

[Act No. 2584., February 04, 1916]

AN ACT REGULATING SPONGE FISHERIES IN THE PHILIPPINE ISLANDS.

By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. Except as provided in this Act, it shall be unlawful to fish, to collect, or gather sponges from the sea bottom or reefs within a radius of three marine leagues from any land within the territorial limits of the Philippine Islands.

SEC. 2. The Secretary of the Interior may grant concessions for the fishing for, collecting or gathering of sponges in any waters of the Philippine Islands, to the following:

- (a) Citizens of the United States or of the Philippine Islands.
- (b) Honorably discharged soldiers or sailors of the Army or Navy of the United States.
- (c) Corporations duly organized under the laws of the Philippine Islands.
- (d) Persons who have under and by virtue of the Treaty of Paris acquired the political rights of natives of the Philippine Islands.

SEC. 3. All applications for concessions shall be made to the Secretary of the Interior and be accompanied by a description giving latitude and longitude indicated upon a chart of the region desired, the latest published charts of the United States Geodetic Survey being taken as the basis of the plot. Such applicants must take oath in proper form that the said area does not conflict in any way with any concession already granted or occupied. If the Secretary of the Interior should become satisfied of the financial responsibility of the applicant, the concession may be granted, subject to the proper erection and location of marks and buoys. All concessions must be marked at each corner with properly anchored buoys, and in shallow water, description of boundary marks must be submitted.

All persons working under a concession or permit must at all times carry in their possession copy of such concession or permit ready to exhibit the same upon demand by any peace officer or other persons designated by the Secretary of the Interior to enforce the provisions of this Act.

SEC. 4. The annual concession fee shall be twenty-five pesos per square kilometer. Concessions granted in accordance with this Act shall be for the sponging privilege exclusively, shall run for a period of not to exceed ten years, and shall not interfere with the free passage over the area under concession of boats or vessels, nor in any way prevent the unrestricted fishing, by other persons over the said area, for marine forms other than sponges: *Provided, however,* That, subject to confirmation by the Secretary of the Interior, the Director of Education or his authorized representatives may select from any concession, without charge, adequate areas of foreshore and waters for the cultivation of sponges or other marine forms for the purpose of any government school or schools located on or adjacent to any concession.

SEC. 5. The Collector of Internal Revenue shall collect the fees and charges fixed by

virtue of the provisions of this Act. The annual concession fees shall be due on the first of January of each year and, if tendered in quarterly installments, on or before the twentieth of January, April, July, and October, or on or before the last days of said months in remote provinces, in the discretion of the Collector of Internal Revenue, shall be received without penalty; but any person first beginning to fish, collect, or gather sponges under a concession, shall pay the first quarterly installment before his concession shall be valid. If the fee due on any concession is not paid within the period in which the payment may be received without penalty, the amount of same shall be increased by ten per centum, the increment to be a part of the fee. Should the concession fee remain delinquent fifty days after the same becomes due, the concession shall be cancelled, without prejudice to criminal proceedings against the delinquent concessionaire under section twelve hereof.

Of the sums collected under and by virtue of this Act, twenty per centum shall accrue to the Insular Treasury and forty per centum to the province and municipality, respectively, in which the concession is located. In case a concession should be included within two or more provinces or municipalities, the distribution between the different provinces and municipalities shall be made in proportion to the areas of the concession included within the respective municipalities and provinces as aforesaid.

SEC. 6. A temporary written permit to prospect for sponges in any waters of the Philippine Islands, not under concession, may be granted by any provincial treasurer with the concurrence of and countersigned by the provincial governor, upon payment of a fee of five pesos. This temporary prospector's permit shall not be valid for a longer period of time than three months from date it is issued, and shall not be subject to renewal. Such permit may be issued to any person or corporation subject to the provisions of section two hereof.

Under no circumstances shall more than fifty kilos of cleaned sponges be gathered under such temporary permit. Should any such temporary prospector's permits be found with defaced, erased, or illegible date of issue, they shall be taken up at once by the first peace officer who becomes aware of this fact. At the end of the period for which these temporary prospector's permits are issued, they shall be returned to the issuing treasurers, who shall keep the same on file marked "cancelled."

SEC. 7. Holders of a sponge concession shall have the privilege of erecting the necessary plant for the development and exploitation of the sponge industry such as houses, drying racks, corrals, landings, etc., on the shore convenient to the concession for the proper curing of sponges: *Provided, however,* That the previous approval of the Secretary of Commerce and Police should be had in accordance with the provisions of Act Numbered Sixteen hundred and fifty-four before erecting structures herein referred to.

SEC. 8. All sponges shipped from the Philippine Islands shall be graded as to variety and size and such grades must be placed in separate sacks and truthfully marked. It shall be the duty of the Insular Collector of Customs to enforce the provisions of this section in accordance with rules and regulations issued under this Act.

SEC. 9. Under penalty of the forfeiture of the concession and confiscation by the Government of the entire shipment in which found, no commercial sponge of less than ten centimeters through any diameter shall be taken from the waters of the