

CHAPTER VI

ORIGIN OF THE EVERGLADES DRAINAGE DISTRICT

1. Years of Indecision

"No one part of Florida has been so much written of and so little understood as the Everglades."<sup>1</sup> These words are among the truest ever written about the area, but the closing years of the last century witnessed a curious series of events directed toward the eventual reclamation of the region. The partial success of the Disston enterprises reacted to the advantage of southern Florida's growth, especially in the construction of canals and railroads. The Disston purchase, providing the means whereby the lands of the Internal Improvement Fund were again made available for bestowal to land grant corporations, furnished the impulse for the development of the peninsula's latest frontier, an old story under a new name.<sup>2</sup>

During Governor Bloxham's first term of office, 1881-84, not only were new railway companies chartered, but old charters were re-issued; with 17,000,000 lien-free acres under the control of the trustees, the legislature made generous grants to companies seeking aid. In disregard of the limit specified by law--3,849 acres per mile--8,000 to 20,000 acres per mile were allotted to various corporations.<sup>3</sup>

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1 Frederick W. Dau, Florida Old and New, 289.

2 K. T. Abbey, Florida, Land of Change, 350-353.

3 Fritzie P. Manuel, "Land Development in the Everglades," Hearings Before the Select Committee Investigating National Defense Migration, House of Representatives, 77 Congress, 2 Session, 12868.

Prior to Bloxham's governorship the Board of Trustees of the Internal Improvement Fund, by its interpretation of Chapter 610, Acts of 1855, had refused to recognize any rights of the legislature to make grants of land other than of the alternate sections of swamp and overflowed lands for six miles on each side of a properly incorporated railroad or canal.<sup>4</sup> The legislature in 1879 passed several acts granting lands beyond the six mile limit, "without any regard to the liabilities of the Trust Fund, or the provisions of Chapter 610, which placed these lands in the hands of the Trustees."<sup>5</sup> Governor George F. Drew vetoed these acts on the ground that they were in violation of the 1855 act creating the Trust and the subsequent contracts made by the Board of Trustees. The legislature managed to circumvent Drew's veto by making additional land grants subject to the trust set up in the 1855 act.<sup>6</sup> From the first administration of Bloxham in 1881, through his second administration in 1900, the Board honored the legislative

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<sup>4</sup> 1907 Commission Report, 296.

<sup>5</sup> Ibid., 331.

<sup>6</sup> R. E. Rose, The Swamp and Overflowed Lands of Florida: The Disston Drainage Company and the Disston Purchase, 4; Chapter 3167, Laws of Florida, 1879. The subject provision reads to the effect, "Provided, However, That the grant of lands made by this section is made subject to the rights of all creditors of the Internal Improvement Fund and to the trusts to which said Fund is applicable and subject," under the Internal Improvement act of 1855. This provision was enacted into a general law as Chapter 3226, Laws of Florida, 1881.

grants of the swamp and overflowed lands of the Fund by executing deeds to the grantees.

The Joint Commission, elected by the legislature of 1907 to investigate the acts and doings of the Board of Internal Improvement, found that during the period from 1879 to 1899 ninety-two acts were passed by the various legislatures granting lands to corporations which "would require more than three million acres of land over and above what the State owns, to satisfy these grants in full."<sup>7</sup> The Commission noted that all of these grants had been made subject to the provisions of the Improvement Act of 1855. Railroad companies had received 8,266,020 acres, and canal and drainage companies had benefited by 2,710,953 acres in direct grants. Including the Disston sale and smaller transactions the land grant corporations had received 15,000,000 of the 20,000,000 acres of swamp and overflowed lands conveyed to Florida by the United States to 1900.<sup>8</sup> According to Rufus E. Rose the period from 1885 to 1897, the twelve years between Bloxham's two terms, were years of extravagant legislative grants;

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<sup>7</sup> 1907 Commission Report, 341.

<sup>8</sup> Ibid. ". . . a close examination of the various acts of the legislature, beginning in 1879 . . . attempting to grant swamp and overflowed lands [shows] . . . that only a residuary interest therein was attempted to be granted by the legislature." Senate Documents, Number 89, 62 Congress, 1 Session, 8.

litigation subsequently arose over them. Some of the grants, Rose believed, were secured honestly, others were not.<sup>9</sup>

For several years the Board had been receiving proposals from other parties relative to the reclamation of the public lands of the wet classifications. In May, 1889, Dr. J. V. Harris of Key West, Florida, wrote the Board asking permission to enter, drain, and cultivate two thousand acres lying between the Everglades and the salt water sounds to the south in the vicinity of Township 60 South, Range 36 East. Harris believed the lands could be "diked and drained, but will not be surveyed for half a century, as they appear to be valueless," and he asked for the privilege of buying the acreage at 1889 prices.<sup>10</sup> The Board replied in the affirmative to this request. Three years later Harris again wrote the Board asking for a body of land in the same locality at fifty cents an acre. Again the Board gave him an affirmative answer, but added that a bond in the same amount as the purchase price would have to be posted, assuring the Board that the land would be drained in two years.<sup>11</sup>

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9 R. E. Rose, The Swamp and Overflowed Lands of Florida: The Disston Drainage Company and the Disston Purchase, 5.

10 I.I.B. Minutes, IV, 42.

11 Ibid., 204. For other propositions submitted to the I. I. B. Trustees relative to Everglades drainage see I. I. B. Minutes, IV, 189-190, 199-200.

However, there seems to have been in the minds of the Trustees beginning with the first administration of Wm. D. Bloxham, and when Legislative land grants were first recognized, the idea that the Fund belonged to the railroads under these grants, and this idea, which seems to have possessed the Trustees at that time, found expression during the administration of Governor F. P. Fleming [1889-1893] . . . . 12

On May 10, 1892, the Board notified various railroad companies whose land grants had been earned but not fulfilled to attend a meeting on the following June 10 to show cause why contracts proposing to drain a million or more acres in the Everglades should not be consummated.<sup>13</sup> The representatives of six railroads met with the Trustees on that date, all of whom protested the sale or pledge of any state lands until the land grants due their companies were satisfied. After hearing propositions to drain and reclaim the Everglades made by J. E. Ingraham, and the statements of the railroad agents

. . . the Board took the matters into consideration, and it was decided that in view of the fact that there was hardly a sufficient quantity of lands patented or to be patented to the State to satisfy the land grants of Rail Road Companies earned but not yet satisfied, that the Board could not accept any of the propositions to drain or purchase any of the unpatented State lands. 14

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12 1907 Commission Report, 292.

13 I.I.B. Minutes, IV, 205-206; 1907 Commission Report, 292-293.

14 I.I.B. Minutes, IV, 202.

The digging of the Okeechobee-Calooosahatchee canal in 1883 had resulted in a set of mixed blessings. The lowering of the water levels of the big lake and its surrounding territory and the consequent lowering of the Calooosahatchee waters had resulted in the settlement of the rich lands along the river. With the shift of operations from Okeechobee to the Kissimmee-St. Cloud area, maintenance of the Caloosa canal stopped and flooding of bottom lands became an issue before the Board of Trustees of the Improvement Fund.<sup>15</sup>

A petition, signed by roughly one hundred residents of Lee and De Soto counties, protesting the use of the Calooosahatchee River for the release of the excess waters of Lake Okeechobee, was read before the Board on May 8, 1890. The petitioners pointed to the results of making the valley the main outlet for Okeechobee's waters which were "tending to endanger the bordering lands along the river during and subsequent to the rainy season. . . ."<sup>16</sup> The board was urgently requested to bring about the closing of the Okeechobee-Calooosahatchee canal and the constructing of embankments to prevent the waters of the big lake from causing further damage below the mouth of the canal. The Board moved that Governor Fleming furnish the drainage company a copy of the petition, "and ask said company to inform the Board . . .

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15 I.I.B. Minutes, IV, 87-88.

16 Ibid., 87.

if any reasons exist why the request of the petitioners cannot be granted."<sup>17</sup>

On May 23, 1890, the Board received an answer from the Atlantic and Gulf Coast Canal and Okeechobee Land Company regarding the petition of the Calcosahatchee Valley residents. J. H. Creamer appeared before the Board in the interest of the Disston Company and stated that the organization would be willing to close the canal and construct levees "if such changes would be regarded by the Board as work under and in accordance with its contracts. . . ."<sup>18</sup> After listening to Creamer's proposed changes the Board agreed that the costs would be considered proper expenditures under the drainage contracts.

In compliance with the 1899 Rivers and Harbors Act which made provision for an examination and survey of the Kissimmee-Okeechobee-Caloosahatchee waterway "with a view to improving the navigation of the channels therein," the Chief of Engineers of the United States Army submitted a report on January 2, 1902.<sup>19</sup> The report recommended an

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17 I.I.B. Minutes, IV, 89.

18 Ibid., IV, 97.

19 House Reports, Number 176, 57 Congress, 1 Session, 1. "A voyage, unique in every respect, may be made by steamer from Punta Rassa, following the river, the lakes or the canal as far inland as Kissimmee, where one sees the spreading cane fields redeemed by drainage at St. Cloud." John N. MacGonigle, "The Geography of the Southern Peninsula of the United States," National Geographic, VII (December, 1896), 384.

expenditure of approximately \$25,000 for the development of the Kissimmee River channel thirty feet wide and three feet deep between Kissimmee and Ft. Bassinger, twenty miles from Lake Okeechobee. The engineer noted that the waterway from Ft. Bassinger to Ft. Thompson, on the Caloosahatchee, was not used for carrying trade, nor was there any demand for channel improvement since the country was an uninhabited swamp. The survey party found no landings or settlements on Lake Okeechobee. On Taylor's Creek at the northeastern corner of the lake were several young orange groves. There were also several groves being set out and clearings under way for more. The post office at Ft. Thompson, at the head of navigation on the Caloosahatchee and twenty-three miles from Lake Okeechobee, was the last settlement before reaching the big lake from the west.

Interest continued to develop in the lands about Okeechobee despite its wilderness setting. Francis A. Hendry

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20 House Reports, Number 176, 57 Congress, 1 Session, 3-9.

21 Francis Ashbury Hendry, 1833-1919, born in Thomas County, Georgia, came to Florida at the age of eighteen. One of three brothers who settled in Florida, F. A. Hendry moved to the Alafia River in Hillsboro County. He served in the 1850 Seminole War and the Confederate army in 1861-64. After the Civil War he engaged in cattle ranching and served as a state legislator from Brevard, Polk, Manatee, and Monroe counties. In 1868 he moved to Ft. Myers, where he lived until his death in 1919. Taking an active part in the public affairs of southern Florida, he was honored by having his name given to one of the newer Everglades counties. F. A. Gonzalez, compiler, The Caloosahatchee, 28-30.



of Ft. Myers wrote the Board in May, 1893, outlining the request of several citizens of Lee County who desired

. . . to enter upon and cultivate a tract of unsurveyed swamp and overflowed land, situated at or near Rita river, bordering Lake Okeechobee. Their object is to raise winter and early spring vegetables. . . . If you will kindly grant this request it will doubtless prove of great advantage in the way of showing the great value of those waste lands, and prove to be of great interest to the State. 22

The Board granted the request with the proviso that the prospective cultivators occupy the land until it should be in a condition to be conveyed through a survey; and it fixed the price at the 1893 level for wet lands.<sup>23</sup> No reference can be found to the success or failure of the settlement.

The Okeechobee-Calcoosahatchee Canal, locally known as the Hicpochee Canal since it passed through the lake of the same name, became somewhat of a bugaboo to the Board after 1890. The promise of the drainage company cited above to close the canal and construct dikes was never fulfilled. In 1895, F. A. Hendry sought the aid of the Board<sup>24</sup> to close the Hicpochee Canal during the rainy season. The Board again contacted the Okeechobee Land Company about closing the canal and received a reply from Hamilton Disston

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22 I.I.B. Minutes, IV, 239-240.

23 Ibid., 240.

24 Ibid., 312-313.

stating that closing the canal would undo all the previous work of reclamation in central and south Florida.<sup>25</sup>

The discussion of the benefits of the Hicpochee canal continued through the intervening years until April, 1902, when the Board granted permission to a committee of Lee County citizens to close the eastern end of the canal into

Hicpochee.<sup>26</sup> In June, 1903, Hendry was paid the sum of \$3,325.53 as agent for the Board in closing the Hicpochee

Canal.<sup>27</sup> The final paragraph on the Hicpochee Canal argument was written by the Board under the leadership of Governor William S. Jennings on November 22, 1904. The Board resolved to withhold 347,288.20 acres claimed by the assignees of the Okeechobee Land Company. The Board stated that

. . . from time to time the attention of the Atlantic and Gulf Coast Canal and Okeechobee Land Company was called to the serious damage resulting from the opening of the canal from

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25 I.I.B. Minutes, IV, 331-337. Concerning developments in the Okeechobee area Disston wrote on May 1, 1895: ". . . we constructed a canal southwest from Okeechobee and established a route for an outlet to the Atlantic Ocean on the East in order to afford all the relief possible; and in addition to this we set about organizing a large Company to convert the lands near Hicpochee and Okeechobee into extensive sugar and rice plantations . . . but every condition for the past several years has had a tendency to repel capital from sugar and rice ventures. . . ." I.I.B. Minutes, IV, 332.

26 Ibid., V, 110.

27 Ibid., 191.

Lake Okeechobee to Lake Hicpochee; and that said Company agreed to close said canal, but failed to do so. . . . 28

Consequently the Board considered the remaining land claims forfeited.

Through the last quarter of the nineteenth century the lower east coast of Florida, and especially the Biscayne Bay area around Miami, showed a slow but steady growth. From the four houses and one store noted by a traveler in 1874, the settlement at the site of old Ft. Dallas had grown to a community of two thousand inhabitants in 1897.<sup>29</sup> W. R. Moses commented in 1892 on the guests of the Coconut Hotel in Miami, whose thirty rooms were "well filled with people from New York and Boston."<sup>30</sup> Moses described pineapple, cocoanut, and "compte" plantings in the Dade County area as well as a sisal hemp factory nearby. He observed that the stores of Miami held their prices twenty to forty per cent higher than those on the South Florida Railroad on the other side of the state.<sup>31</sup>

With a guide and a boat furnished by Mrs. J. D. Tuttle, a pioneer resident of Miami, a winter visitor of 1894 made the usual excursion up the Miami River to the Everglades.

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28 I.I.B. Minutes, V, 272.

29 F. T. Townshend, Wild Life in Florida, With a Visit to Cuba, 234; H. T. Willoughby, Across the Everglades, 62.

30 W. R. Moses, "Everglades Exploring Expedition," 40.

31 Ibid., 42.

He reported that the river "tumbles over the coral rock near its source in splendid rapids against which a boat is dragged, not rowed, with difficulty."<sup>32</sup> After maneuvering the boat over the point where the stream made its first plunge the sight-seer was able to row the skiff in smooth waters. The visitor recorded that he had always associated the Everglades with a swampy morass.

But instead I found an inland lake, of drinkable water, lying high up in the sunshine, while stretching away toward sunset as far as eye could reach was only a vision of blue waters, green isles, and vast areas of sedge-grass or reeds, moving in the balmy breeze like ocean billows. <sup>33</sup>

An article on the geography of southern Florida, published in 1896, added to the growing mass of reports on the Everglades.<sup>34</sup> The writer believed the volume of water in the Everglades could be attributed to precipitation and underground springs, citing as evidence a large spring below the falls of the Miami whose issue was clear and uncolored, whereas the glades waters were very black. "The fertility of the southeastern coast region is really beyond

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<sup>32</sup> Charles Richards Dodge, "Sub-Tropical Florida," Scribner's, XV (March, 1894), 361.

<sup>33</sup> Ibid. Dodge makes the amusing observation that unquestionably "the Seminole is a very decent Indian--save when he has been drinking 'cider with a little Jamaica ginger in it'--(a trader told me that was the formula)."

<sup>34</sup> John H. MacGonigle, "The Geography of the Southern Peninsula of the United States," National Geographic, VII (December, 1896), 381-394.

description. . . ."<sup>35</sup>

The same writer declared that the eastern edge of the Everglades furnished every condition of soil and climate necessary to the growth of the India-rubber tree, and if ever drained would afford a soil of incalculable richness and fertility. ". . . whether the glades are ever drained or not, the islands of their eastern edge will furnish the rubber of future commerce."<sup>36</sup>

The inauguration of William D. Bloxham as governor for his second term in 1897 marked the beginning of positive state interest in the reclamation of swamp and overflowed lands. During this administration, "the Trustees made special effort to drain and reclaim, . . . to secure settlement of the lands, and to bring immigration to the State."<sup>37</sup> Rufus E. Rose, representing James E. Ingraham, J. R. Parrott, and other officials of the Florida East Coast Railway, in 1898 sought a drainage contract for the development and sale of Everglades lands.<sup>38</sup> The Board, under the leadership of Bloxham, replied that it was willing to enter such a contract

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<sup>35</sup> J. N. MacGonigle, "The Geography of the Southern Peninsula of the United States," loc. cit., 394. MacGonigle listed plantings of the citrus family, pineapple, mango, guava, avacado pear, sapodilla, sugar apple, Japanese plum, persimmon, vanilla, camphor, "kola," "chincona," cinnamon, and coffee whose culture had started with great promise of success.

<sup>36</sup> Ibid., 394.

<sup>37</sup> 1907 Commission Report, 292.

<sup>38</sup> Ibid., 293; I.I.B. Minutes, IV, 432.

for lands south and east of Lake Okeechobee on the basis of 20,000 acres of land for each 200,000 cubic yards of excavation for drainage purposes. The Board required that the work be done "in a scientific and proper manner looking to the drainage of the . . . land in connection with the general drainage scheme to be provided for in the contract."<sup>39</sup> In addition the Board demanded twenty-five cents for each acre conveyed. Operations were to be commenced within one year from the date of contract with not less than a hundred thousand cubic yards of excavation per year.

On June 29, 1898, the Board signed a contract with Rose, Ingraham, Parrott, and others on the basis outlined above.<sup>40</sup> These men and others became associated as stockholders in the Florida East Coast Drainage and Sugar Company and subsequently transferred their rights under the contract to that corporation, which in turn became a subsidiary of<sup>41</sup> the Henry M. Flagler-controlled Florida East Coast Railway.

In the latter part of December, Rufus E. Rose, secretary and superintendent of the Florida East Coast Drainage

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<sup>39</sup> I.I.B. Minutes, IV, 433.

<sup>40</sup> Ibid., 437-442; 1907 Commission Report, 294. The lands covered in the contract lay south of township 46 south and east of range 36 east, as far south as township 59 and as far east as range 42, ibid., 345.

<sup>41</sup> I.I.B. Minutes, IV, 446-450, V, 31.

and Sugar Company, transmitted to the Board a report, with accompanying maps and profiles. The report stated that three survey parties had been employed during the summer of 1898 to run lines into the Everglades from the eastern boundary west of Miami, Biscayne, and Modelo between townships 50 and 54. The area examined comprised some 180 square miles in which soundings were taken of the soil and notes made of its depth and character. Rose further reported that it would not be "necessary or advisable to undertake the drainage of the entire area immediately" but by enclosing portions of it with dikes and canals in accordance with the progress of the work and the demand for land, "the whole can eventually be put into shape for agriculture."<sup>42</sup>

The mean of the three surveys showed a seven foot fall from the head of the Miami River to tide-water, and a gradient of approximately four inches per mile on the open glades from the interior to the eastern edge.

From a practical standpoint . . . the fall is ample to drain perfectly, a territory of not less than thirty (30) miles broad, west of the head waters of these streams, always provided a sufficient number of canals, of a total cross section, equal to the aggregate cross section of the streams flowing out of this territory be provided. If this territory be diked on its northern and western boundaries, the enclosed area will be more quickly drained, and the water level maintained lower

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42 I.I.B. Minutes, IV, 453.

than if the "spill" from Lake Okeechobee be allowed to pass through the interior drainage canals.

I suggest the cutting out and draining of sections of 100,000 acres each--4 to 6 townships--as distinct operations, beginning on the East and extending the drained territory westward. 43

In his biennial message to the legislature in 1899

Governor Bloxham declared that:

The great value of the partially submerged lands in the Everglades, the practicability of their drainage, and the steady march of improvement looking to the utilization of those lands, bring forcibly to the front the necessity of some action by both the General and State Governments, if homes are to be secured for the Seminole Indians remaining in this State. 44

Governor Bloxham pointed out that the Secretary of the Interior had declared that certain United States lands in Florida might be assigned to the Seminoles. Should such action be taken by the federal government, the governor

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43 I.I.B. Minutes, IV, 456-457. In testifying before the legislative commission which investigated the Internal Improvement Fund in 1907, Rose declared: "The Trustees are following the lines and methods suggested by the Florida East Coast Drainage and Sugar Company. . . . I was superintendent and general manager of the . . . Company and took part in the actual surveys . . . and a plan or scheme practically the same as now being followed out by the Board of Drainage Commissioners, was presented and approved by that Board. . . . The drainage of the Everglades . . . is simply a matter of a sufficient number of drains of sufficient capacity to carry the water off." 1907 Commission Report, 319-320.

44 Message and Documents, Florida, 1899, 26.



recommended that the legislature authorize the Board to reserve for the Indians all requested lands held by the Board in the proposed territory.<sup>45</sup>

The governor also cited the contract made by the Board with the Florida East Coast Drainage and Sugar Company as proof of the march of improvement in Florida. Bloxham stated that there was no doubt that it would result profitably to the capital invested and would develop the region to the incalculable benefit of the entire state.<sup>46</sup> He took a very optimistic view of the situation and expressed the view that the region was ". . . capable, with small reclamation and intelligent cultivation, of furnishing the million and a quarter tons of sugar that are annually brought into this country."<sup>47</sup>

The contract between the Board of Trustees and the Florida East Coast Drainage and Sugar Company made in June, 1898, had stipulated that commencement of actual drainage work begin within a year from its adoption. In December, 1900, G. R. Pride and R. E. Rose appeared before the Board and requested an extension of the contract for a period of two years. After considering the request for an extension, the Board renewed the time limit for two years from December

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<sup>45</sup> Message and Documents, Florida, 1899, 28.

<sup>46</sup> Ibid., 29.

<sup>47</sup> Ibid., 38.

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18, 1900.

The interest of the Florida East Coast Drainage and Sugar Company in the proposed operations in the Everglades was marked by the appearance of a prospectus of the corporation in 1902. The company proposed to drain 800,000 acres in the south Florida glades by removing the rock barriers at the head of the Hillsboro, Miami, Cypress, Middle, Little, New, Arch Creek, and Snake rivers, all of which crossed the natural coast ridge in the territory under contract. The impounded water was to be removed by twelve canals fifty feet wide and twelve feet deep as well as by numerous smaller laterals. The proposed work would require five dredges to complete the job in five years at a cost of \$845,000. The promotion pamphlet claimed that sugar cane yields on other Florida locations of similar soils varied from forty-<sup>49</sup>seven and a half to sixty-five tons per acre. The promoters set a value of \$5 per acre on lands where reclamation had reduced the water levels five feet below the surface of the soil. The company offered 50,000 shares of stock at \$100 each to the public.<sup>50</sup>

The release of the lands of the Internal Improvement Fund by the Disston sale in 1881 had paved the way for

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48 I.I.B. Minutes, V, 31-32.

49 Prospectus of Florida East Coast Drainage and Sugar Company, ll.

50 Ibid., 1-3.

succeeding legislatures to deplete those resources. The only appreciable amount of swamp and overflowed lands left in the hands of the Board when Bloxham returned to the executive chair in 1897 were those south and east of Lake Okechobee, and the title to those lands was in doubt. R. E. Rose recalled in 1916 that Governor Bloxham had managed to transmit the fund to his successor, William Sherman Jennings, "still intact, though involved in litigation and hampered by injunctions tying up all of their resources, both lands and money."<sup>51</sup>

During the campaign of 1896, Bloxham was accused of courting the interests of capitalists and corporations who had received grants of public land during his first term.<sup>52</sup> The Populist reaction to "vested interests and special privilege" resulted in the election of William Sherman Jennings as governor of Florida in 1900. The state then "entered upon a trust-busting anti-corporation era, marked by long and bitter suits with railway and canal companies."<sup>53</sup>

One of the difficulties in the way of the reclamation of the Everglades had been the uncertainty of the title to

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51 Rufus E. Rose, "The Disston Drainage Company and the Disston Purchase, A Reminiscence," Florida Quarterly Bulletin of the Department of Agriculture, XXVI (July, 1916), 122.

52 K. T. Abbey, Florida, Land of Change, 353.

53 F. P. Manuel, "Land Development in the Everglades," loc. cit., 12869; K. T. Abbey, op. cit., 334, 337, 366.

the area. In 1897 the Swamp Land Bureau of the Interior Department submitted list number 87 affecting 2,942,000 acres to the Florida Land Office, but revoked it in May, 1898, "because it was thought to impinge upon the rights and interests of the Seminole Tribes."<sup>54</sup> "With a view to perfecting the State's title to these lands," Governor Jennings proceeded to Washington on March 21, 1903, and a new patent was obtained for lands "aggregating 2,862,280 acres."<sup>55</sup> Patent number 137, known as the "Everglades Patent," was signed by the Secretary of Interior on April 29, 1903, and delivered shortly thereafter to the State of Florida.<sup>56</sup>

A motion adopted by the Board of Improvement in July of 1902 on the powers involved in the trusts imposed on the Fund's officials gave a definite indication of the stand of these state officers in regard to reclamation.

. . . It is the duty of the Trustees of the Internal Improvement Fund under the act creating them to "make such arrangements for the drainage of swamp and overflowed lands as in their judgment may be most advantageous to the fund and the settlement and cultivation of

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<sup>54</sup> F. P. Manuel, "Land Development in the Everglades," loc. cit., 12869.

<sup>55</sup> Message of W. S. Jennings, Governor of Florida to the Legislature, Regular Session of 1903 With Accompanying Documents, 69. Hereinafter cited as W. S. Jennings, Message 1903; I.I.B. Minutes, V, 172.

<sup>56</sup> Senate Documents, Number 89, 62 Congress, 1 Session, 91-93.

the lands."

. . . In the judgment of the Trustees . . . the drainage, settlement, and cultivation of the swamp and overflowed lands remaining undisposed . . . can best be accomplished by a sale of a portion of said lands. . . . 57

With the adoption of the above resolution the Board proceeded to sell 103,000 acres of "swamp and overflowed lands" in the north Florida counties of Taylor, Jefferson, Lafayette, Madison, and Leon to Neil G. Wade for \$223,824.<sup>58</sup> In July, 1903, the Board consummated a sale of 100,000 acres in the Everglades counties of Lee and Monroe at thirty cents an<sup>59</sup> acre.

The sale of these two large tracts by Governor Jennings and the Board was the first step in the state plan to carry out a general program of drainage. Money derived from these sales was used to pay the various expenses of administration<sup>60</sup> in preparation for the concrete beginnings. The sale of wet lands in the northwestern section of the state to Neil G. Wade became the source of considerable criticism. The commission investigating the Improvement Fund in 1907 found that "The evidence shows that effort after effort by competent salesmen had been made to sell this land at a price

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57 I.I.B. Minutes, V, 118-119.

58 Ibid.

59 Ibid., 62-67, 197-198.

60 1907 Commission Report, 302-304, 346.

much below what was obtained, but without success." <sup>61</sup>

On October 11, 1902, the president and secretary of the Florida East Coast Drainage and Sugar Company requested the Board to extend its contract with the state for two more years. The Company officials stated that negotiations were pending by which they expected to obtain \$1,000,000 to begin their operations. The Board declined to extend the contract, "it being the judgment that the lands embraced . . . should not be disposed of on terms less favorable" than those for which similar lands were then being sold. <sup>62</sup> The Company officials, on December 8, 1902, offered to pay thirty cents an acre within fifteen months for the Everglades lands under contract, as well as to carry out the agreed works of reclamation. To this offer the Board replied that future sales of swamp and overflowed lands in large tracts would be on a cash basis to parties actually undertaking drainage. <sup>63</sup>

In the latter part of 1902 Gov. Jennings took up the question of draining the Everglades and had much data compiled touching the feasibility

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61 1907 Commission Report, 355.

62 I.I.B. Minutes, V, 128-129.

63 Ibid., 136-137; 1907 Commission Report, 294. Henry M. Flagler, the east coast railroad builder, ". . . had at one time hoped to get possession of the Everglades, partly as a grant for building the Florida East Coast Railroad and partly by purchase, and he had a company all formed to undertake their reclamation. It may be safely set down as the luckiest day in Mr. Flagler's life when he was thwarted by the action of Governor Jennings and they became the property of the state. They probably would have bankrupted him." Frederick W. Dau, Florida Old and New, 297.

and practicability of draining the Everglades, the topography, rainfall, watershed, altitude above sea level, outlets, etc. . . . 64

The Governor collected this information in preparation for the biennial meeting of the legislature. In his message to the legislature in 1903 Governor Jennings traced the history of the area from 1835, and emphasized the fact that the lands had not been salable because they were undrained and that they could not be drained because they could not be sold. He placed the state in the position of the man who undertook to lift himself by his own bootstraps, and, "so far, has been almost as helpless in accomplishing the task."<sup>65</sup>

In order to illustrate his points on the probable benefits of the reclamation of the area Governor Jennings quoted extracts from the Buckingham Smith report and its accompanying documents, and from the more recent investigations of the Disston engineers, federal survey groups, and private investigators. He submitted a number of charts, maps, and profile drawings showing the height of the Kissimmee River, Lake Okeechobee, and the Everglades. Jennings suggested that the drainage problem could be solved by cutting the rock rim and sand dune barriers on the edges of the Everglades at the heads of all the streams from the

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10. 64 Senate Documents, Number 89, 62 Congress, 1 Session,

65 W. S. Jennings, Message 1903, 67.

Halpatiokee to the Caloosahatchee.

Jennings closed his message pertaining to the Everglades by pointing out the reported crop destruction by high water on the elevated spots where individuals had undertaken reclamation in a small way. The 1903 loss, amounting to more than a half million dollars, would justify the expenditure to complete reclamation and protect the small acreage under cultivation; consequently, Governor Jennings recommended ". . . that the Congress of the United States be memorialized for an appropriation of a million dollars to this end."<sup>67</sup>

The sale of 103,000 acres of lands to Neil G. Wade in 1902 inaugurated a lengthy litigation against the Board. The previous year several claimants for lands of the Improvement Fund had asked the Board to make some disposition "of the claims and to determine matters of priority."<sup>68</sup> Several railroad companies and grantees protested the Wade sale and, led by the Louisville and Nashville Railroad, brought suit against the Trustees to retrieve the lands or monies from their sale.<sup>69</sup>

As early as 1885, in the administration of Governor

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66 W. S. Jennings, Message 1903, 64.

67 Ibid., 78.

68 I.I.B. Minutes, VII, 533-534.

69 Senate Documents, Number 89, 62 Congress, 1 Session, 10-13; I.I.B. Minutes, V, 118-119, VII, 534-535.



Edward A. Perry, the Trustees of the Improvement Fund had issued certificates to various railroads for the lands embraced in their legislative grants. The Trustees under Jennings refused to issue any certificates for land or to honor those of previous Boards. <sup>70</sup> As a result of the Wade sale and the refusal to honor certificates the Trustees were challenged in various suits as to their right to sell land for any other purpose than to adjust the claims of <sup>71</sup> the grantees.

This led to the investigation of the whole subject matter by the incoming Trustees, to the publication of the minutes in book form, the employment of counsel to advise the Trustees on the question of their powers and duties relating to the Fund, and the disposition of the lands thereof. <sup>72</sup>

The result of the investigation of the Trustees, supported by favorable counsel from several of the state's outstanding lawyers, brought about the adoption by Jennings and his board of a resolution to

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<sup>70</sup> 1907 Commission Report, 283; I.I.B. Minutes, VII, 535-536.

<sup>71</sup> 1907 Commission Report, 301. A history of the litigation that has grown out of the administration of the Internal Improvement Fund from its creation through 1907, including briefs of forty cases in which the Trustees were a party, is given, ibid., 273-289.

<sup>72</sup> "Annual Report of General Counsel Trustees Internal Improvement Fund, 1908," I.I.B. Minutes, VII, 534. W. S. Jennings, Governor 1901-1905, was then counsel of the Trustees and prepared the report.

. . . adhere strictly to the provisions of the act of January 6, 1855, Chapter 610, Laws of Florida, as to their powers and duties and the purposes for which said trust was granted, and that they will assert their rights and defend the title to the lands granted and irrevocably vested in them for the purposes therein set forth of reclaiming said lands by means of levees and drains. 73

In addition to asserting a superior title to the lands in the Fund, proclaimed on November 24, 1904, over the railroad land grant claimants, the Board further resolved that swamp and overflowed lands granted for utilization other than reclamation were not legally deeded; that the State of Florida had no title to the lands except through the Trustees of the Fund created in 1855; and that lands included in the Everglades patent of April of 1903 had remained in the offices of the United States until their transfer. Hence such obligations as were made with regard to them prior to that date by any agency of Florida were nonexistent.

During the administration of Governor Jennings, ending January 1, 1905, no deeds were made by the Trustees for any of the land grant claimants. The contention of the Board was attacked by several grantees and the whole subject matter was resolved in the case of the Southern States Land and Timber Company versus the Trustees of the Improvement Fund in the United States Circuit Court, Northern District of

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73 I.I.B. Minutes, V, 267; Senate Documents, Number 289, 62 Congress, 1 Session, 11-12, 24.

Florida, Judge Charles Swayne presiding.<sup>74</sup> The land company sought to enjoin the Board from the exercise of any power over the fund or the disposition of any lands other than to deed them to the various holders of legislative grants.<sup>75</sup>

"This proposition involved the entire Fund. It was a test case, tacitly agreed upon by all of the railroad companies and so presented."<sup>76</sup> In two orders handed down by Judge Swayne on May 2 and May 20, 1907, the court authorized the Board to sell or dispose of the swamp and overflow lands patented to the State of Florida by the Act of Congress of September 28, 1850, for the purposes of drainage and reclamation.<sup>77</sup> This decision of the federal court cleared the way for the Trustees to manage the wet lands of the Everglades as they saw fit toward the ends of reclamation and drainage.

The swamp and overflowed lands patented to Florida at the end of Governor Jennings' administration amounted to 20,133,837.42 acres out of the 35,072,640 acres which comprised the land surface of the state.<sup>78</sup>

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74 I.I.B. Minutes, VII, 537; 1907 Commission Report, 286; Senate Documents, Number 89, 62 Congress, 1 Session, 12.  
75 Senate Documents, Number 89, 62 Congress, 1 Session, 12.

76 I.I.B. Minutes, VII, 537.

77 Senate Documents, Number 89, 62 Congress, 1 Session, 12; I.I.B. Minutes, VII, 537-538.

78 I.I.B. Minutes, VII, 532.

In 1904 engineers of the United States Department of Agriculture made a preliminary examination of a portion of the Everglades along the eastern border in Dade County. Charles G. Elliott, Engineer in Charge of Irrigation and Drainage Investigations of the Office of Experiment Stations conducted the investigation and concluded that the soil could be profitably utilized for the growth of subtropical fruits if it could be sufficiently drained. "In view of the interest taken in growing fruit and vegetables in southern Florida for the northern winter markets, the reclamation of the Everglades merits further attention."<sup>79</sup>

Elliott made a "reconnaissance" of a belt of land bordering the Everglades in the vicinity of Miami with the idea of securing a plot of Everglades land and reclaiming it for experimental use.<sup>80</sup>

After observing the operations of the East Coast railroad in the opening and enlarging of the natural streams in order to lower the waters in the various arms of the Everglades for the production of vegetables for the winter markets, Elliott concluded that "a great deal of money has

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<sup>79</sup> Drainage Investigations, Office of Experiment Stations, Report of the Secretary, Yearbook of the United States Department of Agriculture, 1904, House Documents, Number 424, 58 Congress, 3 Session, 109.

<sup>80</sup> Senate Documents, Number 89, 62 Congress, 1 Session, 94.

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been expended in drainage works. . . ." These private works had enabled fruit growers on detached tracts of muck land to drain them and to husband thriving plantings of trees.

The drainage of the Everglades proper, Elliott believed, would necessitate dredging a channel to a grade of from three-tenths to four-tenths of a foot per mile to their center. One channel would afford only flood relief, since the area was too level and the waterflow too slow for good drainage. The use of such a plan would necessitate the deepening of the beds of the natural streams into the Everglades to the natural divide. All of the work would have to be done before the Everglades would be suitable for year-round culture. Elliott advocated an experimental plan of enclosing small areas with dikes and using inside pumping to control water levels.

The problem which confronts the investor and cultivator is not so much the possibility of draining the tract as a whole as what may be done in this direction within the limit of individual means to fit portions of this land for the production of crops. 82

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81 Senate Documents, Number 89, 62 Congress, 1 Session, 95. This brief investigation by Elliott, accompanied by Peter H. Rolfs, Director of the Miami Pathological Station for the Bureau of Plant Industry, covered lands near Miami, Cutler, Dania, and Boynton beginning in August, 1904. Hearings before the House Committee on Expenditures in the Department of Agriculture, Everglades of Florida, Number 5, 208.

82 Senate Documents, Number 89, 62 Congress, 1 Session, 96.

William S. Jennings deserves the credit for inaugurating the development of the wastelands at the southern end of the state. He collected data on the possibilities of drainage plans and it was through his patient efforts that the tangled web was unwound.<sup>83</sup> Jennings' desire to begin actual drainage culminated in the preparation of a comprehensive plan which was presented to the directors of the Southern States Land and Timber Company, the Consolidated Land Company, and other companies who were large landholders in the Everglades. Although Jennings' plans did not materialize before he vacated the governor's chair in January, 1905, they were "merged in the subsequent settlements and plans for drainage followed by the subsequent administrations."<sup>84</sup>

The clearest statement of Jennings' policy in regard to drainage and reclamation of the swamp and overflowed lands was his testimony in the suit of the Louisville and Nashville Railroad Company against the Board in federal court at Tallahassee on November 28, 1904. The governor testified that the purpose of the 1850 land grant act of Congress was to have wet lands drained and reclaimed, and that he had acted upon that policy.<sup>85</sup>

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83 K. T. Abbey, Florida, Land of Change, 366.

84 Senate Documents, Number 89, 69 Congress, 1 Session, 13.

85 Ibid., 13, 24-25. The Louisville and Nashville Railroad Company suit against the Trustees was instituted in 1902

3. The People Choose: 86  
 Napoleon Bonaparte Broward and Reclamation

As the Florida constitution prohibited Jennings from seeking a second term, the cause of Everglades reclamation was carried into the governor's race of 1904 by one of the most picturesque characters in the long history of the state--Napoleon Bonaparte Broward. Born on a farm in Duval County, Florida, in 1857, Broward had been left an orphan at the age of 12.<sup>87</sup> With little time for formal schooling Broward worked as a log rafter, steamboat roustabout, merchant seaman, harbor pilot, and by 1887 he was a partner in one of the St. Johns River boat lines. He was sheriff of Duval County from 1887 to 1900, and in 1901 represented that political unit in the state legislature. During his last four years as sheriff Broward found time to make several filibustering runs to Cuba on his tug the Three

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and finally decided against the Trustees for \$251,102.25 and interest. A second suit brought by the railroad to secure deeds to 1,447,000 acres of lands granted the company or its predecessor was pending in 1908 when the Trustees compromised both suits with a cash settlement of \$113,936.95 and 374,834 acres of state lands. I.I.B. Minutes, VII, 49, 53, 121, 125 et passim.

86 On May 25, 1905, the First Everglades drainage bill passed the Florida House of Representatives by a vote of forty-three to two. Representative S. H. Melton of Duval County objected, saying that the bill should go to the people for a referendum. Representative J. W. Knight of Citrus County retorted that Broward's election had settled that question. Florida Times-Union (Jacksonville), May 25, 1905.

87 Napoleon B. Broward, Napoleon B. Broward, Candidate for Governor of Florida, 2.

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Friends. From 1902 until his campaign for governor he lived in Key West where he was engaged in a coastwise towing and wrecking business.

. . . I decided . . . to become a candidate and give the people an opportunity to elect a Governor who has never allowed himself to be put under obligations to the land grant corporations of this State, and who will not be hampered, as Chairman of the Board of Trustees of the Internal Improvement Fund, in voting against giving away the State's lands, or in adjusting their claims to the money now in the State Treasury. 89

Broward did not at first intend to enter the 1904 gubernatorial race but, after a futile search for a candidate "who would publicly pledge himself to deed no more trust lands . . . and do everything in his power to reclaim the Everglades," the former filibusterer qualified for the primary elections. <sup>90</sup> With a portable screen and a colored map of the state Broward made the campaign a veritable referendum on the Everglades proposition. At Tampa, on February 26,

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88 Napoleon B. Broward, Napoleon B. Broward, Candidate for Governor of Florida, 24-27. "The source of Broward's strength lay in the man's personality. He saw with unusual clarity the needs of the state and straightforwardly set about their accomplishment. Seldom did he sidetrack issues, or submit to the dubious doctrine of political expediency. . . . he believed throughout his career on [sic] the value of the common people, with the result that his most constant support came from the rural sections of the state." K. T. Abbey, Florida, Land of Change, 339-340.

89 N. B. Broward, Napoleon B. Broward, Candidate for Governor, 16.

90 Daniel A. Simmons, "The Florida Everglades: How They Happened; What They Are; What They Will Be," The World To-Day, XVI (May, 1909), 535.



He read from books, pamphlets, and documents a mass of statistics relative to marsh lands in the Everglades and elsewhere, and their probable worth if properly drained. In conclusion he asserted that the railroads were draining the people instead of the swamps. . . . 91

In a later speech Broward declared that the Everglades area "could be drained so as to make it worth a hundred dollars an acre by the cutting of a canal eleven hundred feet long."<sup>92</sup> In an article Broward published in 1908, he wrote: "When I was nominated for Governor in 1905 I pledged myself to drain the Everglades and make this the main issue of the campaign."<sup>93</sup>

On January 3, 1905, Broward was inaugurated Governor of Florida and turned his attention to the Everglades drainage problem within ten days by approving the employment of his predecessor, W. S. Jennings, as general counsel for the Trustees of the Internal Improvement Fund.<sup>94</sup> Shortly thereafter Jennings addressed a letter to Broward in which the former governor pointed out his testimony in the Louisville and Nashville Railroad-Improvement Fund litigation in

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91 Florida Times-Union (Jacksonville), February 27, 1904.

92 Ibid., April 8, 1904. Broward's campaign was also highlighted by his attack on large corporations and the railroads. Fritzie P. Manuel, "Land Development in the Everglades," loc. cit., 12870.

93 Napoleon Bonaparte Broward, "Draining the Everglades," The Independent, LXIV (June 25, 1908), 1448.

94 I.I.B. Minutes, VI, 10.

regard to the Trustees' duty to drain lands granted the state under the 1850 act. Jennings wrote that he believed the railroad companies would find evidence to sustain them in their contention that the Trustees were not fulfilling their commitments to reclaim the granted lands unless  
 ". . . some work shall be begun to meet the allegations . . . to the effect that the Trustees are not performing any of the trusts required of them under the law."<sup>95</sup>

Governor Broward delivered a special message to the legislature on May 3, 1905, on the subject of reclamation in the Everglades.<sup>96</sup> Tracing the history of the Internal Improvement Fund from its creation under the 1855 law and the policies of the succeeding administrators of the trust, the executive called attention to the fact that the legislature had granted more than 12,000,000 acres from 1879 to 1905 which left but 3,000,000 acres on hand and that this remaining acreage was the subject of six suits then being brought by railroads and corporations. Broward stated it was his firm belief that it was the duty and within the powers of the Trustees to drain and reclaim the swamp and

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<sup>95</sup> Senate Documents, Number 89, 62 Congress, 1 Session, 25. Jennings was reported to have possessed a large acreage in the Everglades. Hearings Before the Committee on Expenditures in the House of Representatives, Everglades of Florida, Number 7, 260-261. Hereinafter cited as 1912 Everglades Hearings.

<sup>96</sup> Message and Documents of Florida (1905), I, 1-36.

overflowed lands of the state.

Citing the several lines of levels which had been run over the Everglades and Lake Okeechobee, the governor expressed the view that it was feasible to lower the lake level and consequently drain the Everglades, a feat which would eventually bring 6,000,000 acres into a profitable condition for agriculture.<sup>97</sup> As a basis for his drainage proposals Broward submitted extracts from the engineering report made in 1886 by James M. Kreamer to the Disston Drainage Company. The Disston engineer had arrived at the conclusion that a four foot reduction in Okeechobee's surface would be sufficient to bring a major share of the area south and east of the lake into production. Kreamer had stated that ". . . canal /s/ 1,100 feet long would be entirely feasible to cut the rim /of the Everglades/ at frequent intervals and permit the impounded waters to flow into the Gulf or Atlantic."<sup>98</sup>

As a beginning Broward suggested the cutting of a canal from the big lake into the St. Lucie River, a distance of twenty-four miles, in order to lower the surface of Okeechobee from four to six feet. The proposed canal, two hundred feet wide and fifteen feet deep, could be constructed in

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<sup>97</sup> Message and Documents of Florida (1905), I, 20.

<sup>98</sup> "Report of Colonel James M. Kreamer, chief engineer of the Atlantic and Gulf Coast Canal and Okeechobee Land Company, 1886," quoted in Broward's May 3, 1905, message to the legislature of Florida, Message and Documents of Florida (1905), I, 23.

eighteen months at a cost of \$250,000. The governor declared that the work could be underway in six months after the contract was signed. The area drained would ". . . be capable of producing the entire tonnage of cane sugar used in this country, a crop which alone would be of untold value to the State."<sup>99</sup>

Broward closed his message on the reclamation question with several recommendations. Noting that 3,000,000 of the 6,000,000 acres of swamp and overflowed lands in the Kissimmee Valley, Lake Okeechobee, and Everglades territory had been deeded to railroad, canal, and other corporations and would be benefited by the successful drainage and reclamation of the 3,000,000 acres held by the Trustees, the governor asked the legislature to propose a constitutional amendment which would require cooperation from the private owners in proportion to the suggested improvement. Specifically, he recommended that the amendment create a drainage district embracing the Everglades, adjacent lands, and the Kissimmee Valley, and the right to establish other drainage districts and authorize the levy and collection of an acreage tax for drainage and reclamation of such lands. Pending the adoption of the amendment, he asked for the enactment of a statute authorizing the formation of drainage districts by

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<sup>99</sup> Message and Documents of Florida (1905), I, 34.

the Trustees of the Internal Improvement Fund. <sup>100</sup>

The state legislature responded to Broward's request and in late May, 1905, passed an act that created a Board of Drainage Commissioners to consist of the governor, comptroller, treasurer, attorney-general, and commissioner of agriculture; a group of state officials identical to the membership of the Internal Improvement Fund Trustees. <sup>101</sup> This act empowered the board to establish a system of canals and dikes to drain and reclaim the swamp and overflowed lands of Florida. The act further empowered the commissioners to levy yearly drainage taxes up to ten cents an acre. Such taxes were to be assessed by the Board in districts of their creation. The Board was also given the authority to exercise the right of eminent domain. <sup>102</sup>

The legislature submitted the 1905 drainage law, with the exception of the amount of the tax, to the electors of

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<sup>100</sup> Message and Documents of Florida (1905), I, 36.

<sup>101</sup> Chapter 5377, Laws of Florida, 1905. "Pending the litigation referred to between the railroad land grant claimants against the Trustees . . . at the beginning of Gov. Broward's administration . . . former Gov. Jennings designed and prepared a drainage tax law . . ." which became Chapter 5377. Senate Documents, Number 89, 62 Congress, 1 Session, 15.

<sup>102</sup> Chapter 5377, Laws of Florida, 1905. At the 1905 session the legislature memorialized Congress for a \$25,000 appropriation to open the 300 miles of navigable waterways in the Caloosahatchee-Okeechobee-Kissimmee river and lake system. Acts and Resolutions Adopted by the Legislature of Florida at the Tenth Regular Session under the Constitution of 1885, 1905, 449-450.

Florida at the general election of 1906 as a proposed amendment to article sixteen of the state constitution.<sup>103</sup> The proposed amendment was defeated at the polls

. . . because as is generally understood, the people believed the amendment, if adopted would confer power upon the Board to declare the whole State a "Drainage District" and thus subject the whole State to the drainage tax to be fixed by the Board. 104

In accordance with the 1905 drainage law the Board of Commissioners proceeded to set up an Everglades Drainage District, sixty miles wide and a hundred and fifty miles long, comprising 4,300,000 acres which included all of the glades, adjoining prairie, and adjacent timber lands. A uniform drainage tax of five cents an acre was levied over the entire zone.<sup>105</sup>

Two months after the passage of the drainage act, which seemed to assure the necessary funds, the commissioners engaged J. O. Fries, the Brevard County surveyor, to run a line of levels from the south fork of the St. Lucie River to Chancy Bay on the eastern shore of Lake Okechobee.<sup>106</sup> The Board wanted this survey made as a preliminary step in

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<sup>103</sup> Journal of the House of Representatives (1905), 1565-1567; Florida Times-Union (Jacksonville), May 12, 1905.

<sup>104</sup> 1907 Commission Report, 308; also see testimony of Congressman Frank Clark, 1912 Everglades Hearings, Number 4, 133-134.

<sup>105</sup> F. P. Manuel, "Land Development in the Everglades," loc. cit., 12870.

<sup>106</sup> I.I.B. Minutes, VI, 52-53.

securing information on the topography and geological formations to be encountered in the cutting of a canal on this shortest route from Okeechobee to tide-water. On September 21, 1905, Fries appeared before the Board and presented the results of his labors along with a bill for \$652.50.<sup>107</sup>

On August 1, Governor Broward submitted to the Board the matter of dredges, to be used in cutting canals in the Everglades. A representative of a Chicago foundry and machine company presented plans to the officials, and the chief executive explained several other propositions from machinery companies. After discussion, the Trustees decided to send the governor and William H. Ellis, the attorney-general, to Chicago to contract for the necessary machinery for two dredges.<sup>108</sup> Within two weeks Governor Broward and his fellow official arranged for the purchase of \$42,000 worth of machinery for two dredges to be delivered within from three to four months.<sup>109</sup>

The Trustees were not satisfied with the findings of the survey from Okeechobee to the St. Lucie River, and on November 9, 1905, employed John W. Newman to make a hydrographic and topographical survey of the New River from Ft. Lauderdale, including both branches, to a point in the Everglades where the altitude approximated the mean low water

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107 I.I.B. Minutes, VI, 70.

108 Ibid., 57-58.

109 Ibid., 67-78.

level of Lake Okeechobee. Newman's instructions directed him to conduct his survey with a view to constructing a canal one hundred fifty feet wide and ten feet deep from a location on the New River to Lake Okeechobee.<sup>110</sup> The Trustees later directed Newman to take charge of the construction of the two dredges when the machinery should arrive at Ft. Lauderdale.<sup>111</sup>

The material was assembled at Ft. Lauderdale, and in the winter of 1906 two dredges were built and launched in the New River. On July 8, 1906, the first dredge, christened the Everglades, began the job of cutting a canal to Lake Okeechobee from the north fork of the river.<sup>112</sup> Newman's survey from the New River to Lake Okeechobee had been adopted for the first canal project on December 12, 1905. This first state drainage canal was fifty feet wide and varied in depth from ten to fourteen and six-tenths feet. When finished it became the present North New River Canal.<sup>113</sup> The second dredge, christened the Okeechobee, began cutting the rock rim from the south fork of the New River in April, 1907.

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110 I.I.B. Minutes, VI, 91. Newman had been earlier employed as chief engineer of the Ingraham expedition in 1892, and had also made surveys for the Florida East Coast Drainage and Sugar Company in 1902. Florida East Coast Drainage and Sugar Company, Prospectus, 30.

111 Ibid., 92.

112 1907 Commission Report, 311. The cost of the first two dredges to the Fund was \$134,000.

113 I.I.B. Minutes, VI, 96.



in the canal which became the present South New River Canal. <sup>114</sup>

Broward's plan for the engineering design of the Everglades drainage scheme was very simple, especially in regard to the necessary canals, for his idea was to "out and try." <sup>115</sup>

When it was insinuated that it would take fifteen years of rainfall observations, careful topographical surveys, and expert engineering reports to determine the practicability of the project he was abashed, but replied:

I will be dead by that time. The State will be poor and the money thus expended would buy a couple of dredges. We can sell some land to build dredges and if my friends will hold the knockers in check, we can soon make a convincing ocular demonstration. 116

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114 1907 Commission Report, 312.

115 Thomas E. Will, "The Everglades of Florida," Review of Reviews, XLVI (October, 1912), 453.

116 John C. Gifford, The Everglades and Other Essays Relating to Southern Florida, 98-99.