I. HISTORY OF DRAINAGE AND RECLAMATION WORK IN THE EVERGLADES OF FLORIDA.

By the treaty of February 22, 1819, the Kingdom of Spain ceded to the United States in full property and sovereignty all territories known by the name of East and West Florida.[1] After the United States acquired the territory known as East and West Florida, such territory was held subject to the Constitution and laws of the United States. The territory known as East and West Florida was, by act of Congress, approved March 3, 1845, admitted into the Union under the name of the State of Florida on an equal footing with the original States in all respects whatsoever, on the express condition that the State should never interfere with the primary disposal of the public lands lying within it. By this act the State of Florida became vested with all of the rights and powers, as to property and sovereignty, possessed by the original States of the Union. Thus the beds of the navigable rivers and lakes within her borders became vested in the sovereignty of Florida and remained for the free use of the citizens of the State. (State *v.* Gerbing, 56 Fla., 603.)

The Legislature of Florida in 1845 (see p. 34), and again in 1848 (see p. 39), adopted resolutions calling attention to the drainage of the Everglades, which resolutions formed the basis of the activity of Senator Westcott in his efforts to have the lands granted to Florida.

Act of Congress of 1850.—Through the efforts of Senator Westcott, one of the first United States Senators from Florida, the swamp and overflowed land-grant act was enacted, and by amendment made applicable to all the States of the Union, which is usually referred to as the act of Congress approved September 28, 1850. (See p. 67.) Under this act upward of 20,000,000 acres of land have been patented to the State of Florida, as will appear by the records of the Land Office and in the tabulated statement in the biennial report of the Commissioner of Agriculture of Florida for 1907. The primary purpose, as expressed in the act of Congress, is to aid the States to reclaim the swamp and overflowed lands within their limits by means of drains and levees.

The act of Congress granting the swamp and overflowed lands for the purpose of drainage and reclamation further provides that title thereto shall be conveyed to the various States by patents from the General Government; and, in pursuance thereof, patents were issued by the Government to the State of Florida conveying all the swamp and overflowed lands approved, subject to the disposal of the legislature.

[1] See page 31 of this document or Articles II and VIII of the complete treaty with Spain to be found in Fuller's Purchase of Florida, pp. 373-374, or Treaties, Conventions, etc., Senate Doc. 357, 61st Cong., p. 1651.

State laws of 1851 and 1855.—Following the enactment of the act of Congress approved September 28, 1850, the Legislature of the State of Florida passed an act (ch. 332), in 1851, accepting the grant aforesaid, and made provision for a board of internal improvement, composed of a membership from the various judicial circuits of the State. (See p. 67.) In 1854, this board, after some effort to handle the fund, prepared a report setting forth the reasons why the board found itself unable to handle the fund, and their efforts and views, accompanied by a bill, which it recommended that the legislature pass, and which became a law under date of January 6, 1855, and is known as chapter 610, Laws of Florida. This act creates Trustees of the Internal Improvement Fund, by designating the Governor, Comptroller, Treasurer, Attorney General, and Commissioner of Agriculture and their successors in office as Trustees (see note 1, p. 19), and grants to said Trustees irrevocably the lands granted to the State of Florida by the act of 1841 for internal improvement purposes remaining unsold, and also the lands granted to the State of Florida under the act approved September 28, 1850, for the purposes and trusts therein set forth, the main trust being the drainage and reclamation of the swamp and overflowed lands. (See p. 69.)

Policies of Trustees.—During the first 25 years of the management of the fund under the provisions of chapter 610, the Trustees and the executives of the various administrations, up to and including the year 1879, adhered strictly to the terms of the grant by Congress, its acceptance by the legislature in 1851, and the provisions made for the administration of the fund by chapter 610; and in each and every instance where the legislature sought to divert the Internal Improvement Fund, or the lands belonging thereto, to purposes other than as expressed therein within the strict rule and construction thereof making the fund applicable solely to the drainage and reclamation of the swamp and overflowed lands, this attempted legislation was vetoed by the then Governors, including the veto of Gov. Drew in 1879 of the first railroad land-grant acts that were passed by the State legislature, which resulted in the legislature inserting in acts thereafter attempting to grant lands to railroad companies provisions making said grants subject to the trusts and provisions of the act approved January 6, 1855, providing for the sale and disposition of the lands by the Trustees of the Internal Improvement Fund, and the application of the proceeds thereof, or the use of the lands in kind for the main purpose of the act, viz, the drainage and rendering fit for cultivation of the swamp and overflowed lands of the fund.

It appears from a close examination of the various acts of the legislature, beginning in 1879, and continuing down to a very recent date, attempting to grant swamp and overflowed lands to encourage the construction of railroads, aggregating 15,000,000 acres, that only a residuary interest therein was attempted to be granted by the legislature.

Immediately following the several acts of the legislature attempting to grant lands to aid in the construction of railroads, beginning with 1879, the Trustees of the Internal Improvement Fund established and observed the policy of regarding such acts as absolute grants of the lands mentioned therein, and of conveying such lands to the railroad companies in accordance with this interpretation of the meaning of such acts of the legislature; and from 1879 to 1900, inclusive, upward

of 8,000,000 acres of swamp and overflowed lands were deeded by the Trustees to railroad companies under legislative land grants.

Disston sale.—The efforts of the Trustees of the Internal Improvement Fund to handle the vast trust and discharge the duties devolving upon them were greatly disturbed by the effects arising from and during the War between the States. The fund, however, or its management, had never in any wise been changed by law nor had the powers and duties of the Trustees and their successors in office been curtailed or limited in any particular during this period of time, notwithstanding many large obligations against the fund matured that the fund did not have the ready money to meet, and caused its financial management to be placed temporarily in the hands of the United States court; this was relieved during the first term of Gov. Bloxham, beginning in 1881, by the sale to Hamilton Disston of 4,000,000 acres of swamp and overflowed lands. The application of the proceeds of the sale of these lands relieved the fund from its temporary embarrassment, and the entire fund was again left in the possession, control, and management of the Trustees.

First comprehensive drainage plan.—On February 26, 1881, a contract was entered into by and between the Trustees and Hamilton Disston and others in which it was agreed by Disston and his associates that they would drain and reclaim, at their own expense and charge, all the overflowed lands in the State of Florida lying south of township 23 and east of Peace Creek belonging to the State of Florida or the Internal Improvement Fund. (See note 2, p. 20.)

Under this agreement drainage operations began near Kissimmee and were prosecuted for some years, during which time many questions were raised about the drainage operations, resulting in an act of the legislature being passed (chap. 3639, Laws of Florida) authorizing the governor to appoint a committee to investigate and ascertain what quantity of land the Atlantic & Gulf Coast Canal & Okeechobee Land Co. (this being the corporation to which Hamilton Disston and associates assigned their contract with the Trustees) had reclaimed for the State, and other purposes, under which act the governor appointed Messrs. J. J. Daniel, W. H. Davison, and John Bradford. This committee made an extensive examination into the drainage operations, the number of canals dug, the length, width, and depth of the same, and the location thereof; they also examined the capacity of the canals for carrying off the water along the prescribed route, with their probable influence on the waters along said route, the actual effect produced upon the waters along said route, and the watershed or area of country which the canals were intended to relieve. The examination was made by the committee during the period of the year of the greatest annual depression of the waters of the rivers and lakes, which period was determined by information obtained from the Federal Government on the subject as well as by meteorological observations and reports of the Government and others. The committee quoted the paragraph in the Disston contract referring to the permanent lowering of the waters of Lake Okeechobee and the Kissimmee River, its lakes and tributaries, and stated that this was and is the main feature of the general plan of drainage as embodied in the contract made with the Trustees; that the lands can only so be reclaimed by permanently lowering and keeping reduced the waters of Okeechobee and its confluents, and that if their waters are not

permanently lowered and kept reduced the plan of drainage is not carried out and there can be no reclamation under the contract, inasmuch as the company had failed to reduce the lakes and rivers which were to be lowered in order to effect this reclamation. They further state that they had taken time to observe the waters in the drainage district at every season of the year in order to test the permanent character of the work and better assure themselves of the correctness of the conclusions reached. (See note 3, p. 21.)

The committee's report having been communicated to the Trustees of the Internal Improvement Fund, some further efforts were made to place the drainage operations in more satisfactory condition, which resulted in a modification of the original Disston contract, which appears to have failed to carry out the object that the Trustees had in contemplation when the modification was granted. The original contract established a drainage area or district embracing approximately 9,000,000 acres of land, the drainage company to receive for its expenditures in drainage operations deeds from the Trustees to alternate sections of land belonging to the State of Florida or to the Internal Improvement Fund within the terms of the contract which may be reclaimed and thus rendered fit for cultivation.

The Disston contract was amended August 17, 1888, under which amended contract the Trustees were to deed, for and in consideration of the cost of such drainage operations, to the Disston company 1 acre of land for each 25 cents that the company expended in such work. The change in the contract thus permitted drainage operations to be carried on in the Kissimmee Valley, many miles distant from Lake Okeechobee, and at a much higher altitude than the lake, and thus the only canals excavated by the Disston company that would have tended to reduce the waters of Lake Okeechobee and the Everglades, if they had been completed, were a canal from the southwest shore of Lake Okeechobee into the Caloosahatchee River and one extending south from Lake Okeechobee into the Glades without outlet. Drainage operations under the Disston contract ceased about 1889. (See Minutes of Trustees of Internal Improvement Fund, vol. 7, p. 416.)

Dr. H. W. Wiley, of the Bureau of Chemistry, in 1891, made a report to the Department of Agriculture on "The Muck Lands of the Florida Peninsula," which furnished valuable scientific data on the constitution of the soil and climatic conditions of the Everglades; and in 1905, Dr. Wiley filed a report on "Cane and Cassava Culture in Florida," containing analyses of Florida sugar cane. (See pp. 73–81.)

Plan adopted by Jennings's administration.—In the latter part of 1902 Gov. Jennings took up the question of draining the Everglades and had much data compiled touching the feasibility and practicability of draining the Everglades, the topography, rainfall, watershed, altitude above sea level, outlets, etc., and presented a reference thereto in his message to the legislature of 1903, with profile drawings showing the altitude of Lake Okeechobee, profiles of the Kissimmee River and lakes, including Okeechobee, and their elevations above tidewater, showing the normal elevation of Lake Okeechobee to be 20.42 feet above the level of the Gulf of Mexico and practically the same height above the Atlantic Ocean, with reference to the surveys or levels made by Gen. Gillmore, Col. Hopkins, Maj. Wurts, V. P. Keller, J. W. Newman, and W. H. Caldwell, assistant United States engineer. The message made reference to the expedition of Mr. James E. Ingraham,

the nature and character of the soil, its fertility and growths thereon, naming the principal drainage outlets to be deepened by the cutting of canals from Lake Okeechobee to the Gulf of Mexico and the waters of the Atlantic Ocean on the East. (See p. 84.)

The patent to the Everglades was obtained on April 29, 1903 (see p. 91), about the same time that Gov. Jennings's message was submitted to the legislature, and systematic effort was made to put in tangible form the records and minutes of the Trustees by having the minutes printed, which had not theretofore been done, and tables were prepared showing the status of the fund, both in lands and moneys, which showed that the fund was really without money or lands; that the railroad legislative land-grant claimants were claiming all of the lands that the fund had or could become entitled to.

A sale was made by the Trustees to Neill G. Wade (see Minutes of Trustees of Internal Improvement Fund, vol. 5, pp. 118, 119) of approximately 100,000 acres of land, proceeds to be used for drainage work, which land the railroad companies claimed belonged to them, and brought suit to recover the lands or the proceeds arising from the sale thereof, challenging the power of the Trustees to sell the lands and use the proceeds for any other purpose than to turn the moneys over to the railroad claimants. This caused the Trustees to examine more particularly into their powers and duties relating to the management and disposition of the lands of the fund, which resulted in the Trustees propounding questions to Hon. D. U. Fletcher, of the Jacksonville bar, Hon. R. W. Williams, of the Tallahassee bar, and Hon. T. L. Clarke, of the Monticello bar, asking for their written opinions on the subject, which were furnished in due course, which questions were answered in effect by all of them that the Trustees of the Internal Improvement Fund are clothed with full power under the laws of Florida to sell the swamp and overflowed lands granted under the act of Congress of September, 1850, for the purpose of carrying out the provisions of the laws on the subject and were limited by the objects of the grants of the Federal Government of 1850 to the drainage and reclamation of the swamp and overflowed lands.

This condition being presented to the Trustees of the Jennings administration caused them to make a comprehensive investigation into the whole subject matter and history of the Internal Improvement Fund, resulting in having the minutes published and statements prepared showing the status of all chartered railroad companies, of all land grants, of all lands conveyed to railroad companies and canal companies, the total acreage of the lands granted to Florida under the act of 1850, and the disposition thereof. A further result of this investigation was the adoption by the Trustees of a resolution asserting a superior title to the lands in the fund over that of the railroad land-grant claimants under subsequent and residuary legislative enactments, and declaring it to be the fixed determination and policy of the Trustees to defend the title to the lands for the purpose of performing the trust of drainage and reclamation. (See note 4, p. 24.)

During the early part of the year 1901 the representatives of various railroad companies made demand for hearings before the Trustees of the Internal Improvement Fund, to settle questions of priorities between claimants under railroad land-grant acts. The Trustees having arrived at the resolution above set forth, determined not to execute deeds under or by virtue of any railroad land-grant act of

consideration opposition for political reasons may be expected and should be ignored.

Two Angles of Approach

In the consideration of this subject it should be approached from two angles:

(a) The effect of drainage in its relation to the agricultural development of contiguous lands by reclamation;

(b) The necessity of adequate drainage canals or waterways for the control of Lake Okeechobee and other waters or watersheds with the menace to life and property while uncontrolled; further, the necessity of such canals and waterways in preserving the health of cities and communities dependent upon adequate methods for quickly relieving the great volumes of water precipitated upon large areas now without means for their relief.

The result of the hurricane of 1926 with the great loss of life in territory south of Lake Okeechobee which was unprotected —and still is—should cause the forward and right-thinking men of Florida to protect the people and the State against a repetition of the calamity that then occurred. It is indeed a grave question whether the State of Florida, without respect to drainage districts or the taxation of any particular section of the State or its people, if the National Government fails to do so, should not appropriate the money to see that sufficient drainage canals and waterways are constructed to avoid a repetition of what has occurred not only at the period of the 1926 hurricane but at former times, and protect the people against invasion of this description as it would be the duty of the State to protect its people against invasion by a foreign foe.

I visited Miami, Hialeah and contiguous territory immediately after the hurricane of 1926. The condition of the Miami Canal backing up the drainage provisions at Hialeah might have caused epidemic. There is always danger from uncontrolled water in a low country and this phase of this subject should have serious consideration without respect to land values by reclamation.

Gentlemen, I cannot see that there are any two points of discussion in regard to this matter. Suppose you do not reclaim, and by reclamation add to the value of the contiguous lands by draining them and enabling them to be cultivated; you have got a

This decision was followed by notice and motion of counsel representing the various railroad companies for a modification of said injunction, and a request for an order in accordance with the prayer of the bill quoted above. The cause came on for hearing, and was reargued before Judge Swayne, argument closing on the 20th day of May, at which time the judge modified the order in some immaterial part, but declined to change or revoke the feature authorizing the Trustees to sell or dispose of or incumber any of said lands for the purpose of drainage and reclamation, which seemed to settle the whole subject of the main and general litigation against the Trustees, which was followed by the settlements mentioned, all of which were based upon questions of contracts or certificates issued by the Trustees of the Internal Improvement Fund prior to 1901.

In the case of Malone, a grantee of the Trustees, against Yoeman, in the sixth judicial circuit of the State of Florida in and for De Soto County, a decision was rendered squarely on the merits of the contention of the Trustees, which clearly established that the title vested in the Trustees is superior to the residuary interest granted to the railroad companies by the railroad land-grant acts of the legislature. This suit was in ejectment; the issues were made up upon a statutory declaration and plea of not guilty, the plaintiff claiming title by virtue of a deed from the Trustees of the Internal Improvement Fund; the defendant claiming title by deed based upon a legislative land grant to the Gainesville, Ocala & Charlotte Harbor Railroad Co., approved March 4, 1879.

Thus it will be seen that the litigation has been favorable to the Trustees of the Internal Improvement Fund, and that no suit has been neglected or lost or decided adversely to the Trustees, of the suits above enumerated, based upon open land-grant claims, or touching the powers and duties of the Trustees in the exercise of their discretion in the management of the fund, the sale of the land, and the use of the proceeds thereof for the purpose of drainage and reclamation.

Jennings's efforts to begin actual drainage.—During the latter part of the Jennings administration, a comprehensive plan for the drainage of the Everglades was prepared and submitted to the officers of the Southern States Land & Timber Co., the Consolidated Land Co., and other companies owning great areas of land in the Everglades, and several conferences were had between the officials of the land companies and the Trustees of the Internal Improvement Fund. These plans for drainage and reclamation work were merged in the subsequent settlements and plans for drainage followed by the subsequent administrations.

The policy of the Jennings administration, as will appear by the minutes adopted by the Trustees of the Internal Improvement Fund (vol. 5, p. 267), establishing and declaring the fixed policy of the administration to be that of drainage and reclamation, is further shown by the testimony of Gov. Jennings in the suit of the Louisville & Nashville Railroad Co. against the Trustees of the Internal Improvement Fund in the United States court, taken at Tallahassee, Fla., on November 28, 1904, in which he stated that he thought it was the purpose of the act of Congress, and that he as a Trustee understood and acted upon the belief, that his first and chief duty in handling the swamp and overflowed lands was to have these lands drained and reclaimed. (See note 5, p. 24.)

Gov. Jennings' term expired soon after this testimony was taken, viz, on January 3, 1905, at which date Gov. N. B. Broward was inaugurated. Within a few days thereafter former Gov. Jennings was employed as general counsel of the Trustees of the Internal Improvement Fund; and immediately thereafter Jennings wrote a letter to Gov. Broward, calling particular attention to the Louisville & Nashville Railroad suit and the purpose of the testimony, urging the immediate launching of a dredge, and the beginning of actual drainage operations in the Miami River, or that the Trustees should determine at which place the work should begin, at an early date. (See note 6, p. 25.)

Chamber survey.—Prior to the close of the Jennings administration the governor requested the Commissioner of Agriculture to prepare a plat or chamber survey of the Everglades, which was made and officially adopted by the Trustees of the Internal Improvement Fund on the 2d day of January, 1905, and appears in the minutes of the Trustees, volume 6, pages 1 to 7. (See pp. 97–98.) Further information relating to the map of the Everglades, and supplemental thereto, appears in volume 7, pages 66 to 71, and resolutions on the subject.

This map of the lands embraced in Everglades patent No. 137 was made by extending through the Everglades the Government township and range lines, as surveyed and located by the United States Government on the East, North, and West sides of the Everglades. The townships and ranges thus formed and platted in the Everglades are numbered according to the United States survey system, and with the same numbers they would be designated with if the Government survey were actually carried through the Everglades.

Drainage work under Gov. Broward's administration.—On September 21, 1905, Capt. J. O. Fries, civil engineer, reported to the Trustees of the Internal Improvement Fund a preliminary survey of a route between Lake Okeechobee and the Atlantic Ocean for the purpose of draining and reclaiming lands in that vicinity. (See note 7, p. 26.)

On November 6, 1905, V. P. Keller, a civil engineer, made for the Trustees a map of part of the Everglades, showing the profile of the drainage canals from Lake Okeechobee to Lake Worth. (See Minutes of Trustees of Internal Improvement Fund, vol. 6, p. 89.)

On November 9, 1905, the Trustees directed John W. Newman, engineer, to proceed to make a hydrographic and topographical survey of New River from Fort Lauderdale, including both the north and south branches of said river, to a point in the Everglades where the altitude approximates the mean low-water level of Lake Okeechobee, and to prepare profiles of said survey. (See Minutes of Trustees of Internal Improvement Fund, vol. 6, p. 91.)

On December 12, 1905, the route recommended by J. W. Newman, engineer, was adopted by the Trustees of the Internal Improvement Fund as the official route of the first drainage canal, from the mouth of Sabate Creek, in section 19, township 50 south, range 42 east, following the open Glades to the south end of Lake Okeechobee. (See note 8, p. 26.)

In a special message to the Legislature of Florida in 1905 Gov. Broward recommended the adoption of a drainage law, for the purpose of providing additional funds to insure the drainage and recla-

mation of the Everglades, some question having been raised by the railroad land grant claimants as to the powers and duties of the Trustees of the Internal Improvement Fund to use the proceeds of the sales of Everglades lands for the purpose of drainage and reclamation at that time.

The drainage-tax law and operations thereunder.—Pending the litigation referred to between the railroad land grant claimants against the Trustees of the Internal Improvement Fund as to the ownership of the Everglades, at the beginning of Gov. Broward's administration, January, 1905, former Gov. Jennings designed and prepared a drainage-tax law defining a drainage district embraced in the Everglades, and providing for an acreage tax of 5 cents per acre per annum, to be assessed against all of the lands in said drainage district, as an auxiliary or supplementary resource or fund to assure the drainage of the Everglades without regard to the ownership of the lands. (See note 9, p. 27.) This law was attacked as being unconstitutional, and during the lawsuit a great volume of testimony was taken touching the feasibility and practicability of drainage. The United States court having ruled against the constitutionality of the law, an amendment thereof was drafted by former Gov. Jennings, which was enacted by the legislature and approved May 28, 1907. (See note 10, p. 27.) This amended act was sustained by the decision of the United States circuit court and the United States circuit court of appeals, and the litigation was then amicably settled between the litigants and the State Board of Drainage Commissioners, resulting in the appointment of J. O. Wright, chief drainage engineer, and the Furst-Clark Construction Co.'s contract for the drainage of the Everglades, herein referred to.

It will therefore be observed that the drainage of the Everglades has two separate and distinct sources of revenue providing for the carrying on of the work of reclamation:

First. The Everglades lands proper, owned and controlled by the Trustees of the Internal Improvement Fund, who are authorized and fully empowered under the act of January 6, 1855, to sell such lands and apply the proceeds thereof to the purpose of drainage and reclamation. The drainage canals and other works which have been constructed by the Internal Improvement Board, out of the proceeds of the sales of Everglades lands, are properly within their powers and duties conferred on them by the acts of the legislature and the act of Congress of 1850.

Second. The new and additional source of revenue provided by the enactment of the drainage law, which assesses a tax on the area included in the drainage district of 5 cents per acre per annum, furnishing an annual net revenue of approximately $200,000.

After the enactment of the drainage law, and in the ensuing litigation, the most difficult problem and matter from the State's standpoint was the allegation made in the courts on behalf of the complainants seeking to enjoin the collection of the tax and to have the drainage law declared unconstitutional, to the effect that the State authorities did not have sufficient technical information touching the feasibility and practicability of the drainage of the Everglades to sustain a special assessment and the expenditure of public money.

Practicability of Everglades drainage.—To meet this charge the State officials, through Gov. Broward, applied to the Secretary of

Agriculture for assistance in the matter of designating a competent, expert drainage engineer to investigate the question of the feasibility and practicability of the drainage of the Everglades, by taking the levels and making such examination as was found necessary for this purpose, having in view the necessity of obtaining, to meet this allegation of the complainants' bills, as well as for the use of the State engineer in charge of the drainage of the Everglades, the most reliable and competent information that could be procured. The Secretary of Agriculture considered the request favorably and ordered the investigation to be made through the Office of Experiment Stations, Irrigation and Drainage Investigations, Elwood Meade, chief, by J. O. Wright, supervising drainage engineer. (See pp. 130 and 140 for texts of Wright reports.)

The State school fund.—Gov. Broward also caused an investigation to be made into the legal status and constitutional rights of the State school fund over the public lands, which resulted in an opinion of W. S. Jennings, general counsel for the Trustees of the Internal Improvement Fund, under date of October 19, 1907, transmitting a resolution for adoption by the State Board of Education on the subject, which was adopted and transmitted to the Trustees of the Internal Improvement Fund, accompanied by a demand for an accounting in accordance therewith, which was acceded to by the Trustees, and an accounting was ordered granting to the State Board of Education 25 per cent of the proceeds of the sales of public lands under the constitutional provision relating thereto. This was followed in February, 1908, by the opinion of W. H. Ellis, Attorney General, in reply to an inquiry on the subject by Gov. Broward, to the same effect, holding that the school fund, under the State constitution, was entitled to 25 per cent of the proceeds of the sales of all public lands of Florida. (See note 11, p. 28.)

As heretofore stated, the drainage act was passed, and afterwards an amendment thereto was recommended by the Governor, and likewise passed, and is the law.

During his administration Gov. Broward was a forceful champion and advocate of the drainage and reclamation of the Everglades, and devoted great effort and much ability to the work, as did his associate Trustees. The Trustees during the Broward administration caused to be constructed the dredge *Everglades*, which was launched at Fort Lauderdale on the 4th day of July, 1906; also the dredge *Okeechobee*, which was launched during the month of October, 1906. The dredges *Caloosahatchee* and *Miami* were constructed under contracts let by the Broward administration on August 17, 1908. The *Caloosahatchee* was launched in March, 1909. (See Minutes of Trustees of Internal Improvement Fund, vol. 7, p. 293.)

The litigation relating to the title to the lands was settled, and several important sales of Everglades lands were made to provide means to carry on the great drainage work, among them being sales to J. H. Tatum & Co.; W. R. Comfort, of New York; R. P. Davie, of Colorado; the Davie Realty Co.; and Richard J. Bolles. The sale of the greatest moment, and that gave impetus to the work, was that to Richard J. Bolles, providing a million-dollar fund for the work, which, it is claimed, practically insured its completion.

Gov. Gilchrist's administration.—Gov. Albert W. Gilchrist and his associate Trustees have likewise pursued the work of the drainage and

reclamation of the Everglades with the greatest energy and determination. They rushed to completion the construction of the dredges *Caloosahatchee* and *Miami*, which were launched during the first few weeks of the Gilchrist administration and have been kept continually at work since. Special attention has been given to increasing the facilities for carrying on the work with greater rapidity and efficiency.

During the latter part of 1909 special effort was made to let the cutting of the canals by contract, for the purpose of interesting large dredging concerns to take charge of the work and complete it as soon as possible.

During the early part of 1910 the Trustees held important conferences with the officials of the land companies owning large areas of Everglades lands, among them being Pearl Wight, president of the Southern States Land & Timber Co., of New Orleans; W. S. Harvey, president of the Empire Land Co., of Philadelphia; W. F. Coachman, president of the Consolidated Land Co., of Florida; J. E. Ingraham, vice president of the Model Land Co. and of the Florida East Coast Railway Co., of Florida; a representative of the Florida Land & Timber Co., of Chicago; and R. J. Bolles, which resulted in the land companies named, who were complainants in the suits pending in the Supreme Court of the United States to enjoin the collection of the 5-cent acreage tax, dismissing their suits and the companies agreeing to pay all drainage taxes thereafter, and in R. J. Bolles agreeing to the anticipation of the deferred payments to aid in financing an amplified plan of drainage. Immediately thereafter J. O. Wright, supervising drainage engineer of the United States, was engaged as chief drainage engineer of the State of Florida, to have charge of all its drainage operations in the Everglades. (Minutes of Trustees of Internal Improvement Fund, vol. 8, p. 352.)

This was followed by the letting of a dredging contract to the Furst-Clark Construction Co., of Baltimore, and an increase in the number of dredges from four to eight, thus insuring the progress of the great work at a rate which far exceeds any previous progress in excavation, as will appear by the quarterly progress reports of the engineers. (See p. 200.)

In the meantime sales of Everglades lands by the Trustees and other owners of Everglades lands have increased the number of individual owners of lands in the Everglades from about a dozen owners in 1909 to upward of 15,000 on July 1, 1911, and the valuation of Everglades land has been greatly enhanced. A conservative estimate of the increase in the value of Everglades land may be obtained by comparing the price of $2 per acre realized by the State for the sales made prior to 1909 with the price of $15 per acre obtained by the State for lands sold in 1910. Since the latter date prices have risen considerably.

Government engineer's report.—Notwithstanding the efforts made by Gov. Broward and Gov. Gilchrist to secure copies, or the publication of the report in full, of the Government engineers investigating the Everglades, Florida has not been favored with the valuable data, or any part thereof, contained therein, other than was published in extracts from said report heretofore referred to as extracts from the report of J. O. Wright, supervising drainage engineer, dated February 25, 1909; and while the main canals were officially designated in the contract between the Trustees of the Internal Improvement Fund