

MR

**WAR DEPARTMENT,
WASHINGTON,**

DCK-TJH

August 13, 1915.

Mrs. Minnie Moore-Wilson,
Hotel Imperial,
New York, N. Y.

Madam:

In reply to your letter of the 6th instant, inclosing a clipping relative to the "Seminoles of Florida", and requesting information in regard to the drainage of the Everglades and the effect upon the level of Lake Okechobee caused by the cutting of the canals by the State of Florida, I have to advise you that Lake Okechobee, by virtue of its connection with the Gulf of Mexico through the Three Mile Canal, Lake Hitchcock, the Caloosahatchee Canal, and the Caloosahatchee River, is held by the Department to be a navigable waterway of the United States, and as such it is under the jurisdiction of the Secretary of War to the same extent as other navigable waters of the United States, under the laws of Congress for the protection of navigable waters (see pamphlet of same herewith).

The extent of the jurisdiction of the Secretary of War is set forth in the river and harbor act of March 3, 1899. In exercising this jurisdiction the Secretary of War takes cognizance of any alteration in the navigable capacity of the lake, and to this end he has jurisdiction over the canals to the extent of requiring that they shall be so constructed and operated as to avoid undue interference with the lake levels

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to the detriment of the navigable capacity of the lake. These canals were dug by the State primarily for drainage purposes, although as an incident they have been and are used for navigation to the extent permitted by their dimensions. The canals joining Lake Okechobee with Lake Hicpochee and Lake Hicpochee with the head of the Caloosahatchee River have been used for navigation for many years as part of a route to the interior of the State, and subsequently across the State to the east coast, and have been held to be under the jurisdiction of the Secretary of War under the general laws for the preservation of their navigable capacity. No attempt has been made as yet to exercise a similar jurisdiction over the drainage canals on the east side of the lake recently completed by the State to connect the lake with the Atlantic Ocean.

The permit granted the State to build its drainage canals requires them to be operated so that the level of Lake Okechobee shall not be lowered below a certain point. Last dry weather season the State did not strictly observe this requirement, but it is hoped and expected that they will do so in the future. The Department can be depended upon to fulfill the duty of protecting navigation which the law imposes upon it.

Very respectfully,

Henry Preckwidge
Acting Secretary of War.

98557 E.D.

One inclosure.