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Aspects Of The Oyster Season In Maryland

Involving Labor Conflicts Detrimental
to Both Seafood and Cannery
Industries, With Special
Reference to the
Latter

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ASPECTS OF THE OYSTER SEASON IN MARYLAND, INVOLVING LABOR CONFLICTS DETRIMENTAL TO BOTH THE SEAFOOD AND CANNERY INDUSTRIES, WITH SPECIAL REFERENCE TO THE LATTER

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FOR fully three decades, now, there has been an almost steady decline in Maryland's oyster production, until those charged with the industry's welfare, indeed, those who have the State's interest at heart, are alarmed for its future. The oyster assets, formerly of great proportions in New England, are about gone, apparently never to return, and exactly the same situation stands well inside of the offing locally. Why this is so with a deep clean body of water, rich in food content, practically without deleterious pollutants and ideally salted, is a matter that no longer can be hidden from ourselves. The situation must be faced.

Scientific investigation has disclosed that removal of oysters before spawning size is reached, overworking and cultch (shell or rock) depletion have been responsible for the constantly downward trend in production. To restore the industry, therefore, attention must be given to corrective measure along those lines. Oysters should not be taken from the public beds until they have had at least one season in which to breed. That is to say, the size limit should be raised. Shells, shown to be the most effective, decidedly so, cultch material, should be returned to the natural bars—privately or at public expense. The three-month rest period—closed season—does not give sufficient time for reproduction and growth of spat. At least, one more month or, better by far, two months should be taken from the season in which, legally, oysters may be taken from public grounds, or practically the entire areas of production in Maryland.

Patient and painstaking data, abundantly supplied, clearly proves the case against the present system wherein oysters too

small in size are being removed from the bottoms of the Chesapeake—in other words, not enough “brood oysters” are being retained while much of the small-size stock passes on to the shell pile unused and a total loss to food production. Likewise, the case against cultch depletion has been established, while during the past two seasons inquiry has brought out the fact that too long a season and subsequent overworking is a decided detriment of the oyster industry in Maryland. Investigation shows, for instance, that there is an approximate annual loss of five thousand bushels of oysters in the shell and some one thousand three hundred bushels in shucked form, due to warm weather, and its bacterial activity with subsequent “back orders,” all of which factors are practically negligible in October. Then, also, the grinding of tongs on the bottom destroys immeasurable quantities of spat, that delicate stage in the oyster’s life cycle when the juvenile form is not visible to the untrained eye.

During August and September oysters are in their poorest state since diatoms, microscopic plant bodies which constitute the food mass of adult oysters, are less abundant and spawning activities are being completed. In spite of an occasional small area that may be excepted, it is almost universally true that Chesapeake oysters are poor during September; so much so, in fact, that every gallon consumed means a thirty-five to forty-five per cent waste, requiring as it does extra oysters to make up the “fat” or glycogen deficiency that would be stored by some delay in marketing. Not this fact alone, but the best oysters are taken to be wasted prodigiously and on a market with little demand. The consuming public do not want oysters in warm weather, the fact that September has an “R” in it to the contrary, notwithstanding.

A survey of the situation, thoroughly and extensively made during September, 1925, showed that dealers, with very few exceptions, are anxious to have the early season removed. They advance many reasons to support their position. The chief of these reasons involves the normal September loss sustained by the dealers who, themselves, fail generally to see the need of conservation. Rather, they think more in terms of their immediate profits and losses. It was ascertained that over ninety per cent of

the oyster dealers of Maryland are anxious to have September removed from the oyster season. Following is tabulated the data gathered last year showing the position of the men of the industry who are most vitally concerned with its maintenance. A partial recheck was made this year and since the figures remained practically unchanged for the two counties visited—Somerset and Anne Arundel—the more complete records are given.

Place (County)	Tongers	Dredgers	Runners	Dealers	For Sept. Closed	Against Sept. Closed	Total No. Interviewed
Somerset	18	31	13	18 (1)	80	1	81
Dorchester	48 (1)	16	7	10	81	1	82
Queen Anne.....	36 (10)	4 (1)	3	6 (2)	49	13	62
Talbot	27 (2)	4	1	7 (1)	39	3	42
Calvert	29 (5)	9 (1)	5	5	48	6	54
St. Mary's.....	13 (3)	1	1	3 (1)	18	4	22
Wicomico	21 (3)	1	0	5	27	3	30
Kent	16 (1)	1	1	2	20	1	21
Anne Arundel..	38 (11)	0	0	8 (1)	46	12	58
Charles	7 (1)	0	0	1	8	1	9
Total.....	288	71	31	71	416	45	461
Per Cent.....	62+	15+	7—	15+	90+	10—	100

When visits to the various oyster centers were being made to secure data bearing on the problem of early fishing it became apparent to those making the survey that such activities had a still further and almost, if not entirely so from a purely economic viewpoint, equally bad effect on certain phases of agriculture, especially harvesting and the cannery interests. Hundreds of baskets of tomatoes were seen rotting, while in several factories many tons of tomatoes were lost due to labor conflicts between the oyster and cannery industries. Inquiry showed that annually the entire tidewater agricultural section is faced with decided harvest labor shortages immediately upon the opening of the oyster season. A "contract farmer" in Talbot County estimated that his loss in a single week at the opening of the oyster season exceeded one hundred baskets—a ton and a half of tomatoes—because of the labor difficulties not experienced theretofore. In

Dorchester County the year before many such cases were observed as well as in Somerset, Talbot and Queen Anne's counties. In neither year was there a bumper crop nor an unusual acreage.

In order to obtain definite information concerning the actual drawing of labor from farm and cannery when the oystering activities begin during September, the entire month was spent along tidewater visiting every canning house registered, to the extent of fifty-two plants. Not including the factories of Cambridge and Baltimore, some of which employ hundred each, an average of seventy-eight people is employed. Thus, in oyster territory some four thousand persons are employed in canneries. In the cities where oysters are handled some four thousand others are employed in the canneries. In this connection towns like Princess Anne, Easton, Salisbury and others, are considered out of tidewater and are not noted at all. The farm labor deficiency was difficult of determination and required more time than was available for the work. In every section visited the farmers deplored the fact that the oyster season opened during the season of corn harvesting, plowing, wheat seeding and tomato picking. Invariably it was claimed that farm labor shortage was due to oystering.

Visits were made to fifteen tidewater farms in Dorchester County, and a like number in Talbot County during the height of harvest activities, and it was found that a total of twenty-four men was greatly needed. More, forty or fifty, it was said, could easily have been used and were needed, but the first number was considered the absolute demand and would not shorten the long hours and intensive work of those already employed. The same number of farms was visited in Kent and in Caroline Counties, respectively, and a total of thirty-two additional laborers was needed while fourteen was given as the imperative demand. The two sections last named were interior and felt the effects, according to the managers and owners interviewed, of the oyster season very little, there being a normal labor shortage practically everywhere during harvesting. It seems significant that under practically the same agricultural conditions, etc., there should be a decidedly greater shortage of labor along tidewater than interior. The waterfront farmers, themselves, are loud in their

denunciations of the legal action that permits of oystering during this vital period when farm labor is diverted to a much less constructive activity, if not, contrarily, entirely destructive. Tidewater farmers become very disgruntled over the whole matter of oystering in September and are anxious that it be stopped, to a man.

The present cannery season was one of the poorest witnessed in years, the tomato acreage being normal, but the yield barely over one-half normal. Managers of the canneries were asked to base their calculations on three-year labor records, thereby affording entirely fair estimates—one year a big yield, one average and the third low. Of the fifty-two rural canneries visited twenty-eight managers estimated an exodus of labor to oystering to the extent of twenty per cent. Eighteen estimated a conflict of twenty-five per cent, while the remaining six, one excepted, estimated from five to fifty per cent defection. One, an exception, reported no conflict. An average of twenty-two per cent of the labor of tidewater Maryland leaves the canneries upon the opening of oyster season or by the middle of September, the greatest defection taking place about the middle of the month as the workable (legally) oystering area reaches its maximum.

Mr. J. R. Stewart, of J. Roland Stewart Cannery Company, Cambridge, Maryland, who employs one hundred and fifty laborers, stated that he had witnessed a loss of seventy-five (50%) men and women from his cannery due to oystering in September, and at a time that, in one year, at least, nearly ruined his business. Colonel Albanus Phillips, in the various plants under his general supervision along tidewater, stated that sixteen hundred laborers are employed and that annually their labor replacements approximate three hundred and fifty hands (20% plus) as a result of inroads made by the opening of the oyster season. Both of these gentlemen and the concerns they represent are oyster dealers of note in the State. Canneries at Lloyds, Hoopersville, Madison, Taylors Island, Wingate, Queenstown, Trappe, Oxford, Bellevue, Wittman, Fairbanks, Tilghman, Sherwood, St. Michaels, Bivalve, Tyaskin, Marion, Johnstown, Rock Hall, Crisfield, and three other points not in towns but on water front properties, showed records that varied little from the figures given

by Colonel Phillips: Of the fifty-two factories investigated, sixteen were owned or controlled by men who were directly interested in the oyster business, and the remaining number was owned by men of varying interests apart from the seafood industries. Mr. L. L. Walter, Secretary of the Nanticoke Canning Company, stated that the opening of the oyster season in September did not interfere at all with his plant's labor and that, on the other hand, oystering during the month was a distinct asset to his canning business. His position in this connection was not entirely clear to the investigator.

Of the fifty-one canneries which are unquestionably affected, upward of six thousand men and women are employed regularly during September. Of that number twelve hundred are called to the water and the shucking houses connected with the oyster industry and at a time, the peak of tomato production, when their labor is most urgently needed in the cannery. Mr. W. R. Whittington, W. R. Whittington & Son, not associated with the oyster business, advises: "We have always had trouble, since foreigners have not been available, with our labor leaving as soon as the oyster houses open. As a result every year about the middle of September we are in a state of uncertainty and in normal years or in years of heavy yield we stand to lose heavily at this time. If the oyster season should open October 1 there would be enough labor to serve both and both industries would profit greatly." Quoting from a letter on the subject written by Mr. W. H. Valliant, Bellevue, Md., at once a canner and oyster dealer of proportions, we find: "Those who are in favor of good legislation and laws that will conserve rather than destroy the wonderful God-given resources of Maryland and those who are interested in the welfare of our seafood industries should now get busy.

"Just now the oyster looms up above the other seafoods and is the most important from a financial standpoint. Why not have at least a uniform state-wide law making October 1 the opening day for the season, instead of September 1 in one section, September 10 in another and the fifteenth in still another?

"Just think what it would mean to the farmer to have this help released so that he could have some assurance of harvesting his

crops now ready to come off! Today the waterman who is willing to stay on land can make good wages cutting corn or working in a cannery and can make even more picking tomatoes than he can on the water at its best. Then, why not let the oyster grow and get fat, as it usually does, during these torrid days when the shucked product is hard to handle. Let the consumer's appetite sharpen as the weather cools rather than destroy it by supplying tainted oysters. This would stabilize the demand later on.

"Now, in addition to being able to earn as much on land or at crabbing during September the oystermen, by staying away from the rocks, would leave for the worthwhile market of October finer quality and bigger supplies for which he would receive much better prices, I'd say at least twice, since they fatten during September. In my judgment, the canners would profit considerably and the oystermen would be quadruple winners.

"What happens now? The best oysters are caught in September when they are poorest, the market is glutted and the price driven to its lowest ebb, and it usually takes until Thanksgiving orders come along to get prices where they should be. In the meantime, canneries and the farmers all along the waterfront of Maryland suffer a big part of the destructive waste of commodities and labor."

The quotations here given are typical of the forty-six replies from managers of canneries in the territory under consideration. Some were very harsh in their criticism of laws that permit of such established wastes. Only five managers did not venture an opinion on the labor conflict, while the remaining one of the fifty-two, as previously pointed out, declared that September oystering was an asset to his business.

The oyster dealers who own or manage canneries were, in common with oyster dealers in general (see last year's report*), particularly anxious for the removal of September from the oyster season. Their reasons, like those of the group just referred to, were based upon the losses in dollars and cents sustained in handling oysters during the month. Few of them reasoned back

* Conservation Department of Md., Report for 1925.

to the fundamental principles of conservation. The canner, likewise, was governed by his labor difficulties and subsequent loss of tomatoes or, again, plain dollars and cents. It is noteworthy that not a single oyster dealer-canner conducted the two businesses at the same time even where separate houses were used.

It should be pointed out that manager after manager of canneries no longer depended upon "foreign" labor (Italian, etc.) from the cities, realizing that with the changed order of things socially the cannery life, its housing facilities and many associations, with "rural handicaps," no longer attracts the city worker. Only one tidewater canner, disgusted with local labor handicaps during mid-September, extended himself to obtain city labor. For the most part, the laborers used are gathered up in the general vicinity of the plants, say within a radius of ten miles, so that they can "go and come," and it is just that feature, brought on by social changes, which permit of the oyster labor conflict. It is the same labor that is employed at oystering or in the shucking houses when the oyster season opens. Comparatively few, indeed, of the cannery laborers now live in shacks as of old. Mainly those now occupied are located at Crisfield and Kent Narrows.

A problem that especially worries canners in connection with labor is the fact that the men who do the actual tonging and handling of oysters, apart from shuckers, are those who are best qualified to hold leading places in the canneries as section foremen, operators of machinery, directing loading and unloading, storing, weighing and the like. These men, like the general labor, will work contentedly from early August until September, but by the middle of that month practically all have left for the work on the water. Mr. E. W. Friel, packer of corn and tomatoes at Queenstown, sums up the situation in this connection at his plant, which employ over a hundred hands, as follows: "We find the water—following labor highly efficient and entirely satisfactory until the oyster season opens, after which we simply are unable to hold them, even though they may be making more money than the water will afford. They simply can not stand the temptation and, especially, the thought that some other fel-

low is taking the best of the oysters. There are about thirty-five such men in this section and we would gladly give them employment except that our experience teaches that at the height of the season our more skilled help—tongers usually hold our highest and most responsible places—will be lost. During August, watermen here ask and are really anxious for work, while in mid-September they can not be held for love or money. One fellow gave the greatest assurance last month that he would stay on until late September if we would employ him. Needing him for an important place at the packing machine he was taken on. On September 14, with a rush on, we were left in the lurch when he took to the water. Surely the removal of September would greatly help the farmer, and, especially, the canner, while the local oystermen feel that it would probably do them some good—at least no harm." Mr. Friel's experience in that connection is very like that of other canners located in the oystering territory. Of the fifty-two plants investigated, thirty-eight managers agreed that the loss of much of the best class of labor, though not numerically greater, was a problem hardly second to the loss of big numbers of peelers, etc., or the general laborers who go to the shucking houses. Managers of the remaining fourteen houses found this problem less difficult being located, save one, along tidewater away from the tonging areas. The last named group stressed the loss of the lower or more general laborers.

In yielding twenty-two per cent of the general cannery labor to the oyster industry during the September season, including much of the skilled labor, severe and direct losses of food are experienced annually. A single plant in Somerset County is sustained by many of the canneries while vast quantities report a twelve-ton loss of tomatoes as a direct result of labor defection, in which the apparently satisfied peelers of one day walked out on the next with only a four-hour notice of the development. The case in question was found to be typical of a total of six plants during the season of 1925 where, taking the managers' figures, sixty-eight tons of tomatoes were spoiled as a result of labor losses to the seafood industry. Eighteen other managers reported losses of varying proportions, smaller than above cited, but did not have figures available for this report, though one

owner advised that when he found his labor ready to go out he promptly asked ten of his most reliable growers not to pick for four days, or until he could gather up a new supply of labor. This packer advised that he paid the farmers for their estimated losses due to the delay in picking, which amounted to five hundred and ten baskets or eight and a half tons. He felt that there would not have been any loss at all had not sixteen hands left in a single group to start oyster work.

Actual departure of the cannery labor for seafood work carries with it more than an immediate labor shortage. The labor remaining becomes restless, indifferent and even unruly in many cases, especially the tomato peelers who are to do shucking later on. It is generally true of the class of labor under consideration that when work gets ahead of the labor supply a destructive indifference ensues. With the glut of the season just ahead, with twenty per cent of the labor about to leave for oyster work and with those leaving trying to persuade others to do likewise, confusion reigns in the tidewater canneries, particularly the smaller ones, for a period of a week or ten days. Such conditions become almost unbearable for the managers whose protests amount to little. One Talbot canner and another in Dorchester became so disgusted with the labor difficulties confronting them during the season of 1925 that they refused to open their tidewater houses during the 1926 season.

It was established, after going thoroughly into the matter with five "gang" leaders (one each at Kent Narrows, Cambridge, Taylor's Island and two at Crisfield) and thirty-six individual shuckers, state-wide, that work in the various oyster houses during September this year and in the past ten years, one excepted, did not pay expenses and in over three-fourths of the cases did not pay the actual "grub" bill. The shuckers here referred to were among those who work in gangs and live in "oyster shacks." Members of such groups, made up of both men and women, are of the colored race, there not being a single band of whites so employed. In the smaller plants, both cannery and oyster houses, these laborers are brought in, for the most part, from nearby towns and villages. In the few very large plants many of them are brought in from Virginia and North Carolina.

From mid-October or slightly earlier, shucking oysters is a profitable employment and remains so until February or later. At the peak of the oyster season, November, good labor, those who do not "knife" oysters and are willing to work long hours, is difficult to obtain. Earlier in the season, and for two months, the labor supply exceeds the demand and those who are housed at hand are given preference. It is just this condition, coupled with the fact that corn and tomato canning operations practically cease by the middle of October, that draws men and women away from the cannery and profitable work and holds them for a long period, some three or four weeks, with so little work to do that the grub bill isn't made. The worker feels that he can not afford to spend two or, at the most, three weeks in the cannery, even though the good wages are at their best, and allow some one else to secure his berth in the shack and his place in the oyster stall where long time employment is assured. Early every September propaganda is spread about southern labor that is to be brought in for the shucking houses, etc., and the migrant worker is not satisfied until he has located for the oyster season. The same situation confronts the local laborer also, to quite a great extent. The cannery manager is nowise bothered with so-called "strikes" and "walkouts" until oystering starts in September.

The following data were secured from an oyster house at the Kent Narrows during September, 1925, and throws considerable light on the diverting of labor. For a period of one week—September 12 to 19—in a single oyster house records were obtained for the number of men employed, the quantity of oysters purchased and the number of gallons of oysters shucked for the labor of which thirty-five cents per gallon was paid. Eleven men and women, formerly employed in a Dorchester County cannery in early September, were housed and available for shucking. Seven hundred and ten bushes of oysters were bought during the week, of which approximately three hundred and sixty bushels were shucked to produce two hundred and ten gallons of oysters the pay for which, at thirty-five cents per gallon (current price), was \$73.50, or an average for the shuckers of one dollar and twelve cents per work day each. In the cannery, these laborers stated they were making from three to five dollars per day regularly.

Of the remaining three hundred and fifty bushels of unopened oysters, seventy-five bushels were thrown overboard on private bottoms, while two hundred and seventy-five bushels of fine oysters spoiled in the bin and passed directly to the shell pile. The laborers were disgruntled and bemoaned their loss in earnings, but were pleased that they had secured a first-rate berth over "another gang." At Crisfield sixteen men and women similarly employed during the same period had averaged eighty four cents, less than their grub bill by nine cents per day, but had "made part of it up by 'picking crabs'" in a nearby crab house.

Considering the actual defection of labor from the tidewater canneries and especially the extra labor needed during the first twenty-two days of September of normal years, every man and woman employed in the oyster industry is badly needed in the packing plants. This does not take into consideration the big harvest labor needs of the farmer. Over a period of three years an average of 1250 men are taken from the canning houses during the first month of the oyster season. During September every individual of this group is needed and profitable employment could be given to eight hundred more without greatly reducing the long hours and night running so commonly resorted to. Statistics gathered through the various Clerks of Courts show that during the first twenty-two days of September fifteen hundred and seven men obtain license to oyster. A canvass of oyster houses state-wide revealed that five hundred and thirty shuckers, negro men and women, were detached from other labor and held available for oyster work, practically all of whom reported directly from glutted canneries into work that barely paid their running expenses, work that did not pay their employers and one that is destructive to both the seafood and agricultural interests.

Managers and owners of tidewater canneries and the farmers of that territory are anxious to have September removed from the oyster season because their interests are considerably involved, as a consequence of which labor problems mount and financial reverses are suffered. They recognize the waste of labor and the destruction being wrought in the oyster industry by September

activities but stress the waste of harvestable crops and the waste of tomatoes due to the calling of their help to another field. Practically as a unit they desire September removed from the oyster season.

RECAPITULATION

1. Vast oyster depletion is due to:
 - a. Overworking of oyster beds
 1. Complete depletion of one-fifth of total area.
 2. Near exhaustion of one-third of original oyster bars.
 - b. Removal of cultch
 1. Areas barren of oysters are largely shell barren.
 2. More productive areas are those with shells on them.
 - c. Size limit too low legally
 1. Oysters thrown on shell pile unopened by shucker because of small meats.
 2. Removal before sexual maturity is reached.
2. Oystering in September is destructive to the seafood industry:
 - a. Contributes to overworking
 1. Season now too long.
 - b. Delicate young (spat) oysters are crushed by action of tongs.
 1. Shells of spat thicken during September.
 2. Spat grow from microscopic size to recognizable forms.
 - c. Unjustifiable wastes are caused by heat
 1. Hundreds of bushels spoil in bins of oyster houses.
 2. Hundreds of gallons of shucked oysters are lost in transit and in markets.
 - d. Bacterial activity at its height
 1. Spoilage spreads alarm among consumers
 2. Market materially affected—even destroyed.
 - e. Oysters normally poor
 1. Yield per bushel approximately 35 per cent short.
 2. Spawning season just over.
 3. Food scarcer than at other seasons.

3. Decided sentiment of those most concerned with oyster industry for September removal:
 - a. Dealers, 92 per cent.
 - b. Tongers, 87 per cent.
 - c. Dredgers, 97 per cent.
 - d. Runners, 100 per cent.

4. September oystering is destructive agriculturally:
 - a. Draws labor from farms throughout tidewater
 - b. Tomato, corn and potato harvests suffer.

5. Oystering activities in September greatly affect tidewater cannery labor:
 - a. Diverts 22 per cent of cannery labor
 - b. Brings about dissatisfaction among laborers who remain
 - c. Tongers are very useful factory men, help vital
 - d. Shuckers earn much less than peelers
 1. Attracted by long-time employment.
 2. During month shuckers hardly make "grub" bill.

6. Labor used in September oystering activity is badly needed in canneries:
 - a. Two thousand and thirty-seven men and women employed in seafood work.
 - b. Normal annual labor defection from canneries is approximately twelve hundred and fifty men and women.

7. Social conditions no longer encourage "foreign" labor for canneries:
 - a. City home life improved
 - b. Pictures, public entertainment, etc.
 - c. Rural handicaps
 - d. Living conditions around canneries.

8. Cannerymen, like oyster dealers, urge removal of September:
 - a. Loss of raw tomatoes enormous
 - b. Labor difficulties.

CONCLUSION

Oystering during September in Maryland is a destructive activity from every angle it may be approached. Not alone does it permit of overworking the public oyster beds—private beds are not touched during the month—and cause a 35 per cent loss due to the poor condition of the oysters themselves, as well as destroy the spat, so small as not to be visible to the unaided eye, but, in addition to high bacterial activity and weak market conditions, vast number of laborers are drawn from the farm and cannery at a most vital and destructive time. It is questionable if an industry based upon living forms exists anywhere, especially of such proportions, which operates on a basis so unsound. Recognizing their loss in a business way and the harm done to the oyster beds all classes of men directly concerned with the oyster industry, especially the dealers, desire September removed. Tidewater cannerymen and farmers, affected tangibly and seriously, are greatly concerned and urgently request that September be taken from the oyster season.

Conservation of the oyster and agricultural resources in the territory investigated can not be reasonably effective if oystering activities continue during the month of September, while rehabilitation of the depleted or near exhausted oyster bars worked during this period will be virtually impossible.

September 30, 1926.