes eight weeks for a trip.

Mr. SPARKMAN. How are the sponges packed?

Mr. CHEYNEY. They are packed in 10, 15, 20, and multiples of 5, up to 100 pounds. And I would like to make the point that the product this year owing, as I stated, to a smaller crop, brought more money per pound than last year, but not in proportion to the difference in price. I want to be fair to all concerned, if there be any point in that.

Mr. WILSON. Is the shortage of the crop due to the depletion of the grounds or due to other causes?

Mr. CHEYNEY. No; we had a very stormy winter, and a great many of the boats could not go out and stay. I was asked as to the size of the vessels; they are of light draft and are small vessels, too small for that deep-sea work, and they can only take advantage of the favorable weather. I can say without any hesitation that these men do not sponge 150 days out of the 365, or less than half the time, throughout the year.

Mr. STEPHENS. You say that owing to the shortage of the crop the price per pound was more than last year?

Mr. CHEYNEY. Yes, sir.

Mr. STEPHENS. Was the total amount obtained for the crop equal to that of last year?

Mr. CHEYNEY. No. This year, the crop being short, it was bought up by one house, and that may have something to do with the higher price, because they paid more than anybody else could pay.

Mr. STEPHENS. Is that a Florida house or a New York house?

Mr. CHEYNEY. That is a New York house. They have agents there, however.

Mr. SPARKMAN. What is the name of that house?

Mr. CHEYNEY. Lasker & Bernstein, and there is an affiliated house known as the National Sponge Co.

Mr. AYRES. What proportion of the total American consumption are you producing down there?

Mr. CHEYNEY. I will say not exceeding 20 or 25 per cent. If I understand your question, there are practically but four sponge fields in the world, but as Dr. Moore is more familiar with these things than I am I presume he will give you that information accurately. In view of that do you wish me to continue on that line?

Mr. AYRES. No; if you prefer not to do so.

Mr. SPARKMAN. Then, as I understand it, Mr. Cheyney, there are only 150 days, or half the year, in which the sponging operations can be carried on, on account of weather conditions, and if that is so there is practically a closed season of half a year. That, however, is intermittent?

Mr. CHEYNEY. That is it, exactly.

Mr. SPARKMAN. How long do these weather conditions last, as a rule, during which sponging can not be carried on?

Mr. CHEYNEY. Well, last winter there was a period of at least two months in which there were not five days of operation during that period, and probably three or four months in which there could not have been, in the aggregate—taking a day now and then when they could get a little calm weather—more than a week or ten days' operation.

Mr. SPARKMAN. Do the sponges have any particular breeding season?

Mr. CHEYNEY. I think not. That would be a difficult matter for anyone to determine, I judge, but I would not regard them as breeding during any particular season. I think it is held that in the Mediterranean they breed throughout the year, and I take it for granted that is so here.

Mr. SPARKMAN. I should think that would be the case, that in any warm or temperate latitude they would breed the year around.

Mr. WILSON. It is your judgment that a closed season would not be needed to protect the breeding season of the sponges?

Mr. CHEYNEY. I think not; unless we know that they do breed at some special season I should hardly think we could apply it at all.

Mr. HARDY. If our purpose is to protect the hookers, so called, would it not be better to regulate the depth of water in which the divers could take sponges and require them to take sponges in not less than a certain depth of water?

Mr. CHEYNEY. That was really the cause of that clause in the original bill under discussion; it was to protect the hookers in their work, because they could not work in a greater depth than 50 feet.

Mr. HARDY. And does it not appear from actual practice that the divers have voluntarily gone into deeper water and the hookers have gone into shallower water?

Mr. CHEYNEY. Exactly; the hookers now work in shallower water than they have for years, because they are working on the grounds that are composed of shallow water.

Mr. HARDY. The point I have in mind is that if it is merely a matter of protecting a crude method of production as against a better method of production, then it would be better for the law to go into that, if that is all there is in it.

Mr. CHEYNEY. It seems to me that your position is correct and in accordance with my judgment. And I would like to make this point, that in effect it is a discrimination between two methods of procuring the same product, the diving method and the hooker method. And if the bill that has recently passed the Senate would be enforced, in looking over that it occurs to me that there would be a liability of the imposition of a very serious penalty upon an innocent buyer of those sponges, because it is not within the power of a buyer to know how those sponges were gotten. He might innocently buy them, thinking they were taken by a hooker, but a Government boat might have been on the ground and seen the taking of that particular cargo during that closed season, and they would call on him as the buyer and say, "You have bought this cargo which the divers took, and we will have to take possession of it." It seems to me it is dangerous, because there is no way in which the method of gathering that crop can be determined by the crop itself.

The CHAIRMAN. If it is the purpose to protect the operations of the hookers as against the divers, why not simply provide a law making

it a penalty for the one to fish in the shallow water, and let each enforce the law against the other, but not make the penalty apply to one who might purchase the sponges from one or the other?

Mr. CHEYNEY. I think the original law was in that shape, but in the new law that is under discussion here, in order to make it easier of application by the department, they have introduced an entirely new clause as to the liability of the people who might innocently buy the sponges.

The CHAIRMAN. If one of these fishers by the diving process should fish in water 40 feet or less in depth, the party who operates with a hook could easily ascertain that as a fact and prosecute him for that offense, but I do not see any reason why the party who purchases the sponges should have that penalty visited on him, because he can not know whether they were caught in shallow or deep water.

Mr. CHEYNEY. That is the position we take in regard to it.

The CHAIRMAN. In other words, let each one see that the other keeps on his own grounds, and not compel the purchaser to take notice of that fact in buying the product from either party.

Mr. CHEYNEY. It seems to me that if we had such a law it would necessitate the policing of those waters in order to differentiate these two industries, and so far as protecting the sponges is concerned if it can be held that there is a breeding season, and the entire year is thrown open to the hooker, why, I expect he would destroy them.

The CHAIRMAN. There is no reason why there should be a closed season applied against the diver and not against the hooker, if the purpose is to protect the sponge, is there?

Mr. CHEYNEY. No, sir; I think not.

Mr. HARDY. As I understand it, you can not tell the difference between a deep-water sponge, that is, the diver's sponge, and the hooker's sponge; that when a sponge is brought to you you do not know where it comes from except what the party tells you.

Mr. CHEYNEY. We could not tell.

Mr. HARDY. And the only penalty that could be imposed on a purchaser would be where he knowingly bought them?

Mr. CHEYNEY. Yes, sir.

Mr. HARDY. And then you would have to prove he had that knowledge?

Mr. CHEYNEY. Yes; and there are so many things to be taken into consideration, I take it, because the bill provides that any violation of the act shall be prosecuted in any court wherein the offender is found or into which he is first brought, and under those circumstances the sponges could be followed to New York, or anywhere else, and they would still be liable.

Mr. SPARKMAN. Perhaps, as Mr. Meindanis has a written statement, it would be just as well to have him file it and not take up the time of the committee.

Mr. MEINDANIS. I would prefer to read it, because it covers all the questions that were put to Mr. Cheyney.

STATEMENT OF MR. GEORGE MEINDANIS.

The CHAIRMAN. What nationality are you?

Mr. MEINDANIS. I am an American.

The CHAIRMAN. But what nationality by birth?

Mr. MEINDANIS. I am a Greek.

The CHAIRMAN. You are a naturalized American citizen?

Mr. MEINDANIS. Yes, sir.

The CHAIRMAN. How long have you been a citizen?

Mr. MEINDANIS. About four or five years.

As a representative of the people at large who are engaged in the sponge business as operators, divers, sailors, captains, and other capacities, as also of those who are connected indirectly with the business, I want to lay before you the true situation of the sponge industry and the fishing business, basing all that I have to say on undisputed facts and long experience. And I have as my sole object the true interest of the industry, because it is so closely interwoven with that of our own.

It is the unanimous desire of these people, with no dissenting voice to it, to request you to repeal the law establishing a closed season, because there is no need of such a law, as I will attempt to show you.

In your overzeal to protect the industry, according to what was presented to you you will deal a fatal blow to the industry and the producers, whom you leave unprotected, whereas you protect the man who buys the product. Not only this, but you enable the man who has the money to put the small-size buyer and dealer out of business.

The sponge industry to-day is facing, by enforcement of the prohibitory law, serious disasters, and the producers financial ruin, which shall put them out of commission.

There is no such alarming situation regarding the preservation of the sponge beds to warrant a closed season, because nature has its various closed seasons, through stormy and cloudy weather and muddy water, during the interval of which the spongers can not fish.

And these periods vary occasionally. We may have a blow and bad weather continuously for three months, as we had such experience last winter, when we had an exceptionally severe winter; and if you aggregate all these periods during which the divers lie idle all the year round you find the closed season established by Dame Nature of no less than six months out of a year.

Also to this wasted time you must add the time the fishermen spend in overhauling their boats after trips, the time they waste making new crews and preparations to go out for a new trip, the time they lose in searching for sponge grounds, as also the time they lose in coming in and wait to sell their catch.

It is an undisputed fact that out of a three months' trip 15, 20, or 30 days they do fish. And many a time when they are working on a sponge bar a wind blows and drives them back to shelter. Although the most of them are in the fishing business for over six years, working hard to make a living, they never realized money enough to buy big schooners to stand the weather, which are by far indispensable to them in order to go out almost to the middle of the Gulf. But they have to waste time in going up along the coast to find a chance to shoot out into the Gulf.

The most of these operators are still working to get the boats that they own out of a heavy debt. For a trip to-day, it may prove profitable to one operator, because he wasted no time, struck good grounds, or had good divers, while on the other hand this very trip may

prove a failure to another. Both of them, in order to make a success, must pursue their business all the year around.

There is no need for protection for the sponge beds, because they cover big area, bigger than it was ever supposed, when this prohibitory law was passed; as big as the sponge area of the Mediterranean Sea, if not bigger.

To show you how big the sponge area is, I will quote you from Dr. Moore's book, *The Commercial Sponges of the Sponge Fisheries*.

In page 403 he says:

The Mediterranean fishery is of considerable antiquity, and it now produces over half in value of the world's supply, though it is impossible to obtain accurate statistics for all countries on each border. The newer fisheries of the American coast produce by far the largest quantity, but a predominance of lower-priced kinds, reduces the value to about three-fourths of that of the Mediterranean fisheries.

This passage bears me out in saying that the sponge area of the Gulf is big enough, since it produces the largest quantity of sponges, in contrast to the Mediterranean Sea, which had catered ever since the world has known to a sponge fleet of 40 times bigger than the present sponge fleet of Florida, which has no more than 50 diving boats to-day.

And further on Dr. Moore says, on page 427, in regard to the Bay Grounds:

In 1905 the area of the known sponge beds in the Bay Grounds was about 3,400 square miles. Since then the operation of the divers, in a few cases having gone as deep as 110 feet, have slightly extended this area, and as that method of sponging becomes older and the shoaler waters more exhausted it can hardly be doubted that other productive grounds will be found in the greater depths. Should the Bay Grounds be found to extend generally to a depth of 15 fathoms, about 3,700 square miles would be added to the area of sponge bottom, no less than 5,900 square miles, making a total of about 9,300 square miles of sponge-producing bottom between John Pass and St. Marks, inside of 20 fathoms curve.

I am satisfied with the area that Dr. Moore gave us—with his calculations of 9,300 square miles in the Bay Grounds—without saying a word about the Key Grounds, the Biscayne Bay, and around the coast of Miami, east coast of Florida around the Atlantic Ocean. But Dr. Moore takes St. Marks as the basis of his calculations, and he says nothing of the sponge ground located north and northwest of St. Marks. Sponge grounds have recently been discovered by our divers in a straight northwest line from St. Marks to Carrabelle, Fla., and southwest from Carrabelle right to the heart of the Gulf, from any depth of water up to 22 and 24 fathoms of water. With the discovery of this sponge bottom we must add at least 3,000 square miles to the 9,300 square miles given us by Mr. Moore, making a total of 12,300 square miles sponge area in the Bay Grounds.

I think it might be well to show you gentlemen this chart and this dotted line, right here—from St. Marks, right here [indicating on map]. That area there [indicating] is covered by the hookers, because they can not fish farther than 8 fathoms. That is the maximum they can reach right here [indicating]. Speaking about St. Marks, it is right here [indicating]. Now, the divers have discovered all these grounds that Dr. Moore does not mention in his book at all. You see, they are going into an area that was not known before.

The CHAIRMAN. You are referring to the Gulf of Mexico?

Mr. MEINDANIS. Yes.

The CHAIRMAN. Between what points?

Mr. MEINDANIS. Right here at Carrabelle, and here is St. Marks [indicating].

The CHAIRMAN. Where is Tarpon Springs?

Mr. MEINDANIS. It is right here [indicating]. It is all right in here that they find sponges [indicating].

Mr. HARDY. What is the distance from Tarpon Springs to Carrabelle?

Mr. MEINDANIS. By this line here [indicating] Carrabelle to Tarpon Springs is 96 miles.

The CHAIRMAN. That is out in the Gulf?

Mr. MEINDANIS. Yes; and right here it is, on a straight line, 65 miles.

The CHAIRMAN. Out into the Gulf?

Mr. MEINDANIS. Yes, sir. And we think that this immense sponge area can support 50 diving boats without fear of its being depleted, when we bear in mind, and this is according to the statistics of Dr. Moore, that only in Tunis on the African coast, which sponge area is not one-tenth of the whole sponge area of the Mediterranean Sea, in the year 1904 there was a number of working boats, 1,368, and the grounds have not been depleted, according to the statistics of Dr. Moore, for 50 continuous years.

He says on page 482, with regard to the sponge beds of the Tunis coast:

In 1904 the fishery gave employment to 1,368 vessels and boats. And, according to Gourrest, in 1896, an average year, there were engaged in the fishery 1,089 vessels. In 1854 there were but 102 boats, and in 1882, according to Henneque, 572 boats and vessels.

And Mr. Moore proceeds to bear me out and say that with the progress of the years not only the number of the boats fishing in these sponging beds has increased tremendously, but much more, the supply of sponges has commensurately increased. And he goes on on the same page and says:

Following is a table of the product for various periods since 1854:

In the year—	TUNIS.	Pounds.
1854.....		26, 400
1884-85.....		206, 000
1890.....		245, 000
1892.....		200, 000
1894.....		254, 000
1896.....		222, 000
1900.....		211, 200
1904.....		234, 000

And Dr. Moore concludes on page 483 thus:

Judging from statistics alone, the fishery seems to have been well maintained during the past 20 years.

Why then this fishery, which has been overworked for 50 years and by so many boats, has not only not been depleted, but continues to give always the same identical yield of the previous years? And in this fishery they already work dredges, as Dr. Moore tells us on page 482. And page 489 he says:

There are probably between 400 and 500 dredges or gangavas employed in the sponge fisheries of the Mediterranean.

And what is a dredge? Dr. Moore gave us its definition on page 502: There can be no doubt that the dredge (gangava) is a destructive engine.

And also on page 486 he says:

The dredge or gangava scrapes the bottom.

Mr. SPARKMAN. That is, a dredging outfit does that, but you do not operate dredging outfits?

Mr. MEINDANIS. No, sir.

The CHAIRMAN. Do they use that method in the Mediterranean?

Mr. MEINDANIS. Yes. As I said before, Dr. Moore says there have been between 400 and 500 dredges working there for years and years. Notwithstanding the fact that the Tunis coast has been overworked by so many boats and such destructive engines, the sponge beds have not been depleted. Some one might ask why?

Mr. Moore offers the answer in page 494:

The commercial sponges can never be actually exterminated by the agency of man. It is an impossibility to denude the grounds so completely as to leave none for production, and moreover, since the beds became so depleted as to reduce the earnings of the spongers to a bare living wage, the economic result is a reduction of the number of fishers, and an establishment of an approximate equilibrium between productiveness and catch. Thus, while the sponges are never actually exterminated, there results an approximate commercial extermination, never quite complete, for the reason that were the fishery entirely abandoned the beds would soon recuperate and again become commercially productive.

Also, we have another proof of the recuperative power of the sponge beds. We have two historically undisputed facts. The sponge beds of the Bay Grounds have been completely destroyed by poisoned waters in the year 1878 and also in the year 1895, and they have recuperated by themselves, without the aid of protective laws, within a few years.

Mr. HARDY. What do you mean by poisoned waters in the year 1878 and the year 1895? That in those years the sponges were completely destroyed by poisoned waters? What do you mean by that?

Mr. MEINDANIS. That they have been completely destroyed.

Mr. HARDY. How?

Mr. MEINDANIS. What we know from experience is this, that sponges that are in the neighborhood of fresh water or fresh-water springs, and which beds may be overflowed from time to time by the fresh water, are liable to be destroyed; and that was so in the Mediterranean Sea in the years 1878 and 1895, because those sponge beds were in the neighborhood of big rivers or fresh-water springs.

Mr. SPARKMAN. I would like to say right there that two or three times within my recollection fish have been known to die in very large quantities on the coast of Florida, and it has been noticed that this destruction of the fish has followed very heavy rains and resulting floods. For instance, 1878 was a very wet year in Florida, and there have been one or two years since of excessive rainfall, when the salt-water fish have died along the lower Gulf coast. No one knows just why. But it has always been attributed to the fresh water mingling in with the Gulf water. Of course this could not happen from that cause at any great distance from the shore. But whenever the fish have died in great quantities, as they have two or three times within my recollection, it has always been attributed to large quantities of fresh water mixing with that of the Gulf.

Mr. HARDY. The undisputed fact seems to be that by reason of poisoned water the sponge beds were destroyed——

Mr. MEINDANIS (interposing). And they recuperated by themselves within a few years.

Mr. HARDY. And you think that was caused by water from fresh-water springs, or something of that sort?

Mr. MEINDANIS. Yes, sir.

Mr. SPARKMAN. I do not think that would affect the sponges out in very deep water.

Mr. HARDY. Were these beds which were destroyed near the shore?

Mr. MEINDANIS. They did recuperate and they are working them now.

Mr. HARDY. But were they located near the shore?

Mr. MEINDANIS. Oh, yes; they are on the shore grounds; yes.

The conclusion is that the propagation of the sponge takes good care of itself, and there is no fear that the sponge will be exhausted, for we have the precedent and the experience in the fisheries of the Mediterranean Sea, about which Mr. Moore says, on page 495:

On the African coast the yield of the beds during the past 15 or 20 years has been fairly maintained.

The operations there are going all the year around by vessels of any character—diving boats, dredges, hookers, nude diving, and so on, which shows that there is no positive spawning season, but that the sponge spawns all the year around.

To this effect Mr. Moore says, on pages 5 and 6, with regard to closing the beds during the spawning season:

In the first place a difficulty presents itself from the circumstance that the sponge, at least in the warmer water, spawns more or less generally throughout the year, though the greater number of embryos are emitted during the spring and early summer.

There is no reason, then, for a closed-season law. It has been argued before on the passage of the existing law that the law was necessary to protect the sponges during the spawning season, and we know well that there is no fixed spawning season. And also we know well that in all fisheries of the Mediterranean Sea the fishing is not only going on all the year around, but more especially the fishing by diving apparatus and by dredge takes place during summer months.

Dr. Moore says, on page 481, with regard to the fisheries of Tripoli:

Most of the fisheries are carried on during the warmer season from April to October, but a few of the more hardy crews of divers work out at all times.

Wherever a decline of the sponge beds has been observed it is because the sponge beds in question exist in the neighborhood of big rivers or fresh-water springs, which whenever they reduce the salinity of the sea water reduce equally the sponge.

The main cause of the depletion of sponge beds is chiefly the taking of the small sponges. This is the bane of the industry. And this must be stopped. It was going on for years and years past in the Mediterranean and Florida fisheries and it is still in practice.

The existing prohibitory law, as well as any law establishing a closed season, while it does deal a fatal blow to the producers and the second-class buyers and dealers, benefits the buyer with the big capital only.

By saying second-class buyers and dealers I mean those who have neither the money nor the credit to buy a good stock, and overstock

rather, to carry them out during the closed season. But they have to confine their operations in buying occasionally, from time to time, what they can afford within the means of their purses to supply the trade that they have built up for themselves in past laborious years.

On the other hand, the big buyer, the man with money and credit, being surer of the closed season, which naturally limits production and gives him ample time to sell his stock at his leisure time, goes into the market during open season with full might and force, and raises up the price of the product to fictitious prices and drives his competitor, the second-class buyer and dealer, out of the market, being unable to buy at such inflated prices.

And as soon as he gets rid of his competitor and dominates over the market he will readily turn against the producer and make him sell his product to him for a mere song for a piece of bread and the producer in return is going to pay back to the buyer the fictitious price that he has gotten in the past by underselling his goods at present.

Not only this, but the big man entrenching himself behind the high price of sponges, the fictitious one which he has created to suit and serve his purpose, he loads the goods, adulterates the sponges and thus he robs the public in selling not sponge, but sand, salt, and glucose.

Shall this effort be sanctioned by a closed season?

By opening the fishing season you make the sponge industry stable and steady as a rock and free of any fraud.

We ask for justice and justice must be done to people who day and night, are fighting hard and face to face with the elements, risking their lives to make a bare living and support their families.

Mr. WILSON. Might I ask are you a sponge fisher? Are you engaged in the work of gathering sponges?

Mr. MEINDANIS. I come here as their representative, because I am president of their association. I represent them in all their dealings as a body, and I represent no interest but those interests, the interests of those who work on the sponge beds.

The CHAIRMAN. What is your notion about some one firm in New York controlling the sponge beds?

Mr. MEINDANIS. I just spoke of that in a general way, because I do not want to make a direct accusation of any firm. It was in a public meeting down at Tarpon Springs, when I was elected their representative to come here, that their buyers admitted that they had gone to America.

The CHAIRMAN. Is there any complaint between the fishermen and the buyers there about the buyers being combined against them, at Tarpon?

Mr. MEINDANIS. There are some people who do not understand, who can not see what affects the producer. The large concern which has capital can buy sponges any time; they can buy enough to last them through the closed season, but the small dealer with no capital, or with only two or three thousand dollars, can not do that. The business is too big for him.

The CHAIRMAN. He has to buy during the open season?

Mr. MEINDANIS. Yes. Now if you let every individual go to the market at any time as the grocer does at any time and buy tomatoes or any kind of goods for his store to sell to his customers, it would be

all right, but suppose the grocer has to buy in September all the goods that he may want during the year and has no chance to buy at any other time; nobody could do that except the big man with big capital. Of course that all works against the producer.

The CHAIRMAN. The tendency, then, is to freeze out the small man?

Mr. MEINDANIS. Yes.

Mr. THAYER. What is your occupation?

Mr. MEINDANIS. I am a bookkeeper. I work for a company that supplies the sponges.

Mr. HARDY. How many pounds of sponges are taken off of an acre of sponge ground?

Mr. MEINDANIS. We never get any statistics of that, and I can not tell you how much would come from an acre. When the diver gets to the bottom of the sea it looks all alike to him, and he can not tell how much ground he covers. The diver must have clear water, because when he goes down he fixes his place by the sun, and he must have the sun either on his left or right. Many times the crews have to give up because the diver can not see where he is going. When he goes down he puts the sun either on his left or right and works on a straight line, and he can not tell whether he covers an acre or 2 acres or 3 acres.

Mr. HARDY. Well, I thought perhaps they stationed the boat at a certain place and cleaned up all around it.

Mr. MEINDANIS. No, no. I will give you an illustration of that. Two or three years ago one of the boats sunk. They left buoys there to mark the place, but when they went back they never could find the boat. It is too big a place.

Mr. SPARKMAN. Could you give a rough approximation of the amount of sponges there would be to an acre of ground?

Mr. MEINDANIS. No; and I do not think Mr. Moore can tell you. The only way would be for the diver to go down there and measure an acre of ground and get the sponges off of it.

Mr. WILSON. Could you give us an idea of about how much there would be on a square yard?

Mr. MEINDANIS. No; unless I am a diver and go down there and measure the bottom and take out the dead sponges, I can not tell. And I do not believe that anybody else can tell unless he is a diver and goes down and measures the ground and takes the sponges off of it.

Mr. CHEYNEY. It will appear in the record that I made a statement here awhile ago in reference to the question that the firm of Lasker & Bernstein—the National Sponge Co. of New York—had bought up almost the entire crop for the past six months. I want to give my evidence to the committee so that it may go into the record, so that Lasker & Bernstein can see for themselves why I made the statement at this meeting. Prior to leaving them the chairman of the meeting, who happened to be myself, made a general statement of the purpose of the meeting, and in the course of the statement stated that there was a shortage in the sponge crop at the present time, and that there was a strong reason and purpose why governmental action should be desired and requested by those people, and I believe that it could be shown that it had requested that action of the Government and also agitated the question of enforcing the present law, which has been very actively enforced in the last few

weeks. One of the Lasker & Bernstein agents, Mr. W. W. K. Decker, replied to me and stated that it was a fact that his house—his employers—had cornered the sponge market and had the crop of sponges. "But, Mr. Chairman, can you prove that they are interested in the enforcement of this law?" I said, "Mr. Decker, can you deny it?" He said, "I can not." "Then," I said, "I do not think you have the right to ask me to approve it." I wanted to get it in the record, because this firm will no doubt resent my having made this statement.

The CHAIRMAN. As I understand it, then, this firm of which you speak are actively engaged in the vigorous enforcement of this law?

Mr. CHEYNEY. Yes, sir.

The CHAIRMAN. You think that its enforcement simply gives them the opportunity to corner the market?

Mr. CHEYNEY. The enforcement of that law will give them from three to four months in which to unload their stuff and compel all of the markets of the country to go to these gentlemen to buy their goods. That is repeated every season, and that is why they are so anxious for the enforcement of this law.

The CHAIRMAN. Do you want to speak now?

Dr. MOORE. Yes; if you have time. How long can you give me?

The CHAIRMAN. I do not know, but 30 minutes anyhow.

STATEMENT OF DR. H. F. MOORE, REPRESENTING THE BUREAU OF FISHERIES.

Dr. MOORE. In the first place, there seems to have been more or less of a question raised in regard to the department's attitude, and I will attempt to explain the reasons that stand back of the department's advocacy of this new law. I shall state that one of these reasons is contained in a copy of the minutes of the Tarpon Springs Board of Trade, February 26, 1910—a certified copy from the secretary. It is a literal copy, and I would like to insert it in the record. I will read it:

Copy of the minutes of the Tarpon Springs Board of Trade, February 26, 1910. Special meeting.

The meeting was called to order by J. K. Cheyney, president.

Members present: J. K. Cheyney, E. Macrenarias, J. Diamandis, E. V. R. Tretheway, J. B. Reed, J. S. Walters, A. M. Lowe, G. E. Noblit, C. A. Kefalis, L. S. Fernald, J. C. Beekman.

Visitors present: Dr. F. M. Moore, Nicholas Peppas, G. G. Mathews, A. Alissandratos, Peter Economos, Tulemaris ———, John Fossil, N. G. Arfaras.

The CHAIRMAN. Right at that point—that is Mr. Cheyney, who appeared before the committee to-day, who was chairman of the board?

Dr. MOORE. Mr. Cheyney, who appeared here to-day, was chairman of that board at that time.

The CHAIRMAN. Then there is a Dr. Moore mentioned there.

Dr. MOORE. Yes; myself. I happened to be in Tarpon Springs at the time, and I was asked by Mr. Cheyney to appear at that meeting. [Reading:]

Object: The object of this meeting was stated by the president as called to discuss the question of taking action toward having the sponge-diving season extended.

Mr. Macrenarius reported for their committee, representing the Greek sponge-boat operators, stating reasons why the season should be lengthened. That bad weather in winter months so interfered with the diving as really to shorten the season, and they

needed extended time to make up the losses. He asked the influence of the board of trade to get the season extended through May and June.

Motion was made by Mr. I. B. Reed that the report given by Mr. Macrenarius be accepted.

Same was seconded and carried.

Dr. Moore, special agent of the Bureau of Fisheries, then addressed the meeting very interestingly, stating the position of his bureau on the matter and showing that they were interested in the profitable carrying on of the sponge business, consistent with its perpetuity, and also recommending that the limit of the size of sponge that can be taken be incorporated in the proposed measure and of a smallness not over $4\frac{1}{2}$ or 5 inches in diameter wet, and that the penalty be against the holders of same wherever found in possession.

Peter Economous recommended that 5 inches in diameter wet be the limit and that the law be rigidly enforced.

Dr. Moore suggested that the State laws be changed to accord with the Federal laws on the matter as and when amended.

Motion was made by I. B. Reed that this body address a resolution to our Congressman of this district setting forth the desirability of having the present sponge-diving law amended so as to permit the diving for sponge during the months of May and June, and also so as to prevent the taking and marketing of sponge of a diameter of less than 5 inches wet.

Seconded and carried.

Resolution introduced by I. B. Reed:

"Resolved, That the president of this board of trade appoint a committee of three of its members to draw up the proposed amendment and take it to our Congressman at once."

Same adopted.

The president appointed on the committee last referred to George Meindannis, E. Macrenarias, and J. K. Cheyney.

No further business, meeting adjourned.

Minutes February 26, 1910, approved at meeting March 14, 1910.

J. C. BEEKMAN, *Secretary*.

STATE OF FLORIDA, *County of Hillsboro:*

I hereby certify that the copy hereto attached of the minutes of the Tarpon Springs Board of Trade, specifically of special meeting on February 26, 1910, and special meeting on July 25, 1910, and special meeting on February 3, 1911, have been by me read and compared with my minutes of the said meetings and found to be a correct copy of same.

Witness my signature at Tarpon Springs, county of Hillsboro and State of Florida, this 19th day of September, A. D. 1911.

J. C. BEEKMAN, *Secretary*.

Sworn to and subscribed before me, a notary public for the State of Florida, this 19th day of September, A. D. 1911.

[SEAL.]

A. M. LOWE,
Notary Public, State of Florida.

My commission expires October 12, 1913.

This is accompanied by an affidavit or a sworn certification from the secretary.

Mr. CHEYNEY. May I reply to that, just one word, and ask Dr. Moore if that committee ever did introduce that bill which was reported by Mr. Macrenaris? I have no recollection of ever having introduced that bill, which I was directed to do. I submitted it at that time to Senator Taliaferro, who afterwards lost his seat, and it was abandoned for the reason that matters developed very rapidly to show the inadvisability of the act. I want to ask Dr. Moore if I introduced that bill?

Dr. MOORE. I have made no statement that Mr. Cheyney did. In fact, as far as I know, he had nothing to do with it.

Mr. CHEYNEY. Does Dr. Moore know who did introduce that bill?

Dr. MOORE. Yes; I do. The bill was proposed by the Department of Commerce and Labor at my suggestion and in response to this action of the Tarpon Springs Board of Trade. When I was in Tarpon Springs in February of the present year, I met Mr. Macrenaris, who was on this committee, and he asked me if I could not do something to have the sponge season extended. I told him at that time that the Tarpon Springs Board of Trade had not acted in the matter, as their committee was instructed to do, and I hoped that they would take action at once. The present law is an extremely difficult one to enforce, and when it became obvious that it should be amended for administrative purposes I thought it would be advisable to extend the open season, as requested by the Tarpon Springs Board of Trade, provided that the amendments include the 5-inch limit, as suggested by me.

Mr. HARDY. There seems to be absolutely no opposition in any quarter to the further extension of the open season, or making larger the small limit for taking sponges. Now the question whether there ought to be any closed season.

Dr. MOORE. This extends the open season by two months, and still leaves a closed season of three months.

Mr. HARDY. Even those in favor of a closed season would rather have a longer open season?

Dr. MOORE. Yes. Now some question has been raised as to what is back of this bill. I will say that right from the beginning I have been back of it, and the Department of Commerce and Labor, on my recommendations, has been back of me.

The CHAIRMAN. Now, as I understand it, this bill as introduced by Mr. Fletcher and as it passed the Senate is in harmony with the resolutions passed by the Tarpon Springs Board of Trade.

Dr. MOORE. My rough draft was based on what I supposed to be the desires of the Tarpon Springs Board of Trade, in which I concurred. I recognized the fact that their closed season was too long, that it was economically indefensible to have a season of that length. Capital is unemployed, labor is unemployed; men are idle and capital is idle, and it seemed to me there ought to be some extension of the open season.

Mr. SPARKMAN. Doctor, you were aware of the fact that the sponge grounds are exclusively in the district that I represent, and that Tarpon Springs is within 25 miles of my town. Why did you not come to me with this bill instead of going to the Senate with it?

Dr. MOORE. I was consulting with Senator Fletcher on another subject and when he expressed a desire to assist in improving the fisheries of Florida I mentioned the sponge law on which I was working. He offered to introduce the measure if the department indorsed it and it appeared to him to be meritorious. It was suggested to me by the Acting Secretary that I should see you also, and I admit that I ought to have done so.

Mr. SPARKMAN. I would like to say that I knew nothing about this until a few days before the bill passed the Senate some 10 days ago. I was in the Senate, and Senator Fletcher called my attention to the bill, but up to that time I did not know there was a measure pending in Congress affecting an important industry wholly within my district.

Dr. MOORE. That was purely through inadvertence. The Acting Secretary had told me to see you, and it was entirely through my neglect that I did not do so.

The CHAIRMAN. The question seems to be now whether or not there should be any closed season.

Mr. AYRES. And the size of the sponge also.

Mr. CHEYNEY. It is admitted that the introduction of this bill is based on the action of the board of trade meeting, the date of which will recur to you as being in February, 1910. I would like to ask Dr. Moore if this new bill was not introduced within this year, almost two years thereafter, or a little more than two years thereafter? I would like to ask if he was not present in my office a year ago and accused me then and there of having abandoned the theory of a closed season, and I told him I had. He states that he was in Tarpon Springs some three months ago and saw Mr. Macrenarias. I think I was in Tarpon Springs at that time, but I do not think Dr. Moore saw me.

Dr. MOORE. You mean whether I saw Mr. Macrenarias?

Mr. CHEYNEY. You stated that you had seen Mr. Macrenarias on that day. I stated that I was in Tarpon Springs at that time, but you did not see me.

Dr. MOORE. I saw you at the same time. I was with you when I saw Mr. Macrenarias.

The CHAIRMAN. There has been a suggestion that this bill was introduced at the instance of these parties who control the market, and it was to that point I understand Dr. Moore is addressing himself.

Dr. MOORE. The question has been raised as to why this bill was introduced, and I am trying to show that it was introduced purely in the interest of the sponge fisheries.

Mr. WILSON. Your statement of facts has not been questioned, but the people who were present at the board of trade meeting have since changed their minds. Now, what is the use of any further controversy in connection with that?

Dr. MOORE. I have said all that I care to say on that subject anyhow. It seemed to me that the motives of the department and my own personal motives in the matter had been impugned.

Mr. SPARKMAN. We do not question your good motives in the least, Doctor, or the propriety of your action.

Dr. MOORE. I am very glad, because I have always been very friendly with these gentlemen and have no desire to get into any controversy.

Mr. WILSON. The thing that I was curious to know is what this qualification of 5 inches dry and wet means. What is the difference between the size of a sponge wet and the size of a sponge dry?

Dr. MOORE. It is larger when it is wet than it is when it is dry. Moreover, it is resilient when it is wet and will not remain compressed. A dry sponge can be squeezed up into a small wad, and the measurement depends very largely on the amount of compression to which it has been subjected, and this provision that it shall be measured wet is intended to give a definite standard by which it shall be measured, and that standard will be most favorable to the producers of sponges. Now, I am quite willing to agree with the gentlemen who have preceded me in stating that the most important feature of this bill is that which raises the minimum size of

sponges from 4 inches to 5 inches. I think that is absolutely essential for the perpetuation of the sponge beds. Without that provision nothing will very much avail in protecting the beds. I do think, however, that something in addition to this ought to be done, and that a closed season is essential.

It has been stated here that there is no evidence that these grounds have been depleted. We have heard a great deal of the vast area of these sponge beds, but I should like to point out that the barren area included in the estimates vastly exceeds the productive bottom. Sponges, as a rule, grow on a rocky bottom, and they are confined to areas like small islets with a great sea of sand surrounding them. There are not 9,000 or 10,000 or 12,000 square miles of actual sponge-producing bottom. Nobody knows just how much there is, but I venture to say that it is not 1 per cent of this. As Mr. Meindanis says, nobody can tell just what area is covered in sponge operations, and any statements which he quoted are that the productive bottom is sparsely scattered over this area. The evidence on which I base my opinion that there has been some depletion of these grounds during the period in which diving has been carried on is this: When diving first commenced they operated in water from 40 to 60 feet deep and often in less. I have seen the diving vessels working in 20 feet of water. At that time there were two divers employed on a vessel. At the present time probably three-fourths of the vessels are carrying from five to six divers and they are operating in 17 to 20 fathoms of water. Now, there may be two reasons for these divers going into deep water, but I think you must admit that they will not go into deep water and employ two or three times as many divers, who are their highest-priced men, unless they have good cause for so doing. As I said, there are possibly two reasons: One is that the sponges are of better quality in the deep water, but after you reach a certain depth, 50 or 60 feet, there is very little difference in the quality of sponges up to 100 or 120 feet. Moreover, during the first year of operations on the Florida coast the grade of sponges that was taken, even though taken in comparatively shallow water, was as good as the grade of sponges which have been taken at any time since. Furthermore, the sponges taken in absolutely virgin ground are generally recognized by divers to be somewhat inferior. There is likely to be a superabundance of old sponges, or sponges with dead portions in them, which will make them irregular and leave holes in them.

Now, I have three reasons why, in my opinion, there is some doubt as to whether the spongers go out into deep water for the sake of getting better sponges. It is my opinion that they go out there because they have exhausted, not absolutely but comparatively, the grounds on which they previously have been working. I should be very glad if it could be demonstrated that that is not the case. I should like to see the divers and all the sponge fishermen of Florida permitted to work throughout the year, but we in our department are charged with the duty of looking out for these fisheries, not only for the present but for the future. We desire to not only see them properly fished at the present time but to maintain them, and for that reason I believe that for the present it is advisable to continue a closed season of not less than three months. Those three months have been selected with some care. They are the months during which

hurricanes are more likely to prevail on the Florida coast, therefore the months during which the sponge fishermen can afford to be idle to some extent in the interest of safety for themselves and their vessels.

Mr. SPARKMAN. May I ask right there, what was your reason for selecting those three months? I fancy you have not selected those particular three months because of the hurricane season, but you have probably had some other reason for that.

Dr. MOORE. No. My idea was to have three-fourths of the year open for fishing and one fourth closed. The selection of the additional months might have been at one end of the closed season or at the other, but it would not have been wise to make it in the middle. There was a question, then, between choosing May and June, or choosing August or September. The season opens the 1st of October.

Mr. SPARKMAN. And you made it July?

Dr. MOORE. That would be the intermediate month. If I decided that it was advisable to provide two additional months of open season, naturally I would select those months at either one end or the other of the present closed season, so as to make the fishery continuous.

Mr. SPARKMAN. Simply to get a period of rest without any special reference to the time, because I dare say you do not know the breeding season of the sponges.

Dr. MOORE. Yes; we know the breeding season. We know the sponges breed in the summer, and probably most of their spawn is cast in the summer. But at the same time we know that they breed to some extent most of the year. I was not selecting it with the idea of having the closed season during the spawning period, because that appears to me to be futile.

Mr. SPARKMAN. I can not gather from reading your book why you think they spawn in one season more than in another. I think you stated there that it is more in the summer and I wanted to get your reason for so thinking.

Dr. MOORE. Observation. We have observed that the spawn is more plentiful during the summer than in other months of the year.

Mr. SPARKMAN. Where have you observed that.

Dr. MOORE. At Tarpon Springs and Sugar Loaf Key.

The CHAIRMAN. I notice in your book you state that you think they are propagated largely by the sexual process. Can you give us an idea why you gave that cautious statement.

Dr. MOORE. Because certain kinds of sponges throw out what are known as buds. A certain part of the tissue divides off into a little bulb and eventually takes form, and there is a possibility that the commercial sponges of our coast propagate by that means also. They will propagate from cuttings also.

Mr. SPARKMAN. Have you been able to discover the egg itself.

Dr. MOORE. Yes, sir.

Mr. AYRES. What we are all anxious to know is whether the bureau has been able to do anything for the artificial propagation of sponges?

Dr. MOORE. Yes; we have carried on experiments for a number of years, in which I had the assistance of Mr. Cheyney, and I think we have developed a method of sponge culture which is practical and feasible. I think Mr. Cheyney, who has had practical experience, will bear me out in that statement. I also further understand that

this method of sponge culture is now being carried on somewhat extensively at Sugar Loaf Key, 15 or 16 miles from Key West. They claim to have between two and three hundred thousand sponges growing there now in a period of 17 or 18 months.

Mr. SPARKMAN. This is a very interesting question to me. I got the impression that this method of propagating the sponges artificially, which you have suggested, was not very effective. I heard it from parties who live in Florida, and who have worked somewhat with sponges, and I am glad to hear that you think it is going to be effective.

Dr. MOORE. The present indications are that it will be. A great many persons have been opposed to it from the beginning, and have thought our expectations were fatuous, and that we were generally ridiculous to attempt anything of the kind. There are a great many persons who have actually seen sponges that were grown from cuttings and still think that they can not be grown artificially. But the fact remains that there are now between two and three hundred thousand at Sugar Loaf Key, and I understand that they are doing very well. If you get down in that vicinity I think you might be interested in seeing them.

Mr. SPARKMAN. I was very much interested a few years ago when you first told me about it, and I am glad to learn that you think it is going to be a success.

Dr. MOORE. Of course, there is the possibility that something may occur to destroy them before the experiment is completed. Something may wreck the whole experiment, but so far its operation is successful.

Mr. AYRES. If these experiments can supply enough artificial sponges, I wonder whether it would be possible to change the quality of them.

Dr. MOORE. I do not think we can control the quality. We find that the artificial sponge is in certain particulars better than the natural sponge grown in the same neighborhood. The natural sponge is torn loose from the rough rock. The tissues are actually torn apart and that leaves a raw surface, which you have noticed on the bottom of sponges. That is the weakest part of the sponge. By the method which we are using, or which we propose, of attaching the sponges to smooth cement disks, the tearing does not take place. The sponge is stripped off and nothing is left behind at the point of attachment, and as the result there is a beautiful, smooth, velvety surface, which, instead of being the weakest part of the sponge, is the strongest.

The CHAIRMAN. The Mediterranean sponges are better than those that are produced here, are they not?

Dr. MOORE. They are better for some purposes. The Rock Island sheep's-wool sponge is unexcelled for many purposes by any sponge in the world.

The CHAIRMAN. That is not produced in the waters of the Gulf?

Dr. MOORE. Yes; the Rock Island sheeps-wool sponge is the fine native Florida sponge.

The CHAIRMAN. I got the impression that the Mediterranean were superior.

Dr. MOORE. I do not think they are although they bring higher prices. For very fine toilet use, for small face sponges, for children's

use the Mediterranean sponges are superior on account of the close, fine, soft texture.

The CHAIRMAN. Can you grow this artificially in the Florida waters?

Dr. MOORE. I believe we can, and I think the time will come when there will be an opportunity to undertake that experiment. It is possible that if we do succeed in introducing them into Florida waters they may not maintain the exact character they have in the Mediterranean, but there is no reason for not supposing that they might become superior just as on the other hand they might become inferior.

The CHAIRMAN. One more question. I understood you to say that in your judgment the most efficient method of protecting the sponges would be a restriction as to the size taken, from 4 to 5 inches, so that nothing could be lawfully taken under 5 inches wide.

Dr. MOORE. Yes, sir.

The CHAIRMAN. Now, wouldn't that be sufficient within itself to protect the sponges in our waters?

Dr. MOORE. I doubt that. I think it ought to be demonstrated before the entire year is thrown open for these operations. It is very much easier to shorten the season than it is to extend it. We have had a great deal to guide us in the protection of the natural resources of this country and we have always found that it is very much easier to give additional latitude than it is to curtail rights and privileges of persons who have established a business.

The CHAIRMAN. The spawning season being all the year around practically, your only idea is to cut down the operation period, the time during which the diving and gathering of sponges can be carried on. You think that one-fourth of the time should be cut off. Do you think that would be sufficient to protect them?

Dr. MOORE. I think so and if it is demonstrated that there is no tendency to deplete the grounds those interested will find that our bureau will be perfectly willing to advocate a further extension of the open season.

Mr. HARDY. Right there Doctor how can you demonstrate that?

Dr. MOORE. By studying the sponge fisheries for a period of years, by studying statistics of the sponge fisheries not only with respect to the catch but with respect to the vigor with which the industry is prosecuted the number of vessels and men engaged and with due consideration to the weather. That is one of the factors that must be taken into consideration. If we consider the past season, for instance it would indicate great depletion of the beds but as Mr. Cheyney has stated, this has been an extremely bad season. I know that because I was down there in part of it. At the time that Mr. Cheyney has remarked that he did not see me although I stopped at his house.

Mr. STONE. Would the study of the Mediterranean beds have any bearing or give any light on this subject?

Dr. MOORE. Yes, sir.

Mr. STONE. I understand the statement to have been made that the beds there are of no greater area than the beds here; but there are forty times as many vessels engaged in sponge fishing, and some of these vessels use dredges instead of diving. There is every reason why we should believe that the supply would be depleted, and yet statistics taken from your book say that there is no depletion.

Dr. MOORE. Yet recently, since that book was written—it was written in 1908—since then I have visited the Mediterranean and have made a study of some of those grounds. I have gone to Tunis, the beds of which were particularly referred to by Mr. Meindanis. I find that there is a belief among the merchants and among some of the fishermen themselves that the beds are being depleted. The Tunisian regency, which is under the Government of France, is making an effort to actually exterminate diving apparatus within the limits or jurisdiction claimed by Tunisia. There is also a closed season of two months.

Mr. MEINDANIS. I would like to say something here. Mr. Moore is under the impression that diving on the beds down in Florida has increased. It is a fact that some prefer to work in deep water and some in shallow. The reason why they prefer to work in deep water is because the sponges are better and bring higher prices. The shallow sponge brings only \$6, while the deep-water sponge brings \$19 to \$20. The reason that some of them go in shallow water is that it takes so much money to operate the divers in deep water. In shallow water the diver can work from 3 to 6 hours, but in deep water he can only stay down 15 or 20 minutes. I demonstrated and I brought arguments and figures from Mr. Moore's book, the figures from Tunis showing that the beds are not depleted, which are the only figures we have, and right there they are trying to limit the sponge boats, but only for the fact that the citizens in Tunis want to exclude the Greeks and the Turks from fishing in those beds.

Mr. WILSON. I believe it was your statement that in the new fields or new ground there were a larger percentage of poor sponges than in the older grounds, because there was a larger percentage of sponges that were damaged. Now, wouldn't it naturally follow that if we have a closed season during the year there would be a greater number of those places where old sponges were found than if you did not have a closed season?

Dr. MOORE. No; because that would not be a virgin ground. Old sponges are found on virgin grounds which have not been worked for many years. It takes some years for sponges to become as old as that.

Mr. HARDY. How many years?

Dr. MOORE. I can not say any specified number of years, but it would probably be 10 years or so. Some of them will begin to die before that. Understand, I am not making that statement as a scientific fact; I am simply making it as a general statement.

Mr. HARDY. If it is a fact that a vessel sunk with the mast extending above the water in grounds that were used for sponge hunting was incapable of being found for a long time by the men who looked for it, even after they had planted buoys for it, doesn't that indicate that there is no risk of working over this land, and that it is altogether reasonable to suppose that the same ground is gone over systematically?

Dr. MOORE. The same ground is not gone over systematically except close to the shore. There is no doubt about that. On the other hand, the same ground may be gone over three or four times, and another ground may be overlooked.

Mr. HARDY. The point seems to me to be that where you can not tell within 4 or 5 miles where you have been engaged in the last

week—it looks to me as though you are protecting something very elusive. It is not like protecting the seal business or anything of that kind. You probably have parts of that ground that are not gone over once in 10 years.

Dr. MOORE. Quite likely, but on the other hand, some of the grounds are gone over every year.

Mr. HARDY. And a three-months' closed season will be simply limiting the enterprise that much?

Dr. MOORE. I am quite willing to admit that it is an unfortunate thing from a purely economic standpoint, and if the biological factor were not involved in it, it would be entirely indefensible to have a closed season, but it is unwise to jeopardize the future for immediate gain.

Mr. HARDY. Here you have a field that is not regularly worked every two years or three years; you have an irregular field that you can not go over systematically at all, and when you take three months off the year you just decrease the industry by 25 per cent, but at the same time you may be going over the same ground just as much as you would if you worked the whole year. In other words, you might cover the same land as many times in the three-fourths of a year that you would in a whole year, and you simply cut down the enterprise that much.

Dr. MOORE. It may, within certain limits, but I think on the other hand you may be distributing their operations. As I stated before, undoubtedly within the limits that have been exploited, there are some beds which have never been worked.

Mr. HARDY. And some of them would have been touched too often, even if they worked only six months in the year.

Dr. MOORE. That is quite true; yes.

Mr. STONE. I remember a statement was made that there are about 50 boats engaged in fishing there. Would you have any objection to 65 boats being engaged?

Dr. MOORE. Of course, I would not have any objection.

Mr. STONE. Wouldn't a cutting down of the number of boats amount to the same thing as a closed season? If we are to protect the business, the protection would be the same by reducing the number of boats as it would in reducing the time. Now, the suggestion is that we have a closed season of three months; that closed season would be offset by adding to the number of boats that we have now.

Mr. HARDY. It would be the same thing to have 12 boats 9 months, or to have 9 boats 12 months.

Dr. MOORE. Exactly.

Mr. STONE. It doesn't appear to be a very long time for any advantage to be gained by this three months' closed season.

The CHAIRMAN. The statement has been made here that they do not work more than 150 days in the year in any event.

Dr. MOORE. I would like to ask this question: Mr. Stone suggests the addition of 15 boats. Those boats would enter into the business for the purpose of profit. That is, the more profitable the business the more likely they would be to enter into it. Isn't that a fair argument?

The CHAIRMAN. Yes.

Dr. MOORE. Granted that, if you open the season to twelve months, the added profitableness of the industry would be very much more

likely to attract additional capital from the outside to enter into it and the inroads on the beds would be increased very greatly.

The CHAIRMAN. Losing sight of the commercial element, is there any good reason why there should be a closed season for the propagation of the sponge?

Dr. MOORE. No; not for the propagation of the sponge, but there should be for the protection of the sponge. I make that distinction. The protection of the sponge is brought about by a curtailment of the quantity that can be taken, by reason of the restriction of the fishery to a part of the year, three-fourths of the year instead of the entire year. A closed season for the benefit of the propagation of the sponge would be drawn so as to cover the spawning season and permit the sponge to spawn, but, inasmuch as it spawns most of the year, that is not practicable, and I do not believe it is good policy in any event.

Mr. SPARKMAN. Assuming that the operations are not carried on more than 50 per cent of the time, would the cutting down of the period, the open period, by three months curtail the period of operations, in your judgment?

Dr. MOORE. Undoubtedly it would curtail them.

Mr. SPARKMAN. If they are only working 50 per cent now, how would one-fourth cut down the 50 per cent?

Dr. MOORE. I did not mean further curtailment over present conditions.

Mr. SPARKMAN. I can see that it might have that effect, but would it necessarily?

Dr. MOORE. Not further curtail it over present conditions. This law will not curtail present opportunity; it will simply extend the period of operations without throwing the season wide open.

Mr. SPARKMAN. Starting out with the assumption of an open season the year round, curtail it three months. Now if it is a fact that they are working only 50 per cent of the time, would that curtailment of the season cut it down further?

Dr. MOORE. Yes. If they work 150 days in the entire year with the entire season open, if the open season is cut down to 9 months in the year they will work three-fourths of 150 days.

Mr. SPARKMAN. Only working 50 per cent of the time anyway?

Dr. MOORE. There is only 50 per cent of the time in which it is possible for them to work.

The CHAIRMAN. Now from the commercial standpoint there is no claim that there is overproduction of sponges or that there is waste in the industry. On the other hand, if you limit the open season and limit production you simply increase the price to the consumer, and in that way also you limit the number of persons actively engaged in the industry. Now what reason is there for limiting the open season if those conditions exist?

Dr. MOORE. The reason is this: We are concerned with conditions in the future. It is quite true that the closer the operation is restricted the more we will restrict the supply, and that is what we are aiming at, not for economic reasons but for biological reasons. If the beds are depleted, the future price to the consumer will be unlimited.

Mr. SPARKMAN. If they fish 12 months in the year, you think that would be too much?

Dr. MOORE. I think so. You see, we must look out for the future; but if experience demonstrated that there was no decrease in the supply of sponges we would then have no objection to increasing the season.

Mr. SPARKMAN. They have done some fishing by diving and by other methods, but it has never been demonstrated that it decreased the supply.

Mr. AYRES. Has the production of sponges increased in recent years? Are there more sponges being taken now than there were 10 years ago?

Dr. MOORE. Yes; 10 years ago they were depending on hooking, and the introduction of diving has greatly increased the number taken.

Mr. SPARKMAN. Has the commercial value been increasing year by year?

Dr. MOORE. In the last two years there has been very little change, but it has increased from something like three or four hundred thousand dollars' worth 10 years ago to between five and six hundred thousand dollars' worth now.

Mr. SPARKMAN. Isn't it the policy of your department with regard to sponges and other kinds of marine life useful to man to increase the supply?

Dr. MOORE. Wherever possible, and that is the object of the sponge culture experiment.

Mr. SPARKMAN. Do you really have hopes of the success of these experiments?

Dr. MOORE. Yes; I am very hopeful. I do not have absolute confidence in it, but I feel quite hopeful.

The CHAIRMAN. If there is nothing else, gentlemen, the hearings on this bill will close now.

Whereupon, at 12.15 o'clock p. m., the committee adjourned.

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