

Chapter 4: The Long and Winding Road to Park Establishment

With the passage of the authorizing act for Everglades National Park in May 1934, the scene of action shifted from Washington to Florida. Section 1 of the act stipulated that no federal funds were to be appropriated for land acquisition. Land could be acquired only by donation from the state or from private parties. Additionally, the secretary of the interior would not accept land for the park on a piecemeal basis. The park would be considered established only when the state had assembled sufficient acreage that in the aggregate was acceptable to the secretary for administration as a national park. About 20 percent of the land within the maximum authorized boundary was state owned. Among the state's holdings were 99,200 acres in Monroe County that had been set aside in 1917 as a reservation for the use of the Seminole Indians.¹⁶⁵ Some 50,000 acres already belonged to the federal government. President Franklin Roosevelt issued an executive order in October 1934 removing all federally owned land within the boundary from sale or settlement, so that it would remain available when the park was ultimately established.¹⁶⁶ The Model Land Company, the Collier Corporation, and the Chevelier Corporation owned the great majority of the private holdings, but there were hundreds of small holders. The typical procedure for acquiring private land for a national park was for a state to set up a commission with authority to accept donations and purchase land. This procedure had been followed in acquiring land for Great Smoky Mountains National Park on the Tennessee/North Carolina border and Big Bend National Park in Texas. The NPS, the Everglades National Park Association (ENPA), and other park proponents expected the Florida legislature to establish such a commission at an early date.

Park proponents were optimistic about the prospects for land acquisition, in large part because of the attitude of Florida's governor, David Sholtz, who held the office from January 1933 to January 1937. Sholtz was a Daytona Beach lawyer with little political experience who had made many contacts as head of the Florida Chamber of Commerce. He was a long-time park advocate and had served as vice president of the ENPA. Ernest Coe and others were also confident that wealthy individuals, both from Florida and other states, would make substantial cash donations for land acquisition. Sholtz succeeded in getting several park-related laws enacted by the 1935 session of the state legislature. One act, which amended a 1929 law that had never gone into effect, established the Everglades National Park Commission (Sen. 958) and a second

¹⁶⁵ Chapter 7310, Laws of Florida, Acts of 1917.

¹⁶⁶ Executive Order 6883, Oct. 22, 1934, CP, EVER 22547.

appropriated \$25,000 for the first two years of the commission's operations, ending June 30, 1937 (Sen. 955).¹⁶⁷ A separate act authorized the trustees of the Internal Improvement Fund (IIF) to convey to the U.S., at their discretion, any state-owned land for inclusion in the park. This law further authorized the IIF to exchange land it owned outside the park boundary for privately owned lands within the boundary (Sen. 957). Once an exchange was completed, the IIF could then convey the exchanged land to the federal government. Another act (Sen. 954) empowered the IIF to eliminate the Seminole Indian Reservation in Monroe County, as soon as it had provided a tract "of approximately equal size and of suitable character" north of the proposed park boundary (figure 4-1, 1917 and 1937 Seminole reservations).¹⁶⁸ Finally, the legislature passed a law declaring the area within the authorized park boundary to be a wildlife preserve (Sen. 956). No funds were provided for marking or patrolling the area, however, so this act was essentially unenforceable.¹⁶⁹

Under the act of June 1935, the Everglades National Park Commission (ENPC) was to have 12 members, all Florida residents, appointed to four-year terms by the governor. The members were to elect a chairman from among their ranks. In addition to the chairman, there was an executive chairman, who was to be a commission member selected by the governor. The governor was also to select an executive secretary, who did not have to be a commission member. The executive chairman was allowed to hire a secretary. Three salaried positions were mentioned in the act: the executive chairman (not to exceed \$4,000 a year), the executive secretary (not to exceed \$2,500 per year), and the secretary to the executive chairman (not to exceed \$1,680 per year). The commission had authority to fill other posts, within the limits of its appropriations. The commission members received no pay, but were entitled to reimbursement for travel expenses.¹⁷⁰

Ernest Coe apparently suggested to Governor Sholtz the idea of having a chairman, which was conceived as an honorary position, and an executive chairman. Coe saw the chairman as being the public face of the commission, promoting the project at every opportunity, while the executive chairman had day-to-day responsibility for the commission's work. The legislature authorized the commission to take title to any lands that the secretary of the interior might designate for the national park and gave

167 The Everglades National Park Commission had been previously authorized by legislation passed in 1929, but the operation of the law was suspended until Congress passed its 1934 authorizing act. Until 1969, the Florida legislature met only in odd-numbered years. Sholtz had to wait until the 1935 session to make changes to the commission's powers and organization and ask for an appropriation for its operations.

168 The legislature in 1937 established a 100,000-acre reservation in Broward County for the Seminoles. A more detailed discussion of the effect of the park on the Seminole Indians appears below in chapter 19.

169 Ernest F. Coe to M. I. Montgomery, Florida State Planning Board, Dec. 31, 1936, CP, EVER 19674a.

170 S. 958, June 7, 1935.

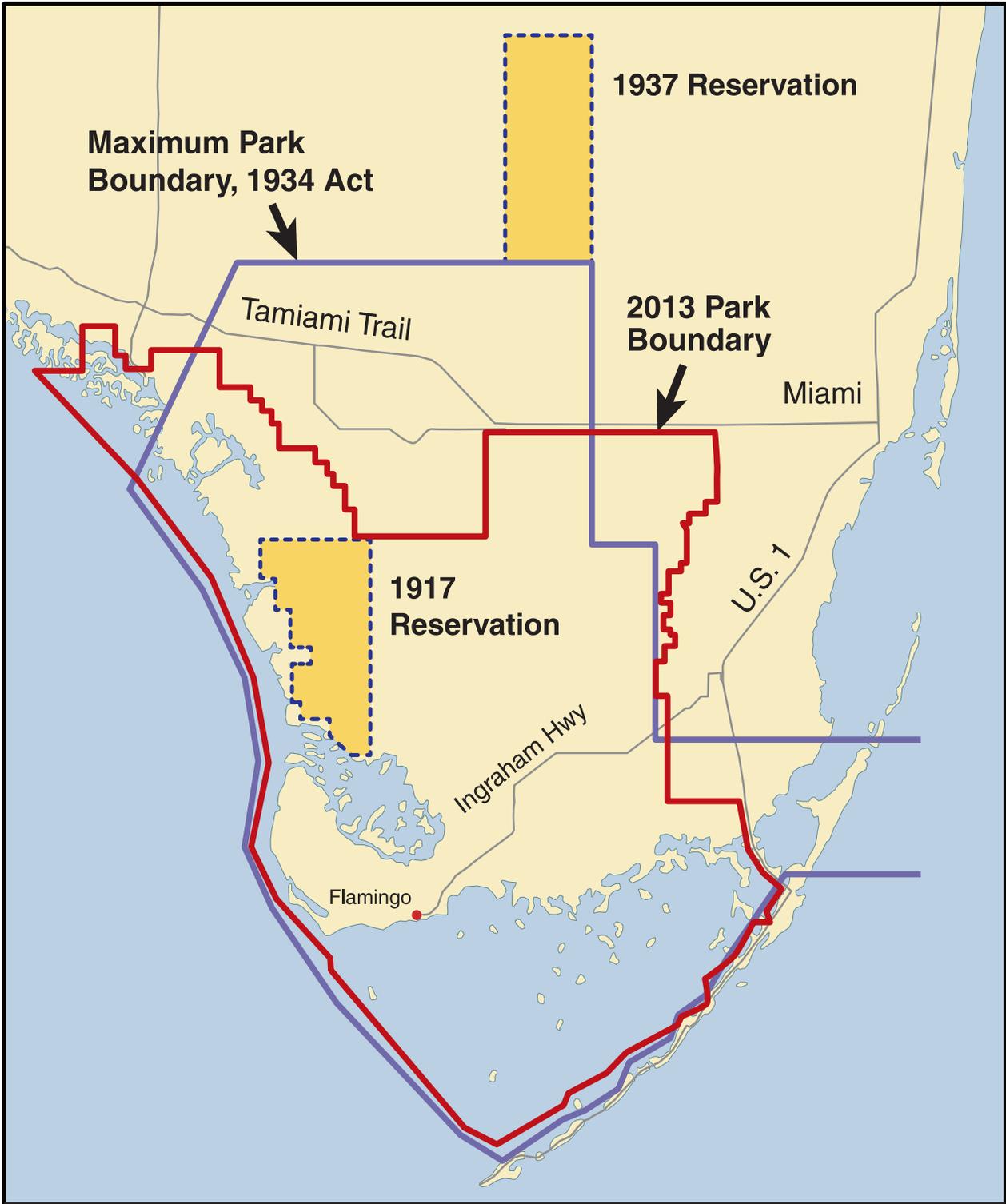


Figure 4-1 1917 and 1937 State of Florida Seminole Reservations

it the power of eminent domain. The 1929 act had empowered the ENPC to absorb the ENPA, but the 1935 act directed the commission to work in cooperation with the association. It was apparent in 1935 that the association would be able to undertake activities that a state agency could not, so that it made sense for it to continue with a separate identity.¹⁷¹

The Everglades National Park Commission

Even before the legislature had defined the powers of the Everglades National Park Commission and funded it, Governor Sholtz was seeking input on its composition. Ernest Coe expected to be named executive chairman and was among those who suggested names to the governor for other members. Governor Sholtz appointed the following commission members on April 30, 1935:

Ernest F. Coe, landscape architect and executive chairman, ENPA, Coconut Grove
Lorenzo A. Wilson, fertilizer company executive, Jacksonville
D. Graham Copeland, Collier Corporation executive, Everglades City
J. W. Hoffman, Model Land Company executive, St. Augustine
May Mann Jennings, clubwoman and activist, Jacksonville
Norberg Thompson, commercial fisherman, Key West
William H. Porter, bank officer and Monroe County Commissioner, Key West
Thomas J. Pancoast, real estate and hotels, Miami Beach
Mrs. T. V. Moore, clubwoman, Miami
A. L. Cuesta Jr., cigar manufacturer, Tampa
John O. Shares, hotelier, Sebring
Hamilton Holt, president, Rollins College, Winter Park

Sholtz appointed Coe executive chairman, and the commission members later elected Thomas Pancoast as chairman. Coe recommended J. S. Alexander, a Tampa biologist who had worked in Yellowstone National Park, as executive secretary, and the governor made that appointment. Coe had advised Sholtz not to appoint anyone to the commission who owned land or represented land owners within the authorized boundary. The governor must have felt that such a course was politically impossible, because three of his appointments fell into that category. The Model Land Company, represented by Hoffman, owned 136,466 acres; the Collier Corporation, represented

171 Ernest F. Coe to Lorenzo A. Wilson, CP, EVER 22382.

by Copeland, owned 151,000 acres; and Mrs. Jennings, through the Dade Muckland Company, owned 2,170 acres.¹⁷²

As of May 1935, Ernest Coe was executive chairman of both the ENPA and the ENPC. As a private association, the ENPA was committed to the rapid establishment of an Everglades National Park with the maximum boundary specified in the 1934 federal law. As an official agency of the State of Florida, the ENPC had the responsibility of representing all of the state's people, ensuring the wise use of state funds, and reconciling competing interests. Many of those competing interests—the tourist industry, land owners, commercial fishermen, and conservationists—were represented on the ENPC. Temperamentally, Ernest Coe was much better suited to the role of high-principled, uncompromising park proponent than the role of executive chairman of a state commission that had to satisfy multiple constituencies. His position with the ENPC also demanded administrative abilities and diplomatic skills that were not Coe's strong suits.

The ENPC placed a major emphasis on the benefits to Florida's tourism industry of a national park in the Everglades. The park's location at the toe of the Florida peninsula meant that motorists visiting the park would have to travel the length of the state coming and going, scattering dollars among hotel and restaurant owners along the way. A map distributed by the commission explicitly made that very point (figure 4-2, ENPC map touting tourism).

The first two major tasks confronting the ENPC were recommending a boundary for the park and preparing abstracts of title for the private holdings within that boundary. A final decision on an acceptable boundary was in the hands of the secretary of the interior, but the NPS expected to work closely with the ENPC in determining a boundary that would both meet NPS requirements and be politically acceptable in Florida. In Secretary Wilbur's December 1930 letter to Congress, he expressed some doubt about whether acreage north of the Tamiami Trail should be included in the park, and Director Horace Albright expressed similar uncertainty in his correspondence. In part this was because the NPS had not studied the attributes of the 2 million acres in Coe's proposed boundary. The Wilbur letter described the boundary that accompanied his report as "a very definite starting point" and indicated that a satisfactory minimum boundary might embrace 80 percent of the 1.3 million acres included in his proposal.¹⁷³ The preparation of abstracts of title was the first step in the process of land acquisition. The abstracts were to be used in subsequent appraisals of land and negotiations with land owners.

172 Ernest F. Coe to Gov. Sholtz, Mar. 20, 1935, and July 1, 1935, Gov. Sholtz papers, box 42; J.P. Newell, secretary to Gov. Sholtz, to Ernest F. Coe, Aug. 16, 1935, CP, EVER 21859.

173 Wilbur, *Report*, Dec. 3, 1930, 10.



Figure 4-2. Everglades National Park Commission map touting tourism

Ernest Coe waited six months to hold an organizational meeting of the ENPC. May Mann Jennings, for one, feared that he was letting momentum slip away.¹⁷⁴ On January 15, 1936, nine of the twelve members met in Miami, electing Thomas Pan-coast as chairman and Lorenzo Wilson as vice chairman. The commission established four committees, with the following membership:

174 May Mann Jennings to Ernest F. Coe, Oct. 23, 1935, CP, EVER 19886.

Finance Committee: William R. Porter, Lorenzo Wilson, A. L. Cuesta Jr.,
 Norberg Thompson, John O. Shares
 Lands and Boundaries Committee: D. Graham Copeland, J. W. Hoffman, William R.
 Porter
 Legislation Committee: John O. Shares, May Mann Jennings, D. Graham Copeland
 Public Relations Committee: Dr. Hamilton Holt, Mrs. T. V. Moore, Norberg Thompson

Coe and Pancoast were made ex-officio members of all committees. The finance committee was responsible for handling cash donations, government appropriations, and disbursements to land owners.¹⁷⁵ The lands and boundaries committee had a key responsibility, since it was already apparent that some Floridians would object to the maximum boundary in the 1934 law. Placing representatives of the two largest land owners, the Model Land Company and the Collier Corporation, on this committee was almost a guarantee of future controversy.

There were some minor changes in commission members and staff in the first two years of its operation. Lorenzo Wilson died in September 1936 and was replaced by Frank Dominick of Miami Beach. President Holt of Rollins College resigned after the December 1936 ENPC meeting and was replaced by Michael Sholtz of West Palm Beach, the governor's father. Coe in June 1936 asked Governor Sholtz to remove Alexander as the commission's executive secretary. Alexander was actively campaigning in the Democratic primary election, and Coe believed the commission needed to be above politics. Alexander was persuaded to resign, and in August 1936, Sholtz appointed Benjamin Axleroad, a Miami lawyer, as a replacement. Axleroad later recalled that he found Coe as a boss "like the Pharoahs [sic] of Egypt."¹⁷⁶

The work of preparing abstracts of title began in August 1935 and continued for several years. As chief abstractor, the commission hired J. H. Meyer, who proved energetic and efficient. Title companies in Dade County provided access to their files without charge, and the ENPC was able to tap almost \$9,000 in Federal Emergency Relief Administration and Works Progress Administration funding for salaries. The ENPC employed four typists, mostly occupied with the title work; critics were not shy in pointing out that the state attorney general's office managed to get by with just two. Although the abstracts were a necessary first step, criticism was soon being leveled at the commission for failing to mount a fund-raising campaign for land purchases. The main reason that the commission failed to move rapidly into fund-raising activities

175 Minutes of Organization Meeting, ENPC, Jan. 15, 1936, CP, EVER 19420b.

176 Ernest F. Coe to Gov. Sholtz, June 14, 1936, Ernest F. Coe to ENPC members, Aug. 18, 1936, Ernest F. Coe to ENPC members, Dec. 31, 1936, Meeting of ENPC, Apr. 4, 1937, 15, Meeting of ENPC, Jan. 11, 1937, CP, EVER 19463, EVER 19382b, EVER 19390, EVER 19427a, EVER 19391b; Benjamin Axleroad to Spessard Holland, Oct. 23, 1940, SLH papers, box 95.

was the presence of sharp differences between Ernest Coe and the majority of the commission on the question of an acceptable park boundary.¹⁷⁷

Determining a Minimum Acceptable Park Boundary

Director Cammerer had dispatched an NPS team to Florida to study the boundary question in December 1934. It consisted of Harold C. Bryant, assistant director, Roger W. Toll, Yellowstone superintendent, Oliver G. Taylor, deputy chief engineer, and George M. Wright, chief of the wildlife division. The team spent five days in the area and made its report to Cammerer on January 14, 1935. Its basic conclusion was that “only an approximation of the maximum boundary as set can fulfill conservation requirements and consequently approval of any material reduction in size must be avoided.” The team emphasized the need to include within the park the sizable portions of Key Largo and Old Rhodes Key and acreage north of the Tamiami Trail specified in the original maximum boundary. As to the latter area, it noted that “[a]ny commercial development of this area involving drainage would injure the region to the south.” The team recommended excluding from the park the rights-of-way of the Florida and East Coast Railway and the Key West Highway (State Route 4A at the time, later U.S. 1). The report noted that “minor adjustments to the boundary lines” would be acceptable. Cammerer discussed the team’s recommendations with representatives of major conservation organizations. Secretary Ickes then wrote to Governor Sholtz on April 3, 1935, stating that the original boundary, encompassing 2,000 square miles, subject to minor adjustments, would be acceptable to the federal government. Ickes urged the state to proceed rapidly in acquiring the necessary lands for the park.¹⁷⁸

The Lands and Boundaries Committee of the ENPC convened an open meeting in Miami on June 27, 1936, to get public input on the boundary issue. D. Graham Copeland, the committee chair, presided and Ben H. Thompson, special assistant to the NPS director, was present. The meeting was well attended, drawing many land owners, commercial fishermen, and representatives of sportsmen’s groups. Attendees raised several strong objections to the maximum boundary. The Izaak Walton League of Dade County, representing its 400 members, wanted the area north to the Tamiami Trail excluded as valuable hunting grounds and all of Florida Bay excluded because of its worth to commercial and sportfishermen. The league said it could support only a much smaller park, of about 930 square miles, confined entirely to the mainland. Fearing for their livelihoods, spokesmen for the commercial fishing and

¹⁷⁷ Ernest F. Coe to Gary D. Landis, Fla. AG, Mar. 4, 1937; May Mann Jennings to Gov. Cone, June 5, 1937, Gov. Cone Papers, box 30.

¹⁷⁸ Harold C. Bryant to Dir. Cammerer, Jan. 14, 1935, CP, EVER 22200; Dir. Cammerer to Ernest F. Coe, Jan. 15, 1935, Gov. Sholtz papers, box 41.

sponging industries wanted none of the waters of the Gulf or Florida Bay included in the park. William Albury, attorney for the Monroe County Board of Commissioners, presented the county government's position that none of the keys should be part of the park. He pointed out that the county had agreed to give up all of its acreage on the mainland, and argued that if portions of Key Largo were also made part of the park, the tax burden on the rest of the county would be onerous. Land owners were divided in their opinions. Some were willing to sell to the government, but all were concerned about getting full and fair value for their property. The Florida Federation of Garden Clubs testified in favor of the original park boundary. Following the public meeting, the Lands and Boundaries Committee began the preparation of report to the full ENPC.¹⁷⁹

The vehement opposition to the maximum boundary in Monroe County presented a serious problem for the park project. Already in April 1937, Director Cammerer had attempted to reassure the Monroe County Fishermen's Association, writing:

The National Park Service has no intention of imposing regulations relating to commercial and sport fishing within the Everglades National Park area, other than those contained in Florida State laws, or county laws in the event the latter exist.¹⁸⁰

ENPC member D. Graham Copeland (chair of the Land and Boundaries Committee) "preached Mr. Cammerer's letter from one end of the County to the other," hoping to quiet protests from one thousand commercial fishermen. Coe met with the Monroe County Commissioners, trying to persuade them that any tax revenues lost by the inclusion of Key Largo acreage in the park would be more than made up by the increased tax revenues that would come from the development of adjacent county lands once the park was attracting one million tourists a year.¹⁸¹ Coe had difficulty in believing that there could be honest differences of opinion over what was best for Florida regarding the park. He tended to believe that opposition to his ideas originated either in ignorance or purely selfish motives. Coe therefore spent a great deal of time trying to explain again and again the facts that he believed made his conception of the park boundary the only correct conception. In this, he tried the patience of many and alienated not a few.

The conflicts over a boundary and the problematic dual role of Ernest Coe with the ENPC and the ENPA dominated the second meeting of the full ENPC in December 1936. Copeland maintained that he had attempted to get an earlier meeting to

¹⁷⁹ Minutes, Meeting of Lands and Boundaries Committee, ENPC, June 27, 1936, CP, EVER 19423.

¹⁸⁰ Dir. Cammerer to Chester Thompson, Monroe County Fishermen's Association, Apr. 28, 1937, NARA II, RG 79, NPS AF, box 919.

¹⁸¹ Meeting of ENPC, Apr. 3, 1937, 49, CP, EVER 19427a; "Everglades Park Denied Keys Area," *Miami Herald*, June 17, 1936.

present the Lands and Boundaries Committee report, which was prepared in October, but that Coe put him off. The committee's report contended that a reduction in the maximum boundary was essential to secure the cooperation of "powerful interests in the social, business and political worlds." Specifically, the report recommended the exclusion of 45,799 acres in the Turner River area of Collier County, arguing that this was valuable as agricultural land and that the river held great promise as an avenue of navigation. In addition, the committee believed that the Turner River country offered nothing to a visitor that was not present in river valleys farther to the south. In Monroe County, the report proposed excluding all "bays, water bottoms and islands, amounting to 27,644 acres." The committee fully supported the political leaders of the county on this. In Dade County, the report recommended a reduction of 115,200 acres. This reduction comprised marl lands in the eastern portion of the proposed park that could be drained for agriculture. The committee argued that even with the reductions, the essential natural features of the area would be included in the park. In presenting the report to the full ENPC, Committee Chair Copeland stressed that the 1930 letter from the Secretary of the Interior had indicated that something like 80 percent of the full 2,000 square miles could well be acceptable for establishing the park.¹⁸²

D. Graham Copeland, as chair of the Lands and Boundaries Committee, led the discussion of the committee's report. Copeland sharply criticized the actions of Ernest Coe on behalf of the ENPA, which he believed undercut the position of his committee. Copeland argued that while Coe kept the ENPC's Lands and Boundaries Committee at arm's length, his ENPA pumped out propaganda favoring the maximum park boundary and published gross underestimates of the cost of acquiring the private holdings. Copeland's charges were not without foundation. Coe had written confidentially to Director Cammerer in June 1936 to warn him that the Lands and Boundaries Committee wanted a "radical curtailment" of the boundary. He thought that there was "a definite set up" among the Collier Corporation, the Model Land Company, and Key Largo land owners to whittle down the boundary. Hoping to circumvent Copeland, Coe suggested that the NPS work with the Roosevelt administration to approach Barron Collier directly. During the December 1936 meeting, May Mann Jennings supported Copeland and suggested that Coe needed to give up one of his positions. She was eager to get the boundary questions resolved so that fund-raising for land acquisition could begin. She also noted that approval of a minimum boundary would not prevent additional tracts being added to the park in the future. In a remark clearly directed at Coe, Mrs. Jennings observed, "We can't dream—we have got to face realities." After considerable discussion, the commission voted by a margin of eight to three to have the Lands and Boundaries Committee report presented to the NPS as the basis for

182 "A Report to ENPC by Committee on Lands and Boundaries Relative to Boundaries for Proposed Everglades National Park," Oct. 19, 1936, CP, EVER 19424; Wilbur, *Report*, Dec. 3, 1930.

discussions on an acceptable boundary. The no votes came from Coe, Pancoast, and Dr. Holt.¹⁸³

In January 1937, an NPS delegation headed by Director Cammerer went to South Florida to make further investigation of the boundary issue and to meet with members of the ENPC. George A. Moskey, assistant director, lands and use, Dr. H. C. Bryant, assistant director, research and education, and Ben H. Thompson, special assistant to the director, were the other members of the delegation. Augustus S. Houghton, a prominent conservationist associated with the Camp Fire Club and a long-time friend of Cammerer, was also part of the team. The NPS group spent the better part of a week touring the Everglades area, including three days in and around Turner River. Director Cammerer then attended a meeting of the ENPC on January 11, 1937.¹⁸⁴

At the meeting, Director Cammerer led off by describing the process of land acquisition in other park projects. He stressed that a decision on a minimum boundary was critical, noting that the ENPC had “not gathered a single dollar of funds” for land acquisition. He defined the goal as deciding on “the smallest workable unit and get[ting] funds for it.” Turning to specifics, Cammerer pushed for the inclusion of a portion of Key Largo, believing that an example of key geology and coral reefs needed to be part of the park. He indicated that the NPS could give up the Turner River Country, if it was assured of having the Lopez River and some shell mounds lying between Turner River and Lopez River. Cammerer had previously made this commitment to Barron Collier, who had strong ties to the Roosevelt Administration. He also seemed willing to compromise on lands along the eastern boundary on the mainland, stating that “we don’t want to take any land that is more valuable for agricultural purposes.” The director went out of his way to reassure commercial fishermen and spongers that the NPS would not interfere with their activities. At this point, William Porter, who was a Monroe County Commissioner, pointed out that fisherman had been greatly alarmed when the first superintendent of Fort Jefferson National Monument had closed its waters to fishing.¹⁸⁵ Cammerer said he would look into that question, but that it should not be viewed as a precedent for the Everglades situation. The director thanked the Lands and Boundaries Committee for its work and said he was now prepared to return to Washington and make a recommendation to Secretary Ickes on a minimum acceptable boundary.¹⁸⁶

183 Meeting of ENPC, Dec. 2, 1936, CP, EVER 19387a; Ernest F. Coe to Dir. Cammerer, June 2, 1936, CP, EVER 20404; Ernest F. Coe to Dir. Cammerer, June 29, 1936, CP, EVER 20416.

184 Minutes of Meeting of ENPC, Jan. 11, 1937, CP, EVER 19391b.

185 President Franklin D. Roosevelt established Fort Jefferson National Monument on January 4, 1935. On October 26, 1992, the fort and surrounding areas were redesignated the Dry Tortugas National Park.

186 Minutes of Meeting of ENPC, Jan. 11, 1937, CP, EVER 19391b, 9, 12-13, 29-33.

At the January ENPC meeting, Copeland again complained of the activities of the ENPA, stating that it had “[b]rought more enemies to the Park than they ever begin to realize.” William Porter and May Mann Jennings pointed out that there was a conflict of interest in having Ernest Coe as executive chairman of both the ENPA and the ENPC. Mrs. Jennings noted that a new governor, Fred P. Cone, had just been inaugurated at Tallahassee, remarking “if we don’t get down to the job, you will see what Governor Cone will do.”¹⁸⁷

On February 9, 1937, Director Cammerer notified Thomas Pancoast, chair of the ENPC, of his boundary recommendations to Secretary Ickes. Pancoast in April asked Cammerer to delay the issuance of Secretary Ickes’s letter to Governor Cone on an acceptable minimum boundary until after the Florida legislature had adjourned.¹⁸⁸ The legislature was considering the commission’s budget request. Pancoast feared that once the Monroe County delegation learned the details of the minimum boundary, it would turn against the ENPC. Ickes was in the area of the park in April, on a fishing and inspection trip in the company of Harry Hopkins, who headed the Works Progress Administration. Ickes used the trip to make his own assessment of Cammerer’s recommendations and ended up delaying his letter to the governor until August 13, 1937. In his letter, Ickes accepted all of Cammerer’s recommendations. The department of interior was willing to accept the Lopez River as the northwest water entrance to the park, giving up the Turner River country. Ickes also agreed to the exclusion of areas of potential agricultural worth west and south of Homestead. The department compromised on the keys, agreeing to accept a smaller portion of Key Largo than the 1930 boundary embraced. The secretary insisted that Florida Bay was an essential part of the park, largely because it was the habitat of many birds and marine animals. Ickes closed his letter by stating “the time has now come when the State may aggressively proceed with its program of acquiring the land.”¹⁸⁹

The Administration of Governor Fred P. Cone

May Mann Jennings’s political instincts about incoming Governor Cone turned out to be on target. Fred P. Cone, a Lake City farmer, lawyer, and banker, had been president of the state senate in the 1910s. Facing 13 opponents in the first round of the Democratic primary, he prevailed in the second round in May 1936 and assumed

187 Minutes of Meeting of ENPC, Jan. 11, 1937, 15-16, 38, CP, EVER 19391b.

188 Until 1969, the Florida legislature met only every other year (odd numbered years) in the spring.

189 Dir. Cammerer to Thomas J. Pancoast, Feb. 9, 1937, CP, EVER 20453a; Thomas J. Pancoast to Dir. Cammerer, Apr. 6, 1937, CP, EVER-20785; SOI Ickes to Gov. Cone, Aug. 13, 1937, NARA Ph, RG 79, 79-67-A-1022, box 22; “Ickes, Hopkins on Fishing Trip,” *Daytona Beach News Journal*, Apr. 13, 1937.

office on January 5, 1937. Cone ran on a platform of strict economy in state spending and no tax increases. Cone was a down-to-earth, folksy product of North Florida, which was his primary political base. It was obviously important for the ENPC and park proponents generally to establish good relations with Cone, especially since the state legislature was to convene shortly after he took office and would be making appropriations for the commission. Ernest Coe traveled to Tallahassee in February 1937 and met briefly with Cone. The two men's contrasting reactions to the meeting are very revealing. Coe reported that the governor was "extremely affable" and very interested in the park project.¹⁹⁰ Cone later wrote of this meeting:

Of course you know I talked with Mr. Ernest F. Coe, but he would run me crazy in thirty minutes, so I will be glad when the Association comes up here [Tallahassee] if they will leave him home, because he gives me the jim-jams.¹⁹¹

In the first half of 1937, it became increasingly apparent that Governor Cone had serious reservations about the Everglades National Park project and the operations of the ENPC. The commission met in April to hammer out a budget proposal for the period from July 1, 1937, to June 30, 1939, to present to the legislature. Knowing that the governor and legislature were keen to reduce expenditures, the commission made reductions where it could, but still ended up requesting \$87,760, or \$43,880 a year. In discussing the appropriate ENPC member to send to Tallahassee to lobby, Mrs. Jennings warned that "it would be poison" to send Ernest Coe. At the end of the April meeting, a motion was passed to have the commission meet monthly in the future. When the commission met again in early May, William Porter reported that the governor had vowed not to raise taxes and that the legislature seemed to lack leadership. The commission decided that it was imperative to have a member present in Tallahassee through the end of the legislative session to safeguard the ENPC's interests. Mrs. Jennings reluctantly agreed to go to Tallahassee, promising to keep in close touch with the other members and to ask for a meeting of the full commission in the capital if it seemed desirable.¹⁹²

Once in Tallahassee, May Mann Jennings did everything she could to get the commission's appropriation passed, contacting 37 of the 38 state senators and more

¹⁹⁰ David R. Colburn and Richard K. Scher, *Florida Gubernatorial Politics in the Twentieth Century* (Tallahassee: University Press of Florida, 1980), 71-72, 281; Ernest F. Coe to John O. Shares, Mar. 1, 1937, CP, EVER 21115.

¹⁹¹ Gov. Cone to G. Orren Palmer, Dec. 9, 1937, Gov. Cone papers, box 30. "The jim-jams" is a colloquial expression meaning "the fidgets; nervousness; the 'creeps'; low spirits" and has been in use since the early twentieth century. Eric Partridge, *A Dictionary of Slang and Unconventional English*, 8th ed. (New York: Macmillan, 1984), 620.

¹⁹² "Governor's Message to Florida Legislature," *Florida Times-Union*, Apr. 7, 1937; Meeting of the ENPC, Apr. 3, 1937, CP, EVER 19427a; Minutes of Meeting of the ENPC, May 3, 1937, CP, EVER 19428.

than half of the representatives. She also met with Governor Cone and reported him to be “very sore” about the \$4,000 salary of the executive chairman and skeptical of the need for an executive secretary and four typists. The governor wanted to assert his control over the ENPC and told Mrs. Jennings that he would veto any appropriation for it unless all its members resigned, giving him free reign to reconstitute the commission as he saw fit. Jennings wrote the other commission members that Cone “means exactly what he says.” On June 8, the governor requested the resignation of each commission member, writing “I want to have some say so about where it [the appropriation] is to be spent and how.” The members complied, and the legislature passed the two-year appropriation of \$87,760. Governor Cone signed the bill into law on June 12, but had no intention of allowing anything close to that amount actually to be disbursed.¹⁹³

To get a better handle on the ENPC and the entire Everglades situation, Governor Cone asked a cousin, G. Orren Palmer, a retired lawyer living in Miami Beach, to investigate and report to him. Palmer reported that contrary to rumors, he believed that the ENPC had been quite frugal in its expenditures. He thought that Ernest Coe by far had the most knowledge of the park project and should be retained as executive chairman. Palmer believed it a bad idea to retain anyone on the commission who was a land owner or represented one and that Benjamin Axleroad should be let go. In sum, Palmer recommended that the ENPC be maintained, but with a smaller membership and a strictly controlled budget. Cone responded that he felt that the park boundary was too comprehensive and that he refused to tax the people of Florida to buy land for the park. He thought that either the federal government or northern philanthropists should bear the entire cost. Throughout his four years in office, Cone gave vague public assurances that he favored the park’s establishment, but in practice he did nothing to bring it about. Augustus Houghton was on point when he wrote to Director Cammerer, “you can expect no help from Governor Cone.” Cone’s attitude largely stemmed from his belief that a national park in the Everglades would primarily benefit Miami and environs, where he had few political supporters. Secondarily, he was committed to reigning in state expenditures in hard times (figure 4-3, *The Miami Daily News* blasts Gov. Cone’s attitude).¹⁹⁴

Governor Cone accepted the resignations of the ENPC members in July but made no new appointments for several months. Mrs. Jennings asked the governor to

193 Mrs. W. S. Jennings to Thomas J. Pancoast, June 6, 1937, CP, EVER 19938; Mrs. W. S. Jennings to Gov. Cone, June 6, 1937, Gov. Cone papers, box 30; Mrs. W. S. Jennings to ENPC members, June 6, 1937, CP, EVER 19939; Gov. Fred P. Cone to Ernest F. Coe, June 8, 1937, CP, EVER 14604; “\$300,000 Payments under Legislative Acts Are Withheld,” *Miami Herald*, Nov. 4, 1937; Senate Bill 707, Florida Acts of 1937.

194 G. O. Palmer to Gov. Cone, July 14, 1937, Gov. Cone to G. Orren Palmer, July 28, 1937, Gov. Cone papers, box 30; Augustus Houghton to Dir. Cammerer, Oct. 25, 1937, NARA II, RG 79, NPS AF, box 911.

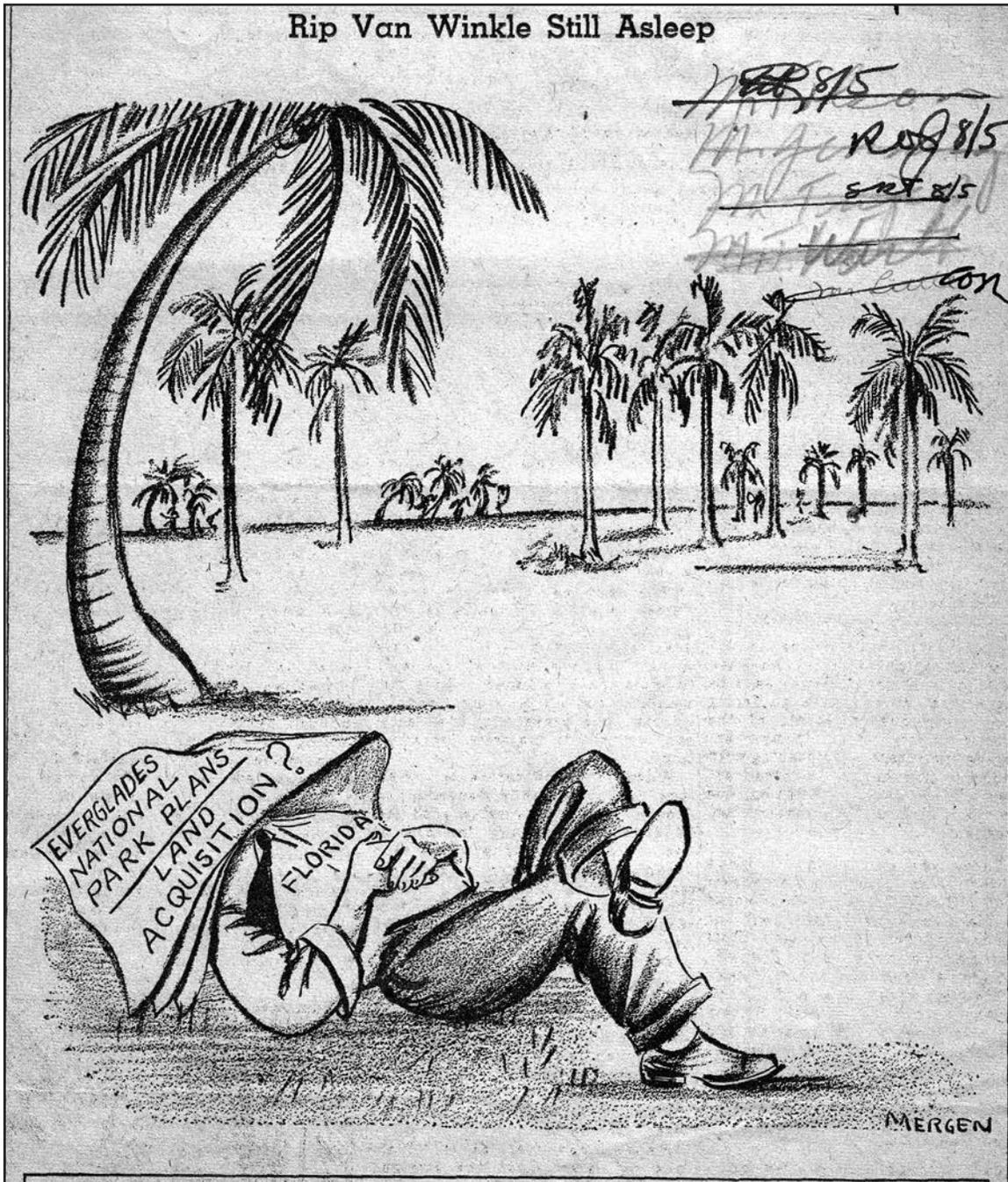


Figure 4-3. The *Miami Daily News* blasts lack of progress on the park, 1939

appoint her executive chairman, but he declined, naming G. Orren Palmer to the post on November 16, 1937.¹⁹⁵ The position's salary was kept at \$4,000 a year. It seems clear that the governor's objection was to the person who was receiving this salary, not its amount. Cone reappointed G. Graham Copeland, in spite of Palmer's reservations about representatives of land owners, and added four other members: C. J. McElheny, Tampa, I. J. Reuter, Miami Beach, John P. Stokes, Miami, and H. R. Howell, Miami. As Ernest Coe and Benjamin Axleroad interpreted Florida law, they believed that they were authorized to hold on to their ENPC positions and draw their salaries until their successors entered on duty. Coe continued to approve salary vouchers for Axleroad and other employees, but Governor Cone refused to sign off on them. Axleroad pursued a legal case for his back pay. The Florida Supreme Court ruled that he was entitled to his pay, but concluded it had no power to compel the governor to authorize payment.¹⁹⁶

On another front, Congressman Wilcox succeeded in getting the five-year ban on federal expenditures for park administration, protection, and development removed, with an act passed August 21, 1937 (H.R. 2014). Park supporters hoped that this move would allow CCC camps to be established within the park's proposed boundary. The work at Royal Palm State Park was already completed (see chapter 2), however, and there were no other state- or federal-owned tracts where the CCC could legally operate. Everglades National Park was authorized but not yet established, so the removal of the spending ban had little practical effect.¹⁹⁷

The Board of Trustees of the IIF, in consultation with the U.S. Office of Indian Affairs,¹⁹⁸ decided in 1937 to establish a 104,000-acre reservation for the Seminoles in Broward County. This replaced the 99,200-acre Monroe County reservation that the state had decided to donate to the federal government for the national park. The southern boundary of the new reservation abutted the north park boundary under the maximum park boundary of 1930 (see figure 4-1). An unnamed state official described this as "trading virtually nothing for something of the same value." He characterized the land in Broward County as mostly marsh with a few high spots. The Office of Indian Affairs believed that the Seminoles had never made "any substantial use" of the Monroe County reservation. A 1930 map of Seminole camps shows only one camp within the reservation, that of Ingram Billy. Undoubtedly the Indians fished, frogged,

195 Thomas Pancoast believed that Mrs. Jennings had been angling for the executive chairmanship all along and indeed had a hand in persuading Governor Cone to demand the commissioners' resignations. No other evidence has been found to support this charge.

196 Ernest F. Coe to Gov. Cone, June 16, 1939, Gov. Cone papers, box 31; Gov. Cone to G. O. Palmer, Nov. 30, 1937, Gov. Cone Papers, box 30; J. H. Meyer to Mr. English, Apr. 5, 1939, CP, EVER 148026; State Legislature Gets Axleroad Case," *Miami Herald*, Apr. 8, 1939.

197 "President Signs Everglades National Park Measure," *Miami Beach Tribune*, Aug. 27, 1937.

198 The Office of Indian Affairs within the Department of the Interior became the Bureau of Indian Affairs in 1947.

hunted, and gathered in the reservation, using temporary camps. Newspaper coverage and a statement from the Superintendent of the Seminole Agency indicate that the Seminoles opposed the move to Broward County. They seemed, however, more concerned about having to potentially give up their camps along the Tamiami Trail than losing the Monroe County acreage (see chapter 18).¹⁹⁹

The Park Project in the Doldrums

The park project made little progress during Governor Cone's administration. Cone permitted only about \$19,000 of the \$87,660 appropriation from 1937 to be expended; much of this went for his cousin's salary as executive director of the ENPC. NPS Director Cammerer was again in South Florida in December 1937 for a joint meeting of the ENPA and the ENPC. Twice in the summer of 1939, Secretary of the Interior Ickes met with Palmer, who had been reappointed executive director in April. As time passed, Ickes was increasingly impatient and vocal in urging the state to move forward with land acquisition. Florida's newspaper editors began to attack Governor Cone for his lack of interest. Even Palmer, Cone's hand-picked ENPC executive director and near relation, seemed to have difficulty in getting the governor's attention, referring to the "none too definite" nature of their conversations on the park project. The *Orlando Sentinel* noted with some disgust that Palmer would be lucky to get the commission's postage expenses covered by the state.²⁰⁰

Reporting on a meeting that he had with Secretary Ickes in the summer of 1939, Palmer noted that the blunt-spoken secretary's "opening remark was to the effect that it was inconceivable why the State of Florida had done so little in furthering the Everglades National Park project, and that unless the State showed more interest, the Federal Government would soon abandon the project."²⁰¹

Director Cammerer confessed that he had worries about the Everglades, but was willing to wait, writing in December 1938:

Governors come and go and where one Governor has the vision, another lacks it. The next Governor may be more favorable. . . . I feel that the project just can't be permitted to fail, even should it have to be cut down in area as a last resort. I am

199 F. C. Elliot, IIF, to Benjamin Axleroad, ENPC, May 21, 1937, cited in Chronology, Everglades National Park – Florida, EVER 22965; "Florida Swaps Indians 'Nothing for Nothing,'" *Ft. Myers News-Press*, Mar. 7, 1937; Acting Dir. Tolson to Asst. SOI Chapman, Aug. 12, 1938, cited in Chronology, Everglades National Park – Florida, EVER 22965; "War Talk Sweeps Glades as Indians Protest Removal," *Miami Tribune*, Apr. 11, 1937.

200 "State Legislature Gets Axleroad Case," *Miami Herald*, Apr. 8, 1938; G.O. Palmer to Gov. Cone, Feb. 2, 1939, Gov. Cone papers; "Affairs of State," *Orlando Sentinel*, Nov. 11, 1937.

201 G. O. Palmer to Spessard L. Holland, Aug. 27, 1940, SLH papers, box 95.

not breathing this last as a possibility, but we may come to it sooner or later, rather than have the project fail.²⁰²

A typical editorial reaction came from the *Tampa Daily Times* in the last year of Governor Cone's term:

Why Not Get Everglades Park Now, Governor?

This Everglades Park editorial is addressed to Governor Cone and members of the State Cabinet and its point is that the people of Florida have shown as plainly as they can . . . that they want Everglades National Park opened up as soon as possible; so why doesn't the State administration get busy?

The vital preliminary steps should not have to wait until after another governor takes office. Floridans [sic] are still expecting Governor Cone to order a real and aggressive effort to secure this park project as soon as possible. All Florida would acclaim such action. How about it, Governor?²⁰³

Jacksonville's *Florida Times-Union*, the *Miami Herald*, the *Key West Citizen*, the *Fort Meyers News Press*, the *Melbourne Times*, and the *Lake Wales Highlander* published editorials expressing similar sentiments.

The 1938 NPS Wildlife Reconnaissance Report

A small step forward in the late 1930s was the preparation by the NPS of a fairly detailed report on the plant and animal life of the Everglades. A wildlife technician in NPS Region One, Daniel B. "Dan" Beard,²⁰⁴ did field work in the Everglades off and on from November 1937 to September 1938. The result was a 104-page special report that also included 34 photographs and a base map, submitted November 1, 1938 (figure 4-4, Daniel Beard's 1938 *Wildlife Reconnaissance* cover). Beard noted that he "was able to cover most of the area by foot or boat and to fly over the entire project area a number of times." He cautioned that his report was "by no means a biological survey," but rather a general description of the project area with some discussion of

202 Dir. Cammerer to A. S. Houghton, Dec. 19, 1938, NARA II, RG 79, NPS CCF, box 905.

203 *Tampa Daily Times*, Feb. 13, 1940.

204 Daniel B. Beard was the son of Daniel Carter Beard, who helped found the Boys Scouts of America and was a noted authority on camping and woodcraft. Daniel B. Beard majored in political science at Syracuse University while taking zoology and biology courses. In 1934, he began an NPS career as a CCC camp wildlife technician, later serving in the NPS Region 1 Office and the Washington Office. Daniel B. Beard later became Everglades National Park's first superintendent, serving from August 1947 to May 1958 (see chapter 5). Beard went from the Everglades superintendency to the become superintendent of Olympic National Park and retired as director of the NPS Southwest Region, headquartered in Santa Fe. Biographical Information for Daniel Beard; undated fact sheet, SFCMC; "Glades Park Chief Loves Outdoor Life," *Miami Herald*, July 27, 1947; personal communication, Albert Beard to Nancy Russell, Mar. 19, 2011.

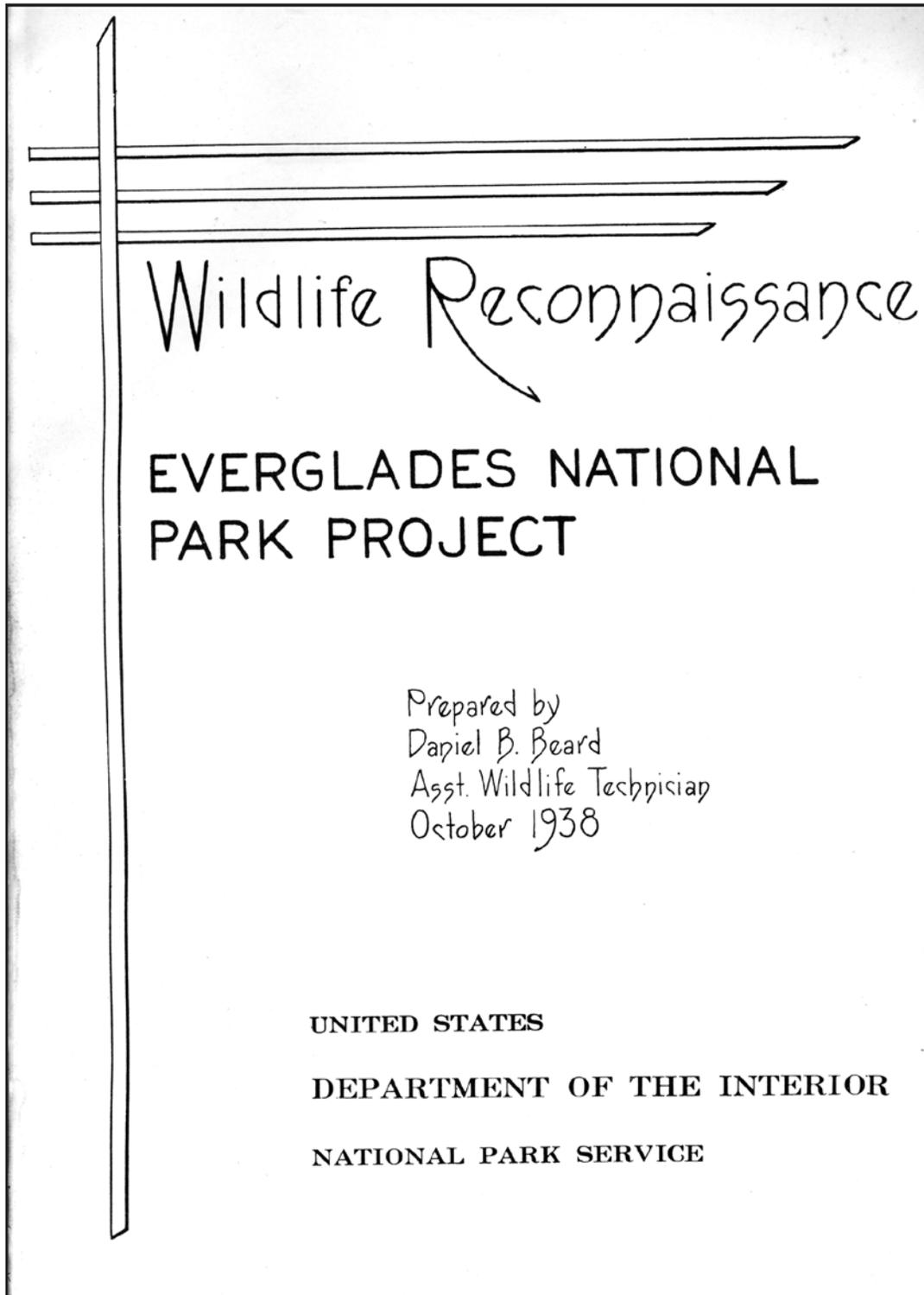


Figure 4-4. Daniel Beard's 1938 Wildlife Reconnaissance

the issues and problems future park managers could expect to confront.²⁰⁵ Dan Beard would later be named Everglades National Park's first superintendent (see chapter 5).

Beard's study provided an overview of the climate, physiography, flora, and fauna of the Everglades. Because he was writing for an internal NPS audience, Beard was often rather blunt in his assessments. He acknowledged that the reasons for national park status were "90 percent biological ones," and that the area had been seriously compromised by human activities. Beard was convinced that the NPS would need to actively manage the area in order to counteract the effects of previous exploitation of natural resources and extensive drainage works. He advised his readers to look past existing conditions and consider what the area would be like "50 to 100 years from now . . . after years of protection and careful administration." In addition to drainage, Beard addressed fires, commercial fishing, hunting, trapping, timbering, agriculture, and the collection of rare plants and animals, notably the colorful tree snails of the genus *Liguus*. Other rare species that he singled out for attention included the Florida panther (at the time often called the Florida cougar), the manatee, the Everglades kite, the alligator, the American crocodile, and wading birds: the great white heron, the reddish egret, the roseate spoonbill, and the eastern glossy ibis. Beard frankly discussed the issues surrounding an acceptable park boundary, concluding that because of land values and local opposition, "it is doubtful whether the Service can look forward to acquisition of Key Largo."²⁰⁶

The 31-year-old wildlife technician was not shy about offering his "preliminary thoughts on the master plan" for the park. Beard clearly understood that the appropriate development for visitor access in a wilderness park was the key issue in park planning for the Everglades. At that time, Beard believed that no development of the Cape Sable beaches was compatible with protection of the natural resources. Like others in the NPS, he believed that the forbidding nature of the sawgrass marshes would keep visitors away from them, ensuring their protection. He did state that the presence of visitors on motor roads in selected areas of the park was compatible with the protection of nearby wilderness areas. Beard also understood that there would be considerable pressure from local interests for extensive development for recreational activity. He observed that the NPS might well be forced to construct a road from Everglades City some distance into the park, but he was dead set against the shoreline road touted by Ernest Coe and others (see figure 3-4), arguing that the lakes, bays, and mangrove forests along the coast "must remain primitive." Influenced by prevailing NPS attitudes about giving motorists interesting views from roads as well as access to

205 Daniel B. Beard, Asst. Wildlife Technician, to Dr. Carl P. Russell, RDR1, Nov. 1, 1938, transmitting Daniel B. Beard, *Special Report: Everglades National Park Project, Florida, Wildlife Reconnaissance* (Richmond: NPS Region One, 1938) [hereinafter cited as Beard, *Wildlife Reconnaissance*].

206 Beard, *Wildlife Reconnaissance*, quotes at 1 and 95.

notable features, Beard believed the existing Homestead to Flamingo Road would have to be scrapped in favor of a new road. As detailed below in chapter 7, Beard would adhere to this view as park superintendent in the 1950s. Beard concluded his report with the recommendation that a biological research station be established in the park, although he noted that under current NPS policies, much of the research would need to be carried out by outside scientists under permit rather than NPS staff.²⁰⁷

The Oil and Gas Problem

The conviction of some that the Everglades could produce riches from oil and natural gas was a major deterrent to early park establishment. Entrepreneurs like William G. Blanchard had been touting oil in the Everglades since the early 1920s. D. Graham Copeland in 1937 helped the Gulf Oil Company secure some oil leases in Collier County, and two years later, the Chevelier Land Company circulated flyers urging the public to buy or lease lands with oil potential from it while prices were still reasonable. Wells drilled in 1939 and 1940 found no oil, but then on September 26, 1943 Humble Oil Company's Sunniland Well in Collier County, 25 miles north of the Tamiami Trail, began producing small amounts of oil. This development made the state reluctant to cede oil rights on state-owned land and gave private land owners exalted ideas about the value of their land. In 1946, Humble drilled two exploratory wells, 1.5 and 7 miles south of the Tamiami Trail at the present-day site of the Shark Valley Loop Road. This oil exploration activity deep in the Shark River Slough was extremely troubling to park boosters. Ernest Coe tried to make the best of the situation by downplaying any potential drawbacks from oil production. In 1944 he wrote "[T]here is every reason to anticipate that the scars of oil wells, when production equipment is removed, would very soon disappear."²⁰⁸

Governors Holland and Caldwell Get the Park Project Moving Again

By 1940, the U.S. was at last pulling out of the Great Depression, although Florida lagged the nation somewhat in its recovery. State tax receipts were on the increase, and all of the major candidates for governor that year pledged to work for the early establishment of Everglades National Park. Spessard L. Holland, a lawyer and state senator from Polk County with a considerable statewide reputation and strong support

²⁰⁷ Beard, *Wildlife Reconnaissance*, 101-106.

²⁰⁸ John O. Shares to Ernest F. Coe, Mar. 31, 1937, CP, EVER 21128; Chevelier Land Co. flyer, July 9, 1939, CP; "Behind the Front Page," *Miami Herald*, Jan. 7, 1940; C. R. Vinten to Dir. Drury, Oct. 21, 1943, cited in Chronology, Everglades National Park – Florida, EVER 22965; Ernest F. Coe to Dir. Drury, May 5, 1944, EVER 22965, ser. I, sub. A, box 1.

from business leaders, won the May 1940 gubernatorial run-off election and served from January 1941 to January 1945. The NPS also had new leadership, with Newton Drury of the Save-the-Redwoods League replacing Arno B. Cammerer as director in January 1940. Cammerer had suffered a heart attack and sought a less demanding job. He served as regional director in NPS Region One from August 1940 until his death in April 1941.²⁰⁹ Support for the national park remained strong in Florida, with the state chamber of commerce, the State Democratic Party Committee, the Florida State Planning Board, and others passing resolutions urging action. The chair of the U.S. House Public Lands Committee, J. W. Robinson of Utah, toured the Everglades in December 1940. He told a reporter, "There's only one Everglades and it should be dedicated as a national park," but added that state action was needed. From 1941 through 1947, under Holland and his successor Governor Millard Caldwell, protracted negotiations took place between the NPS and the state over a minimum park boundary, the retention of oil and mineral rights, and how the private land was to be paid for.²¹⁰

In March 1941, Director Drury made his first visit to the Everglades to familiarize himself with the area and the issues involved in park establishment. Drury was accompanied by Region One Director Cammerer, NPS Chief Forester John Coffman, John H. Baker, executive secretary of the National Audubon Society (NAS), and C. Ray Vinten. Vinten held two NPS positions: coordinating superintendent for southeastern monuments and superintendent of Castillo de San Marcos National Monument. Frederick Law Olmsted Jr. and Harlan Kelsey participated in some of the trip. Baker and Vinten would play important roles in the negotiations leading to the park's establishment in June 1947. A successful investment advisor and passionate amateur ornithologist, Baker was executive director of the NAS from 1934 to 1944, and its president from 1944 until his retirement in 1959.²¹¹ A landscape architect by training, Vinten was Castillo superintendent until his retirement in 1962. Following their tour of the Everglades, the NPS party went to Tallahassee for a March 10, 1941, meeting with Governor Holland and members of the Board of Trustees of the IIF.²¹²

209 The NPS adopted a regional structure in 1937. Four regional offices were established. Region One had its headquarters in Richmond, Virginia. From 1937 to 1955, it included all the states east of the Mississippi River except Michigan, Indiana, Illinois, and Wisconsin.

210 Congressman Robinson's statement is close to Marjory Stoneman Douglas's famous opening to *The Everglades: River of Grass*: "There are no other Everglades in the World." "7 Candidates Back Park Aid," *Miami Herald*, Apr. 23, 1940; Colburn and Scher, 72-73; "Tribute Paid Sewell, Milam," *Miami Herald*, June 9, 1940; "Cut Insurance Charges Seen," *Miami Herald*, June 14, 1940; "Florida's Park System," *Palm Beach Post*, Jan. 1, 1941; John C. Miles, *Guardians of the Parks: A History of the National Parks and Conservation Association* (Washington, D.C.: Taylor & Francis, 1995), 134; "Congressman Says Florida Must Decide," *Miami Daily News*, Dec. 15, 1940.

211 The National Association of Audubon Societies changed its name to the National Audubon Society in 1940.

212 "'Glades National Park Meeting Set March 10,'" *Miami Daily News*, Mar. 5, 1941; Graham, 118-119, 186, 198; "C. Ray Vinten," *St. Augustine Record*, Nov. 28, 1983.

The five-hour meeting in Tallahassee in early March 1941 marked the revival of the Everglades National Park project after four years of inertia. In addition to Governor Holland and Director Drury and his NPS colleagues, John Baker, G. Orren Palmer of the ENPC, and Ernest Coe and Thomas Pancoast of the ENPA participated. Governor Holland believed he needed to retain oil and gas rights to any state land that would become part of the park, while Drury explained that the NPS could accept for park purposes only lands conveyed in fee simple, with no retained rights for the conveyor. John Baker then proposed an idea that had been previously under discussion within the NPS: that the state convey its lands for protection by the U.S. Fish & Wildlife Service (FWS), while retaining mineral rights. The FWS operated under less stringent legal requirements than the NPS, and could protect the important bird rookeries and feeding grounds until it was determined whether commercial quantities of oil and gas were present in the Everglades. After discussions between Director Drury and Dr. Ira Gabrielson, director of the FWS, Secretary Ickes on April 4, 1941, wrote Governor Holland indicating his formal approval of temporary administration by the FWS. Interior and the NPS regarded this as a short-term expedient and looked forward to getting the state lands in fee simple at a later date for a national park, once what Drury called the “oil flurry” had died out. Director Drury at this time also formally designated Ray Vinten as his representative in talks with state officials.²¹³

At the same time that serious talks between NPS and the state got underway, Ernest Coe and May Mann Jennings were angling to get an appointment as managing director of the ENPC from Governor Holland. The 1941 session of the state legislature reauthorized the ENPC and appropriated \$25,000 for its operations from July 1, 1941, to June 30, 1943 (House bills 1154 and 1165). The new legislation made no mention of the existing position of executive chairman, held by G. Orren Palmer, but authorized a new position of managing director. Because the work of preparing abstracts of title was 90 percent complete, there was not a lot for the commission to do, at least until funds became available to purchase private holdings. For reasons that are not entirely clear, Governor Holland ignored the change of titles in the 1941 act and allowed Palmer to remain as head of the ENPC throughout his term. Because there seemed to be no prospect of getting the legislature to appropriate funds for land acquisition, Holland may have believed that it made little difference who headed the ENPC. To facilitate the new plan for FWS administration, the Florida legislature also passed an act explicitly authorizing the Trustees of the IIF to convey land for wildlife conservation, while retaining oil, gas, and mineral rights (House bill 1164, Chapter 20653).²¹⁴

213 Dir. Drury to RDR1 Cammerer, Mar. 17, 1941, C. R. Vinten to Dir. Drury, Mar. 19, 1941, NARA II, RG 79, NPS CCF, box 905; Dir. Drury to SOI Ickes, Apr. 2, 1941, SOI Ickes to Gov. Holland, Apr. 4, 1941, NARA II, RG 48, DOI, Office of the SOI, box 3853

214 Ernest F. Coe to Gov. Holland, Mar. 24, 1941, Gov. Holland papers, box 34; Mrs. W. S. Jennings to J. M. Lee, Florida Comptroller, Sep. 1, 1941, MMJ papers, box 20.

In addition to his concern about preserving oil and gas rights for the state of Florida, Governor Holland believed that the original park embracing more than 2,000 square miles was not acceptable to the people of Florida. To address this, Director Drury in the spring of 1942 dispatched an NPS team to the Everglades to make a new study of the boundary question. Headed by Conrad Wirth, Supervisor of Recreation and Land Planning, the team included Regional Director Thomas Allen,²¹⁵ Vinten, and Regional Biologist Dan Beard. The team concluded that the park could be reduced from 1,454,092 acres to 1,018,060 acres without “greatly impairing” park values. The team recommended the elimination of Key Largo because of the high land values and the difficulty of administration. It emphasized the importance of including Florida Bay, but called for the boundary to be moved from the shoreline of the keys to the line of the Intracoastal Waterway, a distance of between two and five miles. The team wanted to exclude about 75,000 acres on the north side of the Tamiami Trail, making the north boundary line run about three miles north of the trail. Another recommendation was to move the east boundary westward so as to exclude some acreage around Royal Palm Hammock and Long Pine Key, because the areas were actively or potentially useful for agriculture. This included the acreage that later would become known as the Hole-in-the-Donut. The team also wanted to protect the Turner River by including in the park a strip running one-half mile on each side of the river. Presumably, this would have excluded some acreage lying between Turner River and Lopez River.²¹⁶

Director Drury returned to Tallahassee in June 1942 to present the reduced boundary to Governor Holland and F. C. Elliot, secretary and engineer of the IIF. Vinten, Wirth, and Harold Colee, executive vice president of the Florida State Chamber of Commerce, also participated in the meetings. Colee would emerge as an important bridge to Florida’s business community, the Model Land Company especially, in the ongoing negotiations. The new boundary was presented as a basis for discussion, not as an approved boundary. At this meeting, Holland made the suggestion that the southern portion of the park project might be treated differently than the northern. He proposed conveying the southern state holdings in fee simple to the U.S., with only the caveat that, should the U.S. ever allow oil exploration, the state would receive any royalties. For the northern area, the governor wanted both the state and private sellers to retain the oil rights. The governor gave his opinion that it was highly unlikely that the legislature was prepared to appropriate funds for the acquisition of private holdings.²¹⁷

215 Thomas J. Allen was regional director of NPS Region One from 1944 to 1951.

216 Dir. Drury to SOI Ickes, Mar. 28, 1941, NARA II, RG 48, DOI, Office of the SOI, box 3853; Conrad Wirth, Supervisor of Recreation and Planning, to Dir. Drury, Apr. 17, 1942, CP, EVER 22843.

217 Gov. Holland to files, June 4, 1942, Gov. Holland papers, box 34.

The negotiations between the state and the federal government proceeded without the participation of Ernest Coe. When Coe read of the proposed boundary reduction in the newspapers, he fired off a letter to Secretary Ickes urging him to hold to the original maximum boundary. Ickes replied:

I believe the Department should assume jurisdiction over any reasonably large area or areas that can be made available for park purposes. In time the project can be enlarged to whatever acreage is ultimately needed to serve its purposes.²¹⁸

For the rest of his days, Coe would focus on trying to preserve the boundary he had first suggested in 1928. His unwillingness to bend on this point meant that he played no constructive role in the search for a compromise that would get the park established. To many observers, Coe was more of a hindrance than a help in the late 1930s and 1940s.

The NPS and Governor Holland negotiated through the remainder of 1942 and during all of 1943 about the details of a compromise solution that would immediately establish NPS authority in the critical southwestern area north and east of Cape Sable. The NPS was willing to administer an initial park area of as little as 200,000 acres, if the state would convey it without any reserved rights. Areas to the north would be placed under the protection of the FWS, with the state and private owners retaining the oil and mineral rights. If oil was not found, these areas would then be gradually placed under NPS protection. Although the NPS would begin providing protection immediately, the park would not be established until sufficient additional acreage had been conveyed. The governor was more inclined to deed to the NPS scattered areas containing rookeries and feeding grounds. Drury and Vinten met with Governor Holland and Congressman J. Hardin Peterson in Miami on December 31, 1943, and January 1, 1944, to further discuss these ideas, as well as the new state and federal legislation that would be needed to implement them. Holland was eager to announce a solution that would bring NPS administration to the area before he left office in January 1945. Director Drury presented a formal proposal to place 200,000 acres under immediate NPS protection to Governor Holland in a letter dated February 15, 1944.²¹⁹

Governor Holland declined this proposal, much to the annoyance of Secretary Ickes. Ickes wrote Holland:

We have made several readjustments to the original boundaries to meet conditions imposed by the Florida authorities, have at your request eliminated possible

²¹⁸ SOI Ickes to Ernest F. Coe, July 21, 1942, Gov. Holland papers, box 34.

²¹⁹ Dir. Drury to SOI Ickes, Sep. 27, 1943, cited in Chronology, Everglades National Park – Florida, ENP, EVER 22965; C. R. Vinten to Dir. Drury, Jan. 5, 1944. NARA II, RG 79, NPS CCF, box 900; Dir. Drury to SOI Ickes, Feb. 15, 1944, EVER 22965, ser. I, sub. A, box 2.

agricultural lands, and have agreed to your stipulation that if oil were ever developed in the National Park the royalties will go to the State of Florida.

The secretary concluded that the only remaining option was to seek to amend the federal authorizing act to permit Interior to accept title to lands with retained oil rights for protection by the FWS, with no immediate NPS role. A national park would be established only after the state and private lands had “been cleared of oil reservations . . . provided the damage to the natural features has not been too great.” Ickes concluded by noting “this project has languished too long . . . Time is running out in the Everglades.”²²⁰

New state and federal legislation was required to allow the FWS to assume the duty of protecting wildlife in the Everglades. On December 6, 1944, President Roosevelt signed an act that authorized the secretary of the interior to accept title to land subject to oil, gas, and mineral reservations (see appendix A for text of the act). The act further provided that a national park would not be established and no development would occur until a “major portion” of the land within the 1930 “recommended area” was conveyed to the U.S. If a park was not established within ten years of the act’s passage, any lands accepted by the U.S. would revert to the state or to the private grantor. The ten-year limit was inserted at the suggestion of Governor Holland. Regional Director Thomas Allen remarked that this represented a reversal of the usual procedure in which a federal law provided that a park would be established if a state conveyed land by a certain date. Florida instead insisted “that we [the U.S.] can have the necessary lands providing they do not decide to do something else with them by a certain date,” i.e., lease them for commercial oil production.²²¹

More meetings were held in Tallahassee in December 1944, in the final weeks of Governor Holland’s term. The principal participants in a December 13 meeting were the governor, FWS Director Gabrielson, Ray Vinten, John Baker, Ernest Coe, Florida Commissioner of Agriculture Nathan Mayo, Florida Secretary of State R. A. Gray, and Fred Elliot of the IIF.²²² Governor-elect Millard Caldwell sat in on some of the meeting. A major outcome of the meetings was an agreement on the boundary of the lands to be conveyed by the state to the U.S. for protection by the FWS. The NPS and FWS were pleasantly surprised that the state was willing to convey about 500,000 acres on the mainland and more than 500,000 acres of submerged lands. After reviewing the recently passed federal law, the participants decided that new Florida legislation would be needed to authorize conveyance of lands to the FWS rather than the NPS

220 SOI Ickes to Gov. Holland, NARA II, RG 48, DOI, Office of the SOI, box 3853.

221 P. L. 78-463, Dec. 6 1944; RDR1 Allen to C. Ray Vinten, Aug. 19, 1944.

222 Also present were D. J. Chaney, an FWS attorney, John H. Davis Jr. of the Florida Geologist’s office, attorneys Irvin and Heinz of the Florida Attorney General’s office, and F. E. Bayless from the state department of agriculture..

as previously provided. The state made it clear that if it granted oil leases on its land, they would be limited to ten years or less. If oil in commercial quantities was found, the leases would continue; if not, they would expire. The general hope was that no producing wells would be developed, the oil leases would expire, and a national park would be established within the ten-year limit. John Baker committed the Audubon Society to continuing its warden work in the Everglades until the FWS was fully able to assume protection duties. Governor-elect Caldwell commented that he was “not too optimistic” about getting an appropriation for private land acquisition from the 1945 session of the state legislature.²²³

It remained for the Trustees of the IIF to ratify the actions agreed upon on December 13. The trustees met on December 19 and again on December 28, 1945. At the second meeting the trustees approved a memorandum of agreement and a deed of conveyance to the federal government. The deed envisioned a park of 1,183,600 acres. One of the five trustees, Attorney General Tom Watson,²²⁴ objected to the arrangement that had been worked out and refused to sign either document. This was not fatal, as only a majority of the five trustees was needed to ratify an action. The memorandum of understanding committed the IIF and the Department of the Interior to cooperating to protect the wildlife resources of the area to be conveyed. The trustees also agreed to do what they could to prevent pollution and damage from any exploratory oil drilling. The deed conveyed to the federal government the state holdings indicated on Map NP-EVE-6001, subject to the retention of the oil, gas, and mineral rights and the ten-year reversion provision. On January 2, 1945, the secretary of the interior announced his conditional acceptance of the deed proffered by the state, and on January 12, he executed the memorandum of agreement.²²⁵ Formal acceptance of the deed did not occur until March 1947 (see below). As Director Drury put it to Dr. David Fairchild, the agreement hammered out with the state “was not the ideal” but represented “the ‘second best’ means to the accomplishment of ultimate national park objectives.”²²⁶ The DOI and NPS believed that there was no alternative to allowing Florida up to ten years to determine whether commercial quantities of oil and gas were present in the Everglades.

The Everglades National Wildlife Refuge was established in March 1945, under the protection of the U.S. Fish and Wildlife Service. Daniel B. “Dan” Beard was

223 Memorandum of Dec. 13, 1944, Conference re Everglades National Park, Gov. Holland papers, box 35; C. R. Vinton to Dir. Drury, Dec. 16, Dec. 19, and Dec. 21, 1944, NARA Ph, RG 79, 79-67-A-1022, boxes 22, 27.

224 Watson would go on to make protection of oil and gas rights in the Everglades the keynote of an unsuccessful run for the governorship in the 1948 primary (see chapter 6).

225 Proceedings of the Trustees of the IIF, Dec. 28, 1944; DOI press release, Jan. 2, 1945, CP, EVER 22201; Acting Dir. Charles E. Jackson to SOI Ickes, Jan. 5, 1945, NARA II, RG 48, DOI, Office of the SOI, box 3853.

226 Dir. Drury to Dr. David Fairchild, Jan. 19, 1945, NARA Ph, RG 79, 79-67-A-1022, box 22.

named refuge manager. The operations of the refuge before the establishment of Everglades National Park are covered below in chapter 5.

Millard Caldwell was inaugurated governor in January 1945 amid renewed hopes that Everglades National Park could be established within a relatively few years. A lawyer and businessman who began his career in Santa Rosa County, Caldwell had the support of the same business leaders who had been behind Holland in 1940. The new governor was fully supportive of the park project, but wanted the NPS to commit to establishing the park based on an acreage that could be obtained relatively quickly. He also was frustrated that the ENPA in its 16 years of existence had failed to raise a single dollar for the acquisition of private lands. Caldwell persuaded outgoing governor Holland to be his informal representative on Everglades land issues. In early March 1945, Caldwell and Holland spent three days with Ray Vinten and John Baker touring the Everglades. At about the same time, Caldwell appointed Gilbert Leach as managing director of the ENPC. Leach, publisher of the *Leesburg Commercial*, had been public relations manager for Caldwell's campaign. Before he adopted a strategy on land acquisition for the park, Caldwell asked Leach to investigate the previous operations of the ENPC and its relations with the ENPA.²²⁷

Gilbert Leach was a new player in the Everglades story; another was John Pennekamp, associate editor of the *Miami Herald*. As Pennekamp later told the story, sometime late in his gubernatorial administration, Spessard Holland was in a conversation with John Knight, publisher of the *Herald*. When the talk turned to the Everglades National Park project, Knight asked what that was. Indignant, Holland shot back, "Don't you read your own newspaper? You had a story this morning about it." Knight then spoke with Pennekamp, who filled him in on what the park could mean for Florida in terms of national attention and tourist revenues. Knight assigned his associate editor the task of helping make the park a reality. From this point, Pennekamp and the *Herald* were among the most effective allies in the drive to get the park established.²²⁸

The renewed drive for an Everglades National Park in the 1940s reflected the growing belief that tourism would be an important driver of the postwar Florida economy. During the war, Florida businessmen and politicians actively planned to reestablish and expand the state's revenues from tourism just as soon as the war ended and travel restrictions eased. In 1943, the Florida Chamber of Commerce prepared a detailed plan for postwar tourism, and in 1945, the Florida legislature appropriated the unprecedented sum of \$1 million for tourism promotion. That same year, a *Miami Daily News* editorial noted that "the public is getting an idea that such a[n Everglades] park will be a gold mine." Business interests were keenly aware that many of the 2

227 Colburn and Scher, 73; "Proposed Everglades Park to Be Visited," *Daytona Beach Morning Journal*, Mar. 2, 1945; C. R. Vinten to Dir. Drury, Mar. 12, 1945, EVER 22965, ser. I, sub. A, box 2.

228 E. V. W. Jones to Merrill Winslett, June 14, 1966, SLH papers, box 587.

million men and women who had done wartime service in the state would welcome a chance to return for vacations. The more favorable attitudes toward an Everglades park among Florida's politicians is partly explained by these economic motives.²²⁹

ENPC Managing Director Gilbert Leach established contact with Pennekamp as well as the editor of the *Miami Daily News*, the Miami Chamber of Commerce, the Miami Rotary Club, and other area groups. He also talked to business leaders in Key West, who remained nervous about having Key Largo acreage made part of the park against their wishes. Leach soon reported to Governor Caldwell that the ENPC had done little under G. O. Palmer's leadership, and that hardly anyone in Miami business and civic circles even knew Palmer. He found that there was much confusion over the respective roles of the ENPC and the ENPA, and concluded that when the two organizations had been headed by Ernest Coe from 1935 to 1937, "the result was disastrous, both financially and in the lack of practical results." Leach's initial recommendation was that the ENPC be made a small body and the membership of the ENPA expanded.²³⁰

Governor Caldwell, Leach, Pennekamp, and Vinten made an effort to convert the ENPA into an effective fund-raising organization. One idea was to expand the association's membership. Their thinking was that if the association could attract prominent members from across Florida, it would be in a much better position to obtain contributions. Adding some prominent Floridians to the membership also might reduce the dominance of Ernest Coe over the organization. In May 1945, Caldwell put some pressure on the association with a few pointed public remarks. The governor told the press that he was not certain the ENPC should continue in existence, stating that "unless the local people, particularly the Everglades National Park Association, show some real interest [in raising money] I'm going to withdraw the State support." For a time it appeared that the ENPA would take on the fund-raising role, but Coe still wanted his maximum park boundary.²³¹

Fund-raising and an acceptable minimum boundary were the dominant issues at a September 5, 1945, Miami meeting called by John Knight and John Pennekamp of the *Herald*, most likely with the approval of Governor Caldwell. Former governor Holland, Ray Vinten, ENPC Managing Director Leach, Coe and Mark Wilcox of the ENPA also were in attendance. Caldwell and Holland pushed for the quick establishment of the park with a reduced boundary, with the understanding that additions

229 Tracy J. Revels, *Sunshine Paradise: A History of Florida Tourism* (Gainesville: University Press of Florida, 2011), 93; "Real E-stating It," *Miami Daily News*, Apr. 1, 1945.

230 Gilbert Leach to Gov. Caldwell, Mar. 13, Mar. 24, and May 25, 1945, Gov. Caldwell papers, box 25.

231 C. R. Vinten to Dir. Drury, Apr. 5, 1945, EVER 22965, ser. I, sub. A., box 1; "Gov. Caldwell Asks Help on Glades Park," *Florida Times-Union*, May 23, 1945; "Drive Urged to Raise Fund for Glades Park," *Miami Herald*, July 3, 1945.

could be made later. Coe was alone in arguing for the original boundary. Holland said he was willing to head up a fund-raising committee if the disputes about the boundary could be ended and if the ENPA agreed to seek an expanded, more “representative” membership. Finding himself in the minority on the boundary question, Coe announced his resignation as ENPA executive director, but rescinded it within 10 days. In mid-October, Coe let it be known that the association would not expand its membership or engage in fund-raising, unless the state and the NPS committed to the full original boundary. As Ray Vinten put it, “we are now right back where we were last December with the State of Florida assuming full responsibility for park establishment.”²³²

When the National Association of Audubon Societies held its annual meeting in New York in October 1945, John Pennekamp, Ray Vinten, and John Baker took advantage of the occasion to hold further discussions about the Everglades situation. Dr. Gabrielson of the FWS, C. Kay Davis, head of the U.S. Soil Conservation Service Florida office, and Ernest Coe participated in the discussions. Now, Pennekamp was unofficially representing Governor Caldwell in negotiations and also using his forum in the *Herald* to advance the state’s point of view. Pennekamp pressed the NPS to go beyond a general statement of principles concerning a minimum acceptable park area and offer the state “a minimum area defined by a definite [boundary] line.” Ernest Coe continued to hold out for the maximum boundary. Vinten agreed to take the state’s request to the director and the secretary of the interior. Everyone in attendance agreed that more definitive information on land values was needed before donations for purchasing land could be sought. Kay Davis proposed that the Soil Conservation Service prepare a survey of the Everglades soils, which would indicate which areas had potential for agriculture, and therefore would have a higher valuation.²³³

Following additional conversations in Washington and the exchange of correspondence, Secretary Ickes wrote Governor Caldwell in early January 1946. Ickes gave Caldwell the firm commitment that he wanted, attaching a map with a boundary outlined in red and stating, “This is the minimum area acceptable for a national park.” Predictably, Ernest Coe was unhappy and wrote Director Drury that if the secretary “approves a minimum area map that does not include the major features for the park included in the authorization, the writer will recommend that the Association wind up its affairs, he himself resigning.” Wanting to avoid a public battle among the Florida supporters of the park, Secretary Ickes did his best to placate Coe, assuring him that the minimum boundary needed for establishment was not the final boundary and that

232 Spessard L. Holland to Dir. Drury, Sep. 24, 1945, EVER 22965, ser. I, sub. A, box 1; C. Ray Vinten to Dir. Drury, Sep. 17, 1945, C. Ray Vinten to Dir. Drury, Oct. 18, 1945, NARA Ph, RG 79, 79-67-A-1022, boxes 22, 100.

233 C. Ray Vinten to Dir. Drury, Oct. 30 and Nov. 14, 1945, EVER 22965, ser. I, sub. A, box 1; John Pennekamp to Gov. Caldwell, Nov. 1, 1945, NARA Ph, RG 79, 79-67-A-1022, box 22.

additions to the park could be made later. Coe withdrew from the affairs of the ENPA for a few weeks, but was again signing himself as executive director by late March 1946.²³⁴

Shortly after writing to Governor Caldwell, Secretary Ickes resigned, effective February 15, 1946. His leaving was not connected with any Everglades issues, but was in protest over President Truman's naming of an oil industry executive as undersecretary of the Navy. The President named Julius Krug, formerly with the Tennessee Valley Authority and the War Production Board, to replace him. Following confirmation by the Senate, Krug assumed office on March 18, 1946.²³⁵

To fulfill the commitment made in October 1945, the Soil Conservation Service (SCS) conducted a reconnaissance conservation survey of the park area from January 23 through February 5, 1946. The SCS concluded that the vast majority of the soils in the proposed park area were unsuitable for agriculture. This was attributed to a variety of factors: soils were either too low in elevation, lacked a reliable source of fresh water, had been contaminated by salt water, or could not be successfully drained. Only an area of about 9,600 acres west of Royal Palm Hammock, consisting of Rockdale soils, was found to have potential for tomatoes and citrus. Even here, the SCS concluded that the land would have to be cleared and scarified, and might not get enough water in dry years.²³⁶

Now that he had a firm commitment from Interior on an acceptable minimum boundary and an the understanding that most of the proposed park area was unsuitable for agriculture and consequently of low market value, Governor Caldwell was ready to move ahead on land acquisition. Caldwell arranged for John Pennekamp to host a meeting of park supporters in Miami on February 11, 1946. John Baker, Gilbert Leach, Ray Vinten, Harold Colee, and representatives of the SCS, the Florida Federation of Women's Clubs, and the Florida Federation of Parent-Teachers Associations were among the 40 people who attended. Ernest Coe did not attend and the ENPA was represented by its president, J. Mark Wilcox. The purpose of the meeting was to show widespread support in Florida for the national park and to plot strategy for land acquisition. The Florida State Chamber of Commerce, the PTA group, and the Florida Federation of Women's Clubs all pledged support for a fund-raising campaign. The attendees also made a formal request to Governor Caldwell to immediately reactivate

234 Ernest F. Coe to SOI Ickes, Jan. 16, 1946, Gov. Caldwell papers, box 25; Daniel Beard, Manager, Everglades NWR, to Assoc. Dir. A. E. Demaray, Mar. 18, 1946, EVER 22965, ser. I, sub. A, box 1; SOI Ickes to Gov. Caldwell, Jan. 8, 1946, Ernest F. Coe to Dir. Drury, Jan. 8, 1946, NARA Ph, RG 79, 79-67-A-1022, box 22; "Ickes Smooths Row Over Glades Park," *Miami Herald*, Jan. 10, 1946.

235 T. H. Watkins, *Righteous Pilgrim: The Life and Times of Harold L. Ickes, 1874-1952* (New York: Henry Holt & Co., 1990), 827-828, 832.

236 U.S. Soil Conservation Service, "Reconnaissance Survey of Proposed National Park Area," n.d. [Feb. 1946], CP, EVER 22328.

the ENPC, on a “statewide” basis.²³⁷ It is clear that everyone but Ernest Coe had accepted that only a smaller park could be established right away, and the Miami meeting no doubt was partly motivated by a desire to show how isolated Coe had become and how widespread was the support for the rapid establishment of a park of minimum acceptable size.

In March 1946, Governor Caldwell responded to the NPS proposal on establishing the park that had been conveyed in Secretary Ickes’s January 8 letter and a follow-up letter from Vinten dated February 26. Caldwell agreed 1) that the park would be established when all the lands within the minimum boundary on Ickes’s map had been conveyed to the federal government subject to any restrictions contained in the IIF’s 1944 deed; 2) that it was “understood” that acquisition of all lands within the boundary would be accomplished within the ten-year limit set in the 1944 act; and 3) that the establishment of the park based on the minimum boundary did not preclude future park expansion, and the state understood that the acquisition of “additional drainage areas” would probably be required. The 1944 deed had a provision reserving to the state oil, gas, and mineral rights, and there would be considerable negotiation over this point before a final agreement could be reached. Caldwell now moved forward with the reinvigoration of the ENPC and began to solicit suggestions for members.²³⁸

A Revitalized Everglades National Park Commission

Governor Caldwell in April named 25 Floridians to a reconstituted Everglades National Park Commission. These appointments were made in an effort to ensure broad support for the park’s establishment across the state. Key appointees were John Pennekamp, Harold Colee, and August Burghard, an advertising man from Ft. Lauderdale. Ray Vinten later related that he, Pennekamp, and Colee presented a list of 50 names from which the governor selected 25. Four veterans of the 1930s version of the commission, D. Graham Copeland, May Mann Jennings, Mrs. T. V. Moore, and Norberg Thompson, were named. Dr. E. C. Lunsford, a Miami dentist who had purchased a considerable tract at Cape Sable in hopes of building a resort, was also appointed. Eighteen of the members and the commission’s Managing Director Gilbert Leach were present when Caldwell kicked off the first meeting in Miami on May 25, 1946. Vinten, NPS Regional Director Tom Allen, and Refuge Manager Dan Beard were also on hand. Governor Caldwell started by stating that he believed that conditions were

²³⁷ C. Ray Vinten to Dir. Drury, Feb. 14 and Feb. 20, 1946, John Pennekamp to Gov. Caldwell, Feb. 14, 1946, NARA Ph, RG 79, 79-67-A-1022, boxes 22, 100.

²³⁸ John Pennekamp to Gov. Caldwell, Feb. 27, 1946, Gov. Caldwell to C. R. Vinten, Mar. 27, 1946, EVER 22965, ser. I, sub. A, box 1,

now right for the ENPC to begin raising funds for purchasing land for the park. He named August Burghard as temporary chairman of the commission (a position that was made permanent in July 1946) and turned the meeting over to him.²³⁹

The April meeting of the ENPC was primarily concerned with bringing members up to date on the project's history, matters of organization, and brainstorming about fund-raising. It was still hoped that some landowners would donate their holdings or accept state-owned land outside the park boundary in exchange. With the proceeds of a nationwide fund-raising effort, the commission hoped to be able to purchase the remaining land. John Pennekamp thought that the total sum required would not exceed \$2 million and might be as little as \$500,000. The commission elected an eight-person executive committee, which was expected to handle the bulk of the work to be accomplished. The committee consisted of:

August Burghard, advertising agency head, Ft. Lauderdale
 John D. Pennekamp, associate editor, *Miami Herald*, Miami
 Karl Bickel, president, Florida State Historical Society, Sarasota
 Mrs. W. S. [May Mann] Jennings, Florida Federation of Women's Clubs,
 Jacksonville
 Harold Colee, executive vice president, Florida State Chamber of Commerce,
 Jacksonville
 D. Graham Copeland, Collier County Commissioner, Everglades City
 General Albert H. Blanding, Tallahassee
 John H. Perry, publisher, *Palm Beach Post*

On the day following the Miami meeting, Vinten, Allen, and Beard escorted twelve commission members on a tour of the park area, which included a boat trip through Whitewater Bay and up Shark River and dinner at the lodge at Royal Palm State Park.²⁴⁰

The ENPC executive committee held its first meeting in June 1946 at Dr. Lunsford's vacation home on Windley Key (located between Plantation Key and Upper Matecumbe Key). Regional Director Allen, Vinten, Beard and McGregor Smith, president of Florida Power & Light Company (FP&L) were present. The FP&L, believing

239 The full ENPC membership roster: John D. Pennekamp, Miami; J. Kennard Johnson, Miami; Leonard K. Thompson, Miami; Dr. E. C. Lunsford, Miami; Mrs. T. V. Moore, Miami; August Burghard, Ft. Lauderdale; D. Graham Copeland, Everglades City; John H. Perry, Palm Beach; Carl Brorein, Tampa; Karl Bickel, Sarasota; Martin Anderson, Orlando; Mrs. W. S. Jennings, Jacksonville; Harold Colee, Jacksonville; Fayette Holland, Jacksonville; Richard D. Pope, Winter Haven; Mrs. Joseph L. Gray, Lake City; Mrs. Gillen McClure, Apopka; A. B. Michael, Webasso; Norberg Thompson, Key West; A. Cliff Johnson, Pensacola; G. C. Ware, Leesburg; General Albert H. Blanding, Tallahassee; Joe Hall, Tallahassee; Nelson D. Poynter, St. Petersburg; and Carl Hanton, Ft. Myers. "Glades Group Hopes to Get Land by 1949," *Miami Herald*, Apr. 26, 1946; Daniel Beard, Manager, Everglades NWR, to C. R. Vinten, Apr. 5, 1946, EVER 22965, ser. I, sub. A, box 1; C. Ray Vinten, interview by Boyd Evison, Apr. 6, 1971, transcript, St. Augustine Historical Society.

240 Organization Meeting of the ENPC, Apr. 25, 1946, CP, EVER 19430.

that the national park would bring tourists and tourist development to Florida, was a strong supporter of the park project. The company had already donated legal services to the ENPC. At this meeting McGregor Smith agreed to pay the printing costs for commission stationary; FP&L later underwrote 100,000 copies of promotional postcard of the park. Already some roadblocks were being encountered in the proposed land acquisition effort. The Trustees of the IIF, who had to approve all exchanges involving state lands, were raising a number of questions and making it clear that they were not going to trade valuable land elsewhere in the state for Everglades land “with practically no surface value.” A letter from the governor asking landowners to donate their holdings for the park had not been approved and was the subject of some discussion. When the letter was sent in July, no donations were forthcoming.²⁴¹

The executive committee met again on October 21, 1946, in Jacksonville. Spersard Holland, who by this point was a U.S. Senator,²⁴² Regional Director Allen, Ray Vinten, Dan Beard, C. Kay Davis of the SCS, and Fred Elliot of the IIF also were present. The intricacies of exchanging land and the details of a fund-raising campaign were again discussed. John Pennekamp was getting impatient and suggested that the commission redirect its efforts toward getting a \$2 million appropriation for land acquisition from the state legislature. Director Drury a few days later also expressed himself “disappointed in the accomplishments of the Commission to date.” There continued to be discussions among Governor Caldwell, the Trustees of the IIF, and the NPS over how to handle the oil rights on the lands the state was donating.²⁴³

The Final Steps Leading to Park Establishment

Director Drury came to Miami in January 1947 to meet with the ENPC executive committee. In addition to the director, Regional Director Allen, Vinten, and Beard were present. Prior to the meeting, Dan Beard stressed the importance of Drury make some firm commitments to rapid development of the park in order to get a legislative appropriation. When Chairman Burghard pressed the NPS representatives about their development plans, Allen said it was difficult to predict because a master planning process needed first to occur. Drury agreed to send the commission some information on what had been done in other national parks and thought he could provide “a

241 Official Meeting of the Executive Committee of the ENPC, June 15, 1946, August Burghard, ENPC, to land owners, July 19, 1946, Gov. Caldwell papers, box 25.

242 Holland had been elected to the Senate in May 1946 to replace retiring Senator Charles Andrews. Andrews then died in office, and Holland served the remainder of Andrews’s last term, beginning September 25, 1946.

243 Report to ENPC on Activities of the Executive Committee, including Meeting in Jacksonville, Oct. 21, 1946, CP, EVER 19432; Dir. Drury to RDR1 Allen, Oct. 30, 1946, NARA Ph, RG 79, 79-67-A-1022, box 100; Gov. Caldwell to C. R. Vinten, Oct 30, 1946, cited in Chronology, Everglades National Park – Florida, ENP, EVER 22965.

general outline of what the general development” might be in the Everglades. The executive committee now believed that mounting a major fund-raising campaign would take a considerable amount of time and was uncertain of success. It decided that an appropriation from the state legislature would be a faster and surer way to proceed. Pennekamp stressed the importance of having a delegation from the commission meet with Governor Caldwell to sell him “on this idea of a legislative appropriation for land acquisition.”²⁴⁴

Pennekamp believed that it would require a great deal of persuasion to get the governor to ask the legislature for money for land acquisition. When he learned that the governor was to be in Miami on March 1, Pennekamp, Gilbert Leach, and some other Everglades National Park Commission members arranged a meeting with Caldwell. C. Kay Davis of the SCS came along and showed maps of the proposed park and its access roads to the governor. Much to the commission members’ surprise, Caldwell agreed to push for an appropriation, if that would lead to rapid establishment of the park. Caldwell then met with Vinten and Beard and was able to persuade the Trustees of the IIF to allocate \$500,000 from their treasury to land acquisition for the park. The governor tentatively agreed to ask the legislature for an additional \$1.5 million.²⁴⁵

A meeting of the ENPC executive committee preceded an open meeting of the commission in Ocala on Saturday, March 8. Pennekamp explained to the executive committee what had transpired in Miami and Tallahassee in the past week. The executive committee had urged Directory Drury to attend, but he could not, and Ray Vinten represented the director. In the open session, the commission members committed themselves to vigorously lobbying the state legislature for an appropriation. They also decided to press the NPS to take responsibility for acquiring land with the expected state funds. It was now clear that most privately held lands would have to be obtained through condemnation proceedings. The commission believed that federal court proceedings would move much more quickly than state action. They and the governor also no doubt felt that it would go down better for them politically if the federal government, rather than the state, was the one filing condemnation actions against reluctant land owners. When the ENPC meeting adjourned at 4:15 pm, Robert H. Fite, a Florida Power & Light Company vice president, invited the male commission members and some guests to repair to a company camp at Orange Springs for dinner and an overnight stay. He apologized to the women commission members that the camp had no facilities for them. There is no evidence that the intent was to exclude the women because they had different viewpoints. Rather, in the climate of the late

244 Dan Beard to C. R. Vinten, Jan. 8, 1947, EVER 22965, ser. I, sub. A, box 2; Meeting of the Executive Committee of the ENPC, Jan. 14, 1947, CP, EVER 19434.

245 RDR1 Allen to Dir. Drury, Mar. 10, 1947, Gilbert Leach to J. E. Straughn, Exec. Sec. to Gov. Caldwell, Mar. 3, 1947, Gov. Caldwell papers, box 26; Notes of Executive Committee Meeting of ENPC, Mar. 8, 1947, EVER 58941.

1940s, it was taken for granted that men were the ultimate decision-makers and that the stag atmosphere of a fish camp was not appropriate for women. Ray Vinten later wrote to Regional Director Allen, “the discussions and decisions made at this camp were probably of greater significance than those made at the formal meeting.” The women commission members were not involved in those decisions, although nothing indicates they would have opposed them.²⁴⁶

Among the guests at the camp that Saturday evening were two powerful state senators, B. C. “Bill” Pearce of Palatka and W. A. Shands of Gainesville. Pearce and Shands were leaders of the “Pork Chop Gang,” the North Florida representatives who pretty much controlled the state legislature in this period. The senators, John Pennekamp, and some others got a poker game going. As Pennekamp later told it, he had a phenomenal run of luck that day. “I won hand after hand. Made uncanny draws.” Finally Pearce asked in disgust, “Just how much money do you need for that god-damned park of yours?” Pennekamp said the sum was two million dollars, and Pearce replied, “Why don’t you come on over to the Legislature and get it instead of taking it out of *our* pockets?” Pennekamp always insisted that this informal pledge over a poker hand was the key to eventually getting the state appropriation. Of course, by this point, the governor as well was behind the idea. The legislature also had shown its enthusiasm for tourist promotion via its 1945 appropriation of \$1 million. It seems likely that the economic benefits of a national park were finally becoming apparent even to the Pork Chop Gang.²⁴⁷

On March 14, 1947, Secretary Krug officially accepted the deed that the state of Florida had prepared in December 1944 conveying state lands to be protected as a U.S. Wildlife Reserve. The state had already granted oil and mineral leases on some of these lands, and to that point, it had insisted on retaining the rights on the remainder. DOI attorneys studied the 1944 federal law that provided for a smaller park. The act allowed the secretary to establish the park when he had accepted title to “a major portion” of lands within a park boundary to be selected by him. If the state could be persuaded to give up its reserved oil rights on lands where the rights had not been sold, and such acreage amounted to more than the acreage covered by reserved rights, the terms of the law would be satisfied. The outlines of a grand bargain were now visible.²⁴⁸

Intensive talks took place at the very end of March and beginning of April 1947. Senator Holland in Washington met many times with NPS officials and Secretary Krug. In Florida, Ray Vinten was in close contact with Governor Caldwell and John

246 C. R. Vinten to RDR1 Allen, Mar. 11, 1947, NARA II, RG 79, NPS CCF, box 901; Notes of ENPC Meeting, Mar. 8, 1947, EVER 58941.

247 C. R. Vinten to RDR1 Allen, Mar. 11, 1947; “FPL Played Hand in Creating Everglades National Park,” undated Florida Power & Light internal newsletter.

248 RDR1 Allen to C. R. Vinten, Mar. 28, 1947, EVER 22965, ser. I, sub. A, box 2; Dir., FWS, to SOI Krug, Mar. 7, 1947, approved Mar. 14, 1947, NARA II, RG 79, NPS CCF, box 901.

Pennekamp. The secretary expressed a willingness to establish a park of about 706 square miles, if the state agreed to give up its reserved oil, gas, and mineral rights on some 380 square miles. The United States would be accepting in fee simple some 54 percent of the park lands, thus satisfying the “major portion” provision of the 1944 act. The state insisted on a provision where it would receive royalties if the NPS ever were to allow oil exploration on the fee simple lands. As mentioned above, Humble Oil Company’s had been drilling north and south of the Tamiami Trail; Humble and other oil producers had not given up on the potential of the Everglades to produce petroleum in marketable quantities. It was generally understood that the NPS was unlikely to allow such exploration on land it owned except during a dire national emergency. In return for urging the legislature to pass the \$2 million appropriation, Governor Caldwell received assurances that the federal government would handle land acquisition, that the NPS would move rapidly to condemnation, and that the park soon would be declared established, before the end of 1947 if at all possible. Lands that had been conveyed to the federal government on which the state had already granted oil leases would remain under FWS protection until the leases expired, when they would be added to the park. The IIF agreed to amend the terms of the 1944 deed in accordance with these terms. It was later determined that additional federal legislation would be required to specifically authorize federal purchase of land using state funds (see chapter 6).²⁴⁹

Secretary Krug sent a telegram to Governor Caldwell on April 2, 1947, stating the terms of the bargain that had been hammered out. The key sentence:

I agree to establish a new minimum area of approximately 706 square miles as the Everglades National Park as soon as satisfactory title to major portion or more than half thereof is transferred by the State to the Federal Government for park purposes and two million dollars has been made available by the State for the acquisition of privately owned lands.

On April 3, Governor Caldwell wired Secretary Krug that he was sending the \$2 million appropriation to the legislature with his endorsement and agreed to the other provisions of the deal.²⁵⁰

On behalf of the Florida congressional delegation, Senator Holland on April 5 announced the terms of the bargain that would soon lead to the establishment of Everglades National Park. Holland paid tribute to Governor Caldwell for completing the deal and praised the decades-long conservation work of the Florida Federation of

249 RDR1 Allen to Dir. Drury, Mar. 20, 1947, NARA II, RG 79, NPS CCF, box 901; “Krug Pledge Assures an Everglades Park,” *Miami Daily News*, Apr. 6, 1947.

250 SOI Krug to Gov. Caldwell, Apr. 2, 1947, Gov. Caldwell to SOI Krug, Apr. 3, 1947, NARA Ph, RG 79, 79-67-A-1022, box 85.

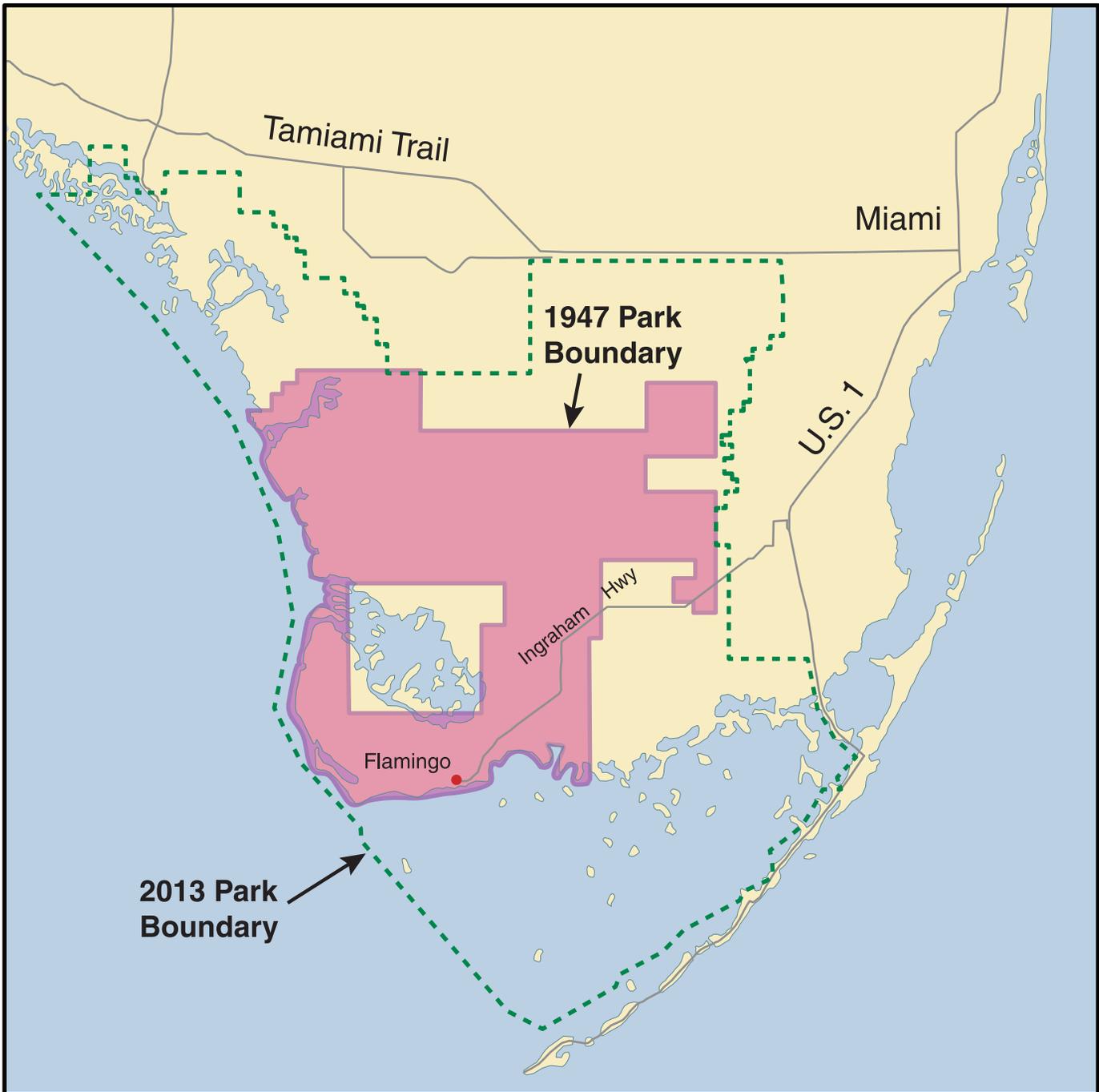


Figure 4-4 Park Boundary at Establishment, 1947

Women's Clubs and the Audubon Society in the Everglades. The state senate passed the \$2 million appropriation unanimously on April 16 and the House passed it with only six no votes the next day. The governor then signed the bill on April 24. The Trustees of the IIF took rapid action to fulfill their obligations, with only Attorney General Watson continuing to dissent. Watson was gearing up for a run for governor in 1948 and had decided to position himself as the champion of the state's valuable oil and mineral rights in the Everglades. Watson filed a number of lawsuits attempting to stop the park's establishment, all of which were eventually dismissed (see chapter 6).²⁵¹

Once a check for \$2 million was received from the state, Secretary Krug on June 20, 1947, signed Secretarial Order No. 2338, officially establishing Everglades National Park. The park consisted of 710 square miles (454,400 acres) (figure 4-5, park boundary at establishment). The secretary noted that an additional 461,482 acres of submerged lands and islands and extensive acreage north of the park was in federal ownership and being administered as a wildlife reserve. When oil leases on this land expired, they would become part of the national park. With the addition of this acreage and the purchase of private holdings, a park ultimately embracing 2,000 square miles was envisioned. At last, almost nineteen years after Ernest Coe had established the Everglades National Park Association, Everglades National Park was reality.²⁵²

251 "Krug Pledge Assures an Everglades Park"; Gov. Caldwell to SOI. Krug, Apr. 24, 1947, F. C. Elliot, IIF, to RDR1 Allen, June 14, 1947, NARA II, RG 79, NPS CCF, box 901; John Pennekamp to Gov. Caldwell, June 28, 1947, Gov. Caldwell papers, box 26.

252 "Everglades Becomes 28th National Park," DOI press release, June 20, 1947.