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An Ethnohistory of Big Cypress National Preserve, Florida

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INTRODUCTION

This report focuses on land use by Seminole and Miccosukee Indians and Euro-Americans in the area of southern Florida that is now Big Cypress National Preserve and in adjacent areas, known collectively as Big Cypress Swamp and the Everglades. Sequential land uses are discussed in the context of who the Seminole and Miccosukee peoples are historically and culturally and what the effects have been of Euro-American contact, settlement, and development. The Seminoles and Miccosukees have witnessed swamp drainage, land booms, the building of the Tamiami Trail, and the creation of Everglades National Park and Big Cypress National Preserve.

The Miccosukee Seminoles who live along the Tamiami Trail (United States Route 41, Tampa to Miami) are a group of 544 people who include 260 members of the incorporated Miccosukee Tribe of Indians of Florida (Waggoner 1981:37). They, like the other three Seminole groups in Florida of the incorporated Seminole Tribe of Florida with 1232 members (King 1978:174), are descendants of the 150-200 Miccosukees and Seminoles who stayed in Florida in 1842 after the Second Seminole War. The rest were removed by the United States Army to designated Indian Territory west of the Mississippi River. This small band of Trail Miccosukees is known for their strong cultural conservatism and, correspondingly, for having remained a group that is more independent of White influence than the other Florida Seminoles (Buswell 1972:350).

However, all of the Miccosukees and Seminoles are still basically quite independent (Garbarino 1972:5). Their independent spirit has been emphatically expressed by McReynolds (1957:ix) who says, "No people have fought with more determination to retain their. . .soil, nor sacrificed so much to uphold the justice of their claims."

Avoidance of the White man has been a long-standing practice among the Miccosukees along the Tamiami Trail. In recent times, the custom has not been physical avoidance so much as a reticence in interaction. Sturtevant (1954b, 1960:528) reports, "I don't know" as the most frequent response to his queries, seconded in frequency by curt replies of little understandable content. Garbarino (1966:1) confirms the Miccosukee

reputation for "being very distant, not to say unfriendly." However, after a period of initial shyness, she found that her informants became interested in her questions and volunteered suggestions, even searching out information to bring back to her. Fieldwork is inherently difficult among the Seminoles because of their value of personal autonomy, which results in keeping much information very much to themselves, especially in their small, gossip-prone communities (Page and McBride 1982:5).

In our limited time among the Trail Miccosukees, during the spring and summer of 1980, we found answering a question with a question an apparent strategy of theirs in coping with a quering stranger. "Now, who told you that?" was a frequent reply when we attempted to check items we thought we were learning about Miccosukee culture and social organization. Nonetheless, like Garbarino (1966) we found that after repeated visits to an individual, responses tended to become more expressive and straightforward, even on such subjects as menstrual taboos and the number of clans. As a generalization, the much reported Seminole-Miccosukee reticence is readily manifested, but recedes with time as one becomes accepted.

The Seminoles have been referred to as pioneers, frontiersmen, and emigrants (Sturtevant 1971:105) as well as separatists, runaways, and renegades (Garbarino 1972:1; Fairbanks 1974:16). They themselves, according to Fairbanks (1974:16), designate "wild" as the most accurate meaning or gloss of their people's name. The term Seminole, by which the Miccosukee Seminoles and Muskogee Seminoles are collectively known, appears to be a Muskogee Creek rendition of the Spanish word cimarron, meaning wild or untamed.

Cimarron has been applied to wild plants and animals, marooned sailors, and domestic animals gone wild. A connotation of the term would seem to be that of maverickness, appropriate for the Seminoles in the sense that they were Creeks who disassociated themselves from the main body of Creeks and the Creek Confederacy.

The first known employment of the term Seminole is that of John Stuart, British Indian Agent, who, in 1771, used the form Seminolies in a report to designate certain Creek bands that with regard to the Creek Confederacy "wanted to draw apart and be by themselves" (Mahon 1967:7). Stuart's usage is as follows:

> Esimistisequo acquainted me that the Seminolies [italics ours] or East Florida Creeks had frequent intercourse with Spaniards at the Havannah by means of Fishing vessels which frequent the Bays of the western side of the Peninsula (Stuart 1771, quoted in Fairbanks 1974:2).

The etymology of Seminole suggests a Spanish origin, subsequent Creek borrowing with sound substitution, and further English borrowing (Fairbanks 1974:17-19). The Creeks who settled in Spanish Florida became known to the Spanish as Cimarrones. Florida Creeks borrowed the term, substituting an "l" for the "ro" sound since Muskogean languages have no "ro" equivalent. English-speakers heard the term in Creek, Simanoli (Hudson 1976:465), and employed a cognate like Siminole (Bartram 1791:153) that evolved into Seminole as used from the 1770s to the present (Stiggins 1831-1844:72 in Nunez 1958:173; Fairbanks 1974:19). If we define "wild" and "intransigent" to mean "determined to seek their own destiny on their own terms" then we can appreciate Fairbanks' comments below on the aptness of the term for the Seminoles:

> Beginning about 1715, the wildest, most intransigent Indians of the Southeast moved into Florida to become. . .Seminole. In the Seminole Wars, it was again the wilder. . .element that remained in Florida. By 1771, they were being referred to by a distinctive term, Seminole [italics ours] (Fairbanks 1974:19).

The term Miccosukee may refer to wild boars in a lexeme whose meaning is not readily apparent from its constituent morphemes micco, chief, and sukee, hog, pig, or boar. It has been suggested that its origin is a term from the Hitchiti language of the Lower Creeks for a group whose chiefs were of a once-existent Boar Clan or a word for a people known for eating and/or raising hogs (Read 1934:19; Maus 1980). The Miccosukees are descendants of the Hitchiti-speaking Lower Creeks, as opposed to the Muskogean-speaking Upper Creeks, who migrated to

Florida in the early 1700s, and became known as Miccosukees perhaps because of the dialect of Hitchiti they spoke of that name (Garbarino 1972:1).

The term Seminole is both general and specific. In its broad sense it includes the Muskogean-Creek-speaking Indians known as Seminoles as well as the Hitchiti-Miccosukee-speaking Indians known as Miccosukee Seminoles or Miccosukees. In the subsequent sections on the Seminole Wars and Seminole culture, the term mutually refers to the Muskogean-Creek and Hitchiti-Miccosukee Seminoles. In other instances, a distinction is made between them, which we hope is clear in context, as Seminoles and Miccosukees, respectively.

The Miccosukees are the occupants and neighbors of Big Cypress National Preserve along the Tamiami Trail. Although the Miccosukees and Seminoles differ in language, they do not differ significantly in other aspects of culture. The Seminoles speak Muskogee Creek, and the Miccosukees, Miccosukee Hitchiti. Both are Muskogean languages and reflect a historic, but still current, distinction of related but mutually unintelligible languages that stems from the Upper Creek/Lower Creek language difference before any Seminoles nee Creeks settled in Florida (Garbarino 1972:1; Covington 1968, 1979:37).

This study concerns those Miccosukees and Seminoles who refused removal to Oklahoma following the Seminole Wars by "retiring. . . into the fastness of the Everglades and Big Cypress Swamp" (Gray 1900, quoted in Kersey 1975:v). The study concentrates on the Miccosukees of the Tamiami Trail as the Seminole group in juxtaposition to Big Cypress National Preserve and Everglades National Park.

The National Park Service as neighbors to the Seminoles has an obligation not to interfere with Seminole culture, even to help preserve it (Albright 1934). The National Park Service also has a legal obligation to guarantee certain traditional land uses within Big Cypress National Preserve as stated in the enabling legislation (United States Statutes at Large 88:1258, 1974; 88 Stat. 1258; Public Law 93-440). Ensuing regula-

tions are being negotiated by the park with the Miccosukee Tribe of Indians of Florida to keep the number of sites at the 1971-1972 level of traditional subsistence and ceremonial use when the enabling legislation was mostly formulated. Mention is made here of negotiations with the Miccosukees because the Miccosukees seem to be the more resolute in the context of the Miccosukee/Seminole distinction to remain aloof of the dominant White society and to determine their destiny on strictly their own terms.

In a relatively recent article, Kersey (1973) speaks of "A Tale of Two Tribes," referring to the Miccosukees along the Tamiami Trail and the Seminoles farther north. The two tribes comprise three reservations and a Trail community as well as three political factions--two organized, one not. The two organized entities are the Seminole Tribe of Florida, incorporated in 1957, and the Miccosukee Tribe of Indians of Florida, incorporated in 1962. Incorporated means organized with a constitution and federally recognized by the Bureau of Indian Affairs under the Indian Reorganization Act of 1934. The third group is unaffiliated, comprising Seminole and Miccosukee individuals enrolled in neither incorporated tribe, sometimes called the Unaffiliated Group or Independents (Maus 1980:2). More is said later on Seminole politics in the section on modern political organization. The following section identifies the lands in Florida for which the Miccosukees or Seminoles hold title.

PART ONE
THE MICCOSUKEES AND SEMINOLES

A. Florida Lands of the Miccosukees and Seminoles

The lands in Florida for which the Miccosukees or Seminoles hold title include Brighton, Big Cypress, and Hollywood (formerly Dania) as the three federal Indian reservations in Florida. These are lands that come under the trust responsibility of the United States Government through the Bureau of Indian Affairs. The Brighton Reservation comprises 35,796.03 acres northwest of Lake Okeechobee in Glades County, population approximately 300. The Big Cypress Reservation consists of 42,697.96 acres in Hendry County, 40 miles south of Lake Okeechobee, population approximately 340. And the Hollywood (formerly Dania) Reservation contains 475 acres in Broward County, about 20 miles northwest of Miami Beach, population approximately 430, (United States Department of Commerce 1974:177, 180, 184; Buswell 1972:12). There is the special-permit land, known as the "Miccosukee Strip" or Forty-Mile-Bend Reservation Area on the Taniami Trail, and there are also state reservation lands for Florida Indians--the Miccosukee State Indian Reservation of 76,800 acres in Broward County and a perpetuity grant of 4.7 acres along the Tamiami Trail adjacent to tribal headquarters (Miccosukee Planning Team 1980b:30-31).

The "Miccosukee Strip" or Forty-Mile-Bend Reservation Area that houses Miccosukee Tribal Headquarters and much of the Trail Miccosukee community is 40 miles west of Miami within the northeast boundary of Everglades National Park. It consists of 333.3 acres, 5.5 miles long, and 500 feet wide. Occupancy is by a 50-year special use permit of the National Park Service through Everglades National Park. It expires in 2014, having been issued in 1964.

A brief chronology of Indian reservation land in Florida is as follows: Florida established a state Indian reservation of 99,200 acres in Monroe County in 1917 (Kersey 1975a:125; Maus 1980:24, 28). The United States Government established the Big Cypress Indian Reservation in 1918 (opened in 1920), the Dania (now Hollywood) Reservation in 1911 (not occupied until 1924), and the Brighton Reservation in 1936 (school opened in 1938) (Buswell 1972:343, 345, 351; Kersey 1975a:65, 78, 125;

McBride and Page 1978:6). Eighty acres had been set aside in 1891 for the Seminoles near Immokalee in what is now Collier County, but the Bureau of Indian Affairs discontinued its agency there in 1900 with a sawmill, store, and school because the Seminoles declined to live on reservation land. Today, however, a small group of Miccosukee-speaking Seminoles from Immokalee are seeking reservation status as part of the Seminole Tribe of Florida (Douglas 1947:298; McBride and Page 1978:7; Maus 1980:24).

The State Indian Reservation, to use the term as it was formerly known during the creation of Everglades National Park, 1934-1947, was ceded by Florida to the United States to become part of the new park. The state then set aside approximately 104,000 acres in Broward and Palm Beach Counties. This tract was divided between the Miccosukees and the Seminoles in 1962 after both tribes had gained federal recognition as incorporated Indian tribes. The 76,800 acres in Broward County became known as the Miccosukee State Reservation; the rest was the Seminole Tribe's portion (Maus 1980:28). We must at this point mention some physical aspects of Big Cypress Swamp and the Everglades.

B. Physical Aspects

At the southwestern tip of Florida, the Everglades still cover an area larger than the State of Delaware, even though great portions have been diked, drained, and developed over the past 30 years. The Everglades of years gone by seemed to go on forever with panthers almost in Miami's backyard. The final vestige, still a wilderness of a kind found nowhere else, is now in the national park system. Everglades National Park was established in 1947 and Big Cypress National Preserve in 1974 (Frome 1977:137).

Euro-Americans seem to associate a certain mystique with the Everglades as an "enthralling expanse. . .filled with life. . .the heart of creation" (Reynolds 1977:45). It is worth quoting Reynolds on the subtle sounds of the Everglades and the ecological relationships beyond the Tamiami Trail:

> . . .the sounds of the Everglades are indeed subtle as one sits and listens: there is the occasional splash of the alligators, the slithering of an otter, the grunt of a wild boar, the wind playing in the hammocks, and the birds whirring and whisping with the wind (Reynolds 1977:46).
>
> Most people cannot see beyond the Tamiami Trail to the heart of this vast region. Many look, but few see. Few see the harmony of nature's creation; few understand the relationship of terrain to animals, of animals to plant life, of plant life to water, and of water's importance to the survival of man, beast, and plants (Reynolds 1977:45-46).

Those Miccosukees and Seminoles who still live in the Everglades and Big Cypress Swamp have become a part of the environment, a part, not in the romantic sense but in an adaptive sense. They have become part of the ecology through their use of natural resources and subsistence practices.

The two major physical areas of concern in this report are Big Cypress Swamp and the Everglades. Detailed descriptions of both these areas follow:

> Big Cypress Swamp. . . [is] a large, flat prairie. . . often flooded. . . [with] short, sparse grasses, dwarfed cypress trees,. . . [and] a thick growth of algae. . . . Numerous circular depressions called domes. . . [dot] this prairie, containing larger, denser strands of cypress. . . called stands. In the vast wilderness that was the Big Cypress. . . prior to modern man. . . bear, panther, deer, alligator, otter, fish, and wading birds lived, fed, and bred to the rhythm of the annual water cycle (Browder, Littlejohn, Young 1977:59).
>
> South of Lake Okeechobee and bordered on the west by the Big Cypress [Swamp] and on the east by the Atlantic Coastal Ridge, lie the Everglades, a wide, shallow depression sloping from an approximate elevation of 19 feet at the edge of the lake to sea level 100 miles south. . . Wet season surpluses. . . [are]. . . retained. . . several months into the dry season, [playing] an important role in flushing and recharging the coastal aquifers, particularly during the dry season. . . preventing the intrusion of salt water near the coast. . . Sawgrass. . . [is] the predominant plant species. . . Special adaptations of numerous plant and animal species [enhance]. . . the Everglades' ability to capture and transmit energy and exchange nutrients under a fluctuating water regime. Alligator holes, for instance, serve both as a habitat for the reptiles and

> as a means of storing water in small pockets where fish could survive as water levels recede. Aquatic birds such as wood storks. . . [take] advantage of these fish concentrations by producing young during the dry season (Browder, Littlejohn, and Young 1977:56).

These quotes serve not only to give us an idea of the ambiance of the Everglades but also to make evident the importance of adequate water flow to its ecology. The amount of water plus the ever so slight variations in altitude determine the micro-ecology of any given area. A hammock forest, for instance, is a dense growth of hardwood trees, palms, and ferns on land slightly higher than its surroundings of marshes, prairies, or cypress forest. The few inches of greater height makes the difference.

Southwest is the general direction of water flow of the flat limestone peninsula that is southern Florida, having been "thrust upward from the sea, leaving the southeastern portion slightly higher than the southwestern" (Stone 1941:33). The amount of water flowing gently through Big Cypress Swamp and the Everglades is the crucial ecological variable. And, of course, water flow has been affected by human factors as we shall see in this short history of human occupation of the area.

The Everglades border Big Cypress Swamp to the east and south. In the west, the swamp waters merge with mangrove and coastal marsh estuaries of the Gulf of Mexico. Big Cypress Swamp encompasses 2,400 square miles of southwestern Florida, and in the heart of this is Big Cypress National Preserve, which consists of 574,433 acres located mainly in Collier County with smaller portions in northern Monroe and western Dade Counties. The preserve represents an area three-fourths the size of the State of Rhode Island (Fuson 1974:119).

The southern portion of Big Cypress National Preserve forms the northern boundary of Everglades National Park. Although Big Cypress Swamp, the Big Cypress, as it is known, has a wetlands environment in this region, its distinguishing characteristic is a drier, prairie ecology because its elevation is a few feet higher than that of the Everglades. Cypress heads of forested strands dot the grasslands and sedgelands, also strands of bay, gum, pine, and oak trees (Carter 1974:20).

This then is the setting of our story: a forested marshland that has been inhabited by a variety of prehistoric and historic Indian groups--the most recent being members of the Seminole and Miccosukee peoples, originally from Georgia and Alabama. Early Spanish explorers of the sixteenth century were the first Europeans in the area, but apparently undertook little activity. When the United States assumed administration of Florida in 1821, the first settlers had visions of reclaiming the land for an agrarian paradise. Their drainage efforts are discussed later in this report. It was not until the twentieth century that lumbering, mineral extraction, ranching, road building, land speculation, and recreational pursuits began in Big Cypress. Such facets of Big Cypress land use are the crux of our study.

C. Seminole Origins

According to Seminole oral history or folk tradition, recorded in 1820, the Seminoles were in Florida at least by circa 1720:

> An hundred summers have seen the Seminole warrior reposing undisturbed under the shade of his live oak, and the suns of one hundred winters have risen on his ardent pursuit of the buck and the bear, with none to question his bounds or to dispute his range (Cohen 1836:31, quoted in Mahon 1967:1-2).

The Seminoles are an amalgam of Lower and Upper Creeks and a few other Southeastern Indian groups, some native to Florida like the Apalachees, some not, like the Yuchis of Georgia. The Seminoles as a distinct entity were formed by way of gradual migration of various bands from Georgia and Alabama into northern Florida. A void existed in that area because of the decimation of the aboriginal peoples of Florida through European-borne diseases and periodic enemy Indian raids from the north. Mahon (1967:2-3) describes the re-peopling of Florida as follows:

> By 1710, northern Florida had become that rare sort of vacuum, a habitable environment, recently peopled, now devoid of population except for a thin fringe of White men principally along the east coast [the Spanish]. Into this inviting void there

> moved from time to time during a century groups of Indians from the territories north of the peninsula. Nearly all of them were of the Muskogean [language] family and were affiliated with the Creek Confederation (Mahon 1967:2-3).

The movement of Creeks into Florida from Georgia and Alabama must be understood in terms of internal Creek affairs and diverse reactions to competing European powers. Migration occurred over many years spurred on by Queen Anne's War of 1701-1713, the Yamasee War of 1715-1717, and the Creek War of 1813-1814. After Queen Anne's War, the Spanish actively recruited Creek groups to settle in Florida "to replace the Apalachees and Timucuas destroyed by English and Creek raids" against the Spanish and their Indian allies (Mahon 1967:3). Some Lower Creeks, including the Tamathli group of Georgia, responded positively, and did migrate at this time.

In the Yamasee War, a coalition of Lower Creeks, Yamasees, and Cherokees attempted to lead an attack against the British. When the Cherokees would not continue their support and turned on the Lower Creeks, the Lower Creeks in turn abandoned the Yamasees, who were driven from their territory and hunting grounds along the coast of South Carolina. The Yamasees migrated to Spanish Florida, seeking protection from the Creeks and from the British. For a time, the Yamasees became effective Indian allies of the Spanish in Florida (Mahon 1967:3).

The Oconee band of Lower Creeks then moved onto Yamasee land, shifting to the lower Chattahoochee River from the Oconee River region of central Georgia. They eventually moved farther south to the Alachua region of Florida, and were well established there by 1750 (Mahon 1967:4). At about this time, other Lower Creeks were drifting south into the old Apalachee territory.

A factor in the shifting loyalties of Indian groups to one another and to the Spanish or British was their growing dependence on European trade goods, which made them vulnerable to the frontier economics of manipulation, exploitation, and the cutoff of supplies. Trader abuses figured prominently as a cause of the Yamasee War of 1715-1717, which

Hudson (1976:439) has labelled a "native revolutionary action" against usurious traders and deerskin debts.

Differential European or Euro-American affiliation appears to be a factor in the Creek War of 1813-1814, which Mahon (1967:6) cites as the cause of the "last major movement of Indians into Florida." The Creek War has been defined as a Creek civil war between Upper and Lower Creeks over European affiliation that brought Georgia and Tennessee militia into Upper Creek country against the Red Sticks, the Upper Creek war faction. The Tennessee force decisively defeated th Red Sticks at the Battle of Horseshoe Bend under General Andrew Jackson, March 27, 1814, severely weakening the Creek Confederacy, and leading many Red Sticks to head south into Florida. Here, Upper and Lower Creek differences were reconciled. The Red Sticks joined Lower Creek towns and became Seminoles, so to speak (Mahon 1967:6-7).

We may define the Seminoles as descendants of Lower and Upper Creeks and a few other southeastern peoples who settled in northern Florida after the demise of the aboriginal inhabitants (Hudson 1976:464). The Seminoles, of course, ended up in Oklahoma and in the Everglades as a consequence of the Seminole Wars.

The following are aboriginal groups in what is now Florida at the time of European contact, circa 1513, as listed by the National Geographic Society (1972) and Milanich and Fairbanks (1978:212): Acuera, Ais, Apalachee, Calusa, Freshwater, Guacata, Jeaga, Mococo, Ocala, Ocale, Ocita, Onatheeaqua, Potano, Saturiwa, Surruque, Tacatacura, Tallahassee, Tequesta, Timucua, Tocobaga, Utima, Yui, and Yustega. All of these groups of aboriginal Florida were virtually extinct by the middle of the eighteenth century (Mahon 1967:2) because of European diseases and the incursions of various Indian groups from north of the border like the Creeks. The land-use periods of Creeks who became Seminoles are summarized in the section below, from their agrarian colonization of northern Florida to the crystalization of their camps in the Everglades as modern reservation communities.

D. Seminole Land-Use Periods

As an example of a land-use practice, Beard (1938:52) cites fire hunting in the Everglades, setting fires purposely, circa 1938, as a practice of Seminole and White hunters to reduce the cover for game. Driving game with fire is an Indian custom with ancient roots in aboriginal North America (Driver 1970:85). It would be ideal for a study such as this to describe in detail the myriad activities of everyday life of the Miccosukees and Seminoles in the Everglades and Big Cypress Swamp, and to place each in its proper place in the cosmology of these peoples. To do so would require an elaborate ethnography describing all aspects of Seminole/Miccosukee culture in an integrated fashion, since all categories of culture are ultimately linked and related to one another. Unfortunately, such a task is beyond the scope of this study. Our discussion in this section is limited to the general Seminole attitude towards the land with a suggestion of how Florida Seminole history may be divided into five major land-use periods.

In some cultures, land can be divided and sold; in others, such a concept of dividing up the land for the exclusive use of individuals as owners would be literally unthinkable (Nelson 1979:1). Euro-American culture falls within the first category, and Miccosukee-Seminole-Creek culture within the latter. The classic comments of Grinnell (1907:2-3) regarding American Indian land tenure apply to the Seminoles as confirmed by Freeman (1960:253). Traditionally, no individual ownership of land existed, only tribal or group ownership. Individuals had no land rights other than usufruct. However, these were rights for life an individual had "in common with his fellows"--fellow kinsmen or tribal members (Grinnell 1907:3). Usufruct rested with the tribe forever "to the exclusion of unfriendly peoples. . . [as] trustees;. . . the rights in the land of those unborn were as clear as. . . [a contemporary's] own; as clear as those of his ancestors" (Grinnell 1907:3).

The above serves to explain the Seminoles' continued attachment to the land--even to their new relatively unpopulated land in Florida whose usufruct they assumed by right of appropriation and by right of amal-

gamation with members of the few Florida aboriginal groups remaining, who had been decimated by disease and frontier warfare. As continually stressed in this report, the Seminoles and Miccosukees we are talking about were quick to fight for their Florida land, remaining there as a remnant population refusing removal.

We suggest five land-use periods of the Seminoles in Florida, as follows: 1) Initial Agrarian Settlement; 2) Nomadic Foraging and Guerrilla Warfare; 3) Hammock Horticulture accompanied by Hunting, Gathering, and Fishing, and Commercial Hunting for Pelts, Plumes, and Hides; 4) Tamiami Trail Camps for Tourism; and 5) Modern Reservation Communities and Other Tribal Economic and Cultural Developments. These periods are functional designations by the authors of major land relationships that overlap with the periods of Seminole history suggested by Milanich and Fairbanks (1980:251). The periods compare as follows:

Periods of Seminole History	Seminole Land-Use Periods
Florida Colonization 1716-1763	Initial Agrarian Settlement
Creek Separation 1763-1790	
Resistance and Removal 1790-1842 (First Seminole War 1817-1818) (Second Seminole War 1835-1842)	Nomadic Foraging (Hunting, Gathering, Fishing, Sporadic Gardening) and Guerrilla Warfare
Withdrawal 1842-1870 (Third Seminole War 1855-1858)	
Modern Crystalization 1870-Present	Hammock Horticulture with Hunting, Gathering, Fishing, and Commercial Hunting for Pelts, Plumes and Hides
	Tamiami Trail Camps for Tourism
	Modern Reservation Communities and Other Tribal Economic and Cultural Developments

Events of these periods of Seminole history and land use will be elaborated upon throughout the remainder of this report.

The Seminole Wars not only heightened Seminole withdrawal into the Everglades--an adaptive strategy for the few Seminoles fortunate enough, in their terms, to remain--but also brought increased attention to the potential for land development in Florida if the Everglades were to be drained. A brief overview of these wars follows.

E. The Seminole Wars

The first major activity in the Big Cypress region by Euro-Americans came as a result of the Seminole Wars, a prolonged series of search-and-destroy missions, grouped in three different war periods from 1817 to 1858, that proved very costly to the United States in both men and money. Direct conflict began in 1817 when United States troops under the leadership of General Andrew Jackson attacked Miccosukee villages along the Florida border in southwestern Georgia. A year earlier he had attacked and blown to bits a trading post and fort, called the Negro Fort, occupied by Blacks on the Apalachicola River in Florida who were affiliated with the Seminoles. Jackson's raids were reprisals for alleged Indian depredations on White settlers. The Miccosukee and Seminole band members, driven from their homes, retreated south into Spanish Florida for sanctuary.

President James Monroe ordered pursuit into Florida, which involved territorial encroachment of this Spanish Colony. After threats of war by both sides, the dispute ended with the acquisition of Florida by the United States in 1819. Actually, once American troops had forced the Indians into the Everglades military activities ceased, thus terminating the first of the Seminole Wars. The year was 1818.

The prelude to the Second Seminole War began in 1822 when the United States decided to move the Florida Indians to reservations. This action culminated with the United States Army attempting to relocate them in Indian Territory west of the Mississippi. Resistance to this removal was strong, and the Second Seminole War resulted, lasting from 1835 to 1842. During this campaign, the United States Army drove the Seminoles

deeper into the Everglades and Big Cypress Swamp, and concluded the war when less than an estimated 300 were left in the far recesses of the swamplands. The fighting stopped but no formal declaration or treaty was signed between the Government of the United States of America and the Seminoles (Douglas 1947:242; Mahon 1967:306-310).

After a period of quiescence, the Third Seminole War began on December 20, 1855. Miccosukee Seminole leader Billy Bowlegs and 35 warriors attacked a detachment of army surveyors in the Big Cypress Swamp because they had wantonly destroyed an Indian garden on a Big Cypress hammock, and the army had refused a modest request for reparation. The army then sent regular troops and volunteers to ferret out the remaining Seminoles who were to be taken to western reservations. This war ended in 1858 with the Florida Seminole population depleted by half, to between 150 and 200 (Swanton 1922:28). As in the previous confrontation, the army was confounded by the immensity of the Everglades and Big Cypress in tracking down remnant Seminole bands. Again, military activities ceased with no formal treaty. The 150 or so Seminoles that were not captured stayed, some in the vastness of the Big Cypress Swamp (Douglas 1967:161).

Several United States forts were established in the Big Cypress Swamp during the Second and Third Seminole Wars. These included Fort Doane, Fort Harrell, Fort Schackleford, and Fort Simon Drum. The wars led to the first efforts to map the Big Cypress Swamp. This was done by military surveyor crews to aid the army's search-and-destroy efforts. Soldiers campaigning in the Big Cypress noted, in diaries, the abundance of wildlife in the area, in particular the variety of birds and reptiles. Such diarists contributed to the realization that with drainage, the swamps could presumably become an agrarian cornucopia bursting forth with exotic fruits and vegetables (Kennedy 1942:15; Tebeau 1966:47-49).

Events of the Seminole Wars have not been recounted in any detail in this report because such treatment is beyond its scope. The reader is referred to the works of Sprague (1848), Mahon (1967), and Peters (1979) for accounts of the wars. However, some mention is made of war tactics in the section following to show what the fighting was like.

F. Tactics of the Seminole Wars

Tactics of both sides are related here, but we begin with those of the Seminoles. The Seminoles followed a guerrilla strategem of retreating deep into the wilderness for "the Americans to be defeated by the swampy terrain, the unbearable climate, and tropical diseases" (Peters 1979:118) as well as by surprise attacks, sniping, and the psychological stress of the opposition's army having to face an ever-lurking, hidden enemy. Osecola (1804-1838) as an able and inspiring Seminole war chief is reported as employing "show tactics" to frustrate and flaunt the enemy. At one time during the Second Seminole War according to Peters (1979:115), he held his version of a dress parade just out of enemy range to show that his men could be disciplined in warfare.

Peters (1979:100) presents a vivid comparison of Seminole warriors versus American soldiers traversing the hinterland:

> The Seminoles had learned from youth to slip through forests like a shadow and to make themselves invisible in seconds. They were amused as they watched the Americans blunder through the woods, stumbling over cypress knees, bedeviled by mosquitoes, chiggers, and other denizens of the swamp. The soldiers' uniforms stood out against the surrounding forest and the noise of their progress proclaimed their presence long before they could be seen.

An on-the-spot account of an army officer, Abner Doubleday, in the Third Seminole War provides more detail in the above vein:

> How could a soldier loaded down with his musket and cartridge box, his canteen and haversack succeed in catching Indians wholly unencumbered who knew every path, stream and covert and who was [sic] not encumbered with any Armament. . . The indians [sic]. . . lay down and worm themselves like snakes through the thickets for they have no impediments or haversacs [sic] or canteens or cartridge boxes to bother them. . . We would tramp all day through the woods wading in the edge of the everglades [sic] and return at night worn out with fatigue. Then we would cut a few palmetto leaves as a bed and lie down in our blankets heedless of snakes, which were abundant or alligators which came around at night. We found plenty of these animals but no indians [sic] (Doubleday 1856 quoted in Ramsey 1981:323-324).

A glance at a guide to military uniforms (North 1970:15ff) and at the American Soldier Print Series for 1814, 1827, 1836, and 1847 suggests that, except for the green and brown arraignments of Roger's Rangers in 1757 and certain olive and tan ones for United States soldiers in 1814, American military uniforms, by and large, were not well adapted to bush fighting. This generalization is evidenced in Mahon's (1967:120) description of the sky blue kersey or woolen winter fatigues and the white linen summer fatigues of the United States Army during the Second Seminole War.

Osceola, as the distinguished Seminole war leader of the Second Seminole War, is cited as realizing that the Spanish rifles of his men were more accurate, better weapons than the American arms they opposed--muskets mostly but some rifles (Hartley and Hartley 1973:119). Osceola apparently trained his men to carry a cluster of rifle balls in their mouths for rapid loading (Mahon 1967:120), to stay hidden except for the brief encounters of attacks, to disburse and scatter widely at cannon fire, and to burn bridges and destroy supply lines whenever possible (Peters 1979:100).

Seminole camps became remote, and Seminole women would gather in "remote places to supply food and clothing for warriors as they came and went to battle" (Peters 1979:110). Young girls helped gather food; young boys practiced the bow and arrow and other skills of arms; and old women and men "did what they could to teach the young and to supply their embattled warriors" (Peters 1979:110).

The strategy of the United States Army was to search for and destroy Seminole camps, crops, and groups wherever they might be found. Often unsuccessful, the army scored a few clear-cut victories employing pursuit and persistence such as that of Colonel William Harney, who in the Second Seminole War surprised and killed the Seminole leader Chekika or Chakaika and some of his followers on an island or hammock hideout somewhere in the Big Cypress Swamp (Tebeau 1971:167). Chekika was the head of the so-called Spanish Indians who traded heavily with Spanish-speaking fishermen from Cuba and spoke their language. Al-

though rumored to be an aboriginal band of Calusas "who had no contact with Seminole Indians or English-speaking White men prior to the (Second) Seminole War" (Tebeau 1976:40), evidence derived from ethnohistorical and archeological findings shows that the Spanish Indians were actually Seminoles, not a surviving band of Calusas (Sturtevant 1966:30).

In sum, United States Army strategy "was mainly a matter of Federal troops staging organized hunts for the Indians, burning their chickees [homes] and destroying their crops,. . . [and sending those]. . . who were captured to the western reservation [in Oklahoma]" (Blassingame 1959:4). The next section alludes to the broad war issues of White land hunger in Florida and White fear of free Blacks among the Seminoles as a threat to the South's peculiar institution of slavery.

G. Seminole War(s) Issues

We may safely say that in each instance of the Seminole Wars, hostilities began as Seminole reactions to American incursions in Seminole or Seminole-allied territory. The destruction of a fort, the raiding of a town, and the plundering of a garden are examples (Peithmann 1957:44; Littlefield 1977:7). The appellation, "land-hungry White man" (Loose 1981:3), is as true of Florida, if not more so, as elsewhere on the North American continent as part of its European peopling. In the sequence of hegemony in Florida--Spanish, English, Spanish, and then American--it was American control that produced a policy of attempted, and for captives, forced removal to what is now Oklahoma. This was the designated Indian Territory west of the Mississippi River. It is a tribute to the Florida Miccosukees and Seminoles today that their ancestors were the ones most determined to remain in Florida.

To better understand Seminole resistance, in addition to a basic and very human struggle for self determination, one must appreciate attachment to the land as being partly religious in nature. Land is sacred in its source, and the cause of anguish when given up. Land belongs to Breathmaker, the Seminole diety, who entrusts it to man by right of

usufruct (Hartley and Hartley 1973:34). As mentioned in the earlier section on "Seminole Land-Use Periods," usufruct is vested in the group to nourish and defend.

The above is not to say that American Indian peoples necessarily stayed put in a given territory, divinely granted. The Seminoles are well known as Creeks who came to possess a new identity in Florida by moving into new territory (Sturtevant 1971:92-128). In a sense, the new land became old land as its flora and fauna were discovered, but interpreted in terms of traditional cultural values by the Seminoles. However, the Seminoles had amalgamated with enough remnant aboriginal groups such as the Apalachees, Tallahassees, and Timucas to gain aboriginal title to the land (Hartley and Hartley 1973:6). Thus, the statement of a modern Trail Miccosukee becomes more understandable on two counts when he asserts that the land of Florida is theirs--the Miccosukees' and Seminoles'--and has been since time immemorial (Cypress 1980).

All of the above is to say that since the border incidents that precipitated the First Seminole War (Hartley and Hartley 1973:35, 48), the integrity of the land and their freedom to use it has been a so-called war issue. It remains so today in the sense that the Trail Miccosukees want desperately to possess adequate land with unambiguous title, that is, to have clear title rest in the name of the Miccosukee Tribe of Indians of Florida (see section on the 1839 land grant, "'In Search of a Place to Stand'").

Not only loss of land but also relocation or removal west was a war issue as alluded to previously. By and large the Seminoles were "adamantly opposed to removal" (Kersey 1975b:114). A link exists between the White desire for Seminole removal from Florida and Black slavery as war issues in that Giddings (1858:v-vi) attributes anti-slavery attitudes of the Seminoles as a major cause of White pressure for their removal.

The literature contains many references to slave-catching incursions into Seminole territory, violating Seminole sovereignty (Hartley and Hartley 1973:35, 48; Kersey 1975b:114; Littlefield 1977:7), in which free

persons were seized and enslaved. According to Littlefield (1977:7), "the Black settlements in the Seminole country and elsewhere in Florida represented a threat to slavery in the nearby states."

Part of Seminole folklore is the seizing of Osceola's second wife at Fort King just prior to the outbreak of the Second Seminole War (Peithmann 1957:25; Hartley and Hartley 1973:118). The story goes that Osceola's wife was seized at a peace parley as a person of mixed blood whose mother allegedly had been a slave, making her one. Porter's analysis (1947) is that while the story itself of her capture and Osceola's ensuing outrage may indeed be apocryphal, the type of incident was not. It was all too frequent. The Seminoles married and peacefully cooperated with their Black neighbors and allies, but were subject to continual White harassment. It is interesting to note that Porter speaks of frontier land hunger behind American expansionism, but considers as paramount the American desire "to safeguard the slave system in adjacent states by breaking up the runaway Negro settlements in Florida" (1951:254).

It is important to note that the Seminoles' "love of political independence" (Kersey 1975b:115), behind their resistance to removal, was not just directed towards Whites but towards Creeks as well, especially the Creek Confederacy. Kersey (1975b:115) refers to a deep seated Seminole dislike for the Creek Confederacy for trying to assert hegemony over the Seminoles in Florida in such matters as treaties and the control and return of runaway slaves. The Seminoles became fiercely independent of the Confederacy, maintaining animosity towards the Creeks for allowing themselves to be used against the Seminoles in the Second Seminole War, and for carrying off Seminole-Negroes, to use Kersey's phrase, to become slaves of the Creeks or to be returned to alleged White masters (Kersey 1975b:114-115). What has been termed the "slavery" of the Seminoles differed from the Black slavery practiced by the Creeks, and, of course, the Whites. This is the subject of the following section.

H. The Seminoles as Slave "Owners"

After the acquisition of Florida by the United States from Spain in 1819, with actual occupancy in 1821, the presence of Black settlements, often affiliated with Seminole towns, continued to be a source of resentment to neighboring Americans who viewed these people, essentially free in Florida, as a threat to their peculiar institution of slavery (Porter 1951:254, 280; Hartley and Hartley 1973:4; Littlefield 1977:7). Seminoles not only occupied land coveted by Whites, but also they befriended fugitive Blacks, like the Spanish did before them. This situation was seen as an economic and social threat by the Americans.

The Blacks in question were comprised of recent runaways and Maroons, the latter being regarded as having been born free in Florida, although descended from runaway slaves. Both the more recent runaways and the Maroons had a sort of feudal relationship with the Seminoles, a type of vassalage that required tribute payments in the form of garden produce and livestock. Fealty materialized in the services Blacks rendered as interpreters and in the fact that Blacks and Seminoles ended up as comrades in arms. Seminoles may have purchased some slaves for prestige in imitation of Whites (Porter 1951:251; Hartley and Hartley 1973:4), but they treated them in an egalitarian manner, if not completely equally--more like allies than slaves (Coe 1898:14; Porter 1951:252; Littlefield 1977:9).

A distinction must be made between Seminole and Creek slavery as the latter became restrictive and oppressive with forced farm labor at its base like the White system (Littlefield 1977:6). Disputes, it seems, regularly occurred between Seminoles, Creeks, and Whites over attempts, sometimes successful, by the latter two to claim and return to slavery Blacks known as Seminole slaves or Seminole Negroes.

In the close association between Blacks and Seminoles, Blacks acted as tribal interpreters, advisors, and warriors. Needless to say the Blacks involved preferred Seminole hegemony to Creek or White; they preferred Seminole feudalism, which made them vassals rather then slaves

(Littlefield 1977:8-9). "The Negroes lived in their own villages, paid fealty to the Seminoles, and occasionally married into the tribe" (Kersey 1975b:116).

The history of Blacks in Florida shows that runaway slaves had been entering the territory since the late seventeenth century for asylum granted by Spain (Littlefield 1977:5). By the second decade of the eighteenth century, Blacks were living among the Seminoles in affiliated villages as vassals, but, nevertheless, as "comrades in arms, advisors, and interpreters [of English] for the Seminoles in all negotiations with the government" (Kersey 1975b:116). Littlefield (1977:5) dates the beginning of the Seminole-Black symbiotic relationship as "about the time the Seminoles were first being recognized as a tribe separate from the Creeks." A measure of the closeness of the relationship is the fact that when the bulk of the Seminoles, some 3,000, were relocated from Florida between 1838 and 1843 nearly 500 Blacks went west with them. Of these, only 200 could be technically classified as slaves in White terms (Littlefield 1977:12).

The question of Indian participation or involvement in Black slavery concerning ownership or liberation of Blacks in the Colonial Period of the Southeast is complex in that different tribes had different practices. Willis (1971:109) raises the question of why in assuming slave catching, trading, and owning roles some Southeastern Indians betrayed "their own principles of hospitality and sanctuary for strangers--and these principles applied to fugitive Negroes." The Willis hypothesis is a divide-and-rule one (1971:100), a White policy of divide and conquer to keep Indians and Blacks apart for fear of their overwhelming cooperation in attacks against White settlements. The Indian motivation to cooperate with Whites was to assure a steady supply of trade goods (Willis 1971:103, 109). McLoughlin (1974:370) takes the argument a step further to show that Southeastern Indians in certain instances copied Whites in considering it prestigious to own Blacks and use them for menial labor.

Despite skills of Blacks valued by Indians, e.g. knowledge of English and the technical know-how of smithing, farming, weaving, and

carpentry, and although at first welcomed as runaways, "by 1800 most of the Southeastern Indians were practicing the same kind of Black slavery in their communities as the neighboring Southern White communities" (McLoughlin 1974:368). However, McLoughlin goes on to say that the Seminoles were exceptions to the harsh treatment of Blacks by Indians north of the Florida border.

In point of fact, the Seminoles were notably hospitable to runaway slaves, who, as we have said, lived freely among the Seminoles, ran their own villages, and paid only a nominal annual tribute (McLoughlin 1974:368-369). Blacks among the Seminoles furnished many of the leading warriors, chiefs, and councillors of the Seminole Wars. In passing, one may speculate that the influence of the Spanish on the Seminoles may have had something to do with this equitable relationship. In welcoming runaways, the Spanish "encouraged Black and Indian fraternization and solidarity along the American border" (McLoughlin 1974:370).

I. From Town to Camp: "Creek into Seminole"

To understand Seminole culture, we must not only appreciate how it developed in Florida, but also its Creek origins in Georgia and Alabama. That point is underscored by Sturtevant (1971) in an important article on the subject, Creek into Seminole. This section presents Seminole culture as a change from town to camp organization.

From town to camp expresses the change from the town organization of the Creeks in Georgia and Alabama to the smaller, more scattered and more mobile camp organization of the Seminoles in southern Florida. The Seminoles in northern Florida had towns like the Creeks. The Creeks had what we would term a town square or central plaza (Opler 1952:170) around which log habitations and granaries were located. The Seminoles in northern Florida had a similar settlement pattern with neighboring fields, which Bartram saw and described in the 1770s (1791:168). Each family had what Bartram terms a "dwelling house" with a cook room and lodging room plus an adjacent two-story structure that served as a gra-

nary and loft. A portion of the upper floor functioned as an open but covered loft, platform, or porch that could be considered a forerunner of the palmetto thatched, open air chickee or house as developed by the Seminoles in the Everglades and still used today.

Agriculture with varying complements of livestock comprised the subsistence base of both the Creeks in Georgia and Alabama and the Seminoles in northern Florida. Creek agriculture associated with town organization is described by Opler (1952:170) as follows:

> At the first White contact, the Creeks were a sedentary, agricultural people who lived in relatively large "towns" along the rivers of Georgia and Alabama. The basis of their economy was maize. The settlements, about 40 to 50 in number, were true towns in the literal and physical sense of the word. The houses were grouped in a definite pattern around a civic square (Opler 1952:170).

Unlike their Creek counterparts, the Seminoles of northern Florida seemingly abounded in horses and cattle since they added abandoned Spanish cattle to their own stock (Milanich and Fairbanks 1980:254). Bartram (1791) gives quite an idyllic depiction of life in the Alachua area of northern Florida where a group of Seminoles lived, circa 1775:

> The extensive Alachua savanna is a level green plain. . . fifty miles in circumference, and scarcely a tree or bush of any kind to be seen on it. It is encircled with high, sloping hills, covered with waving forests and fragrant Orange groves, rising from an exuberantly fertile soil. The towering magnolia grandiflora and transcendent Palm, stand conspicuous amongst them. At the same time are seen innumerable droves of cattle; the lordly bull, lowing cow, and sleek capricious heifer. The hills and groves re-echo their cheerful, social voices. Herds of sprightly deer, squadrons of the beautiful fleet Siminole horse [sic], flocks of turkeys, civilized communities of the sonorous watchful crane, mix together, appearing happy and contented in the enjoyment of peace, till disturbed and affrighted by the warrior man. Behold yonder, coming upon them through the darkened groves. . . the naked red warrior, invading the Elysian fields and green plains of Alachua. At the terrible appearance of the painted, fearless, uncontrolled, and free Siminole [sic], the peaceful innocent nations [of other animal species] are at once thrown into disorder and dismay (Bartram 1791:165-166).

The Seminole lifestyle at this time of 1775 was essentially a Creek way of life, except that animal husbandry was added, and the Seminoles were becoming increasingly isolated from the Creek Confederacy. By 1804, the Seminoles were acting almost entirely independently (Sturtevant 1971:104-105).

An ethnographic profile of Creek society reveals the following cultural traits, circa 1750 (Murdock 1967:114-117), accompanied by a comparison of Seminole traits before and after the Seminole Wars. The subsistence base of the Creek economy was comprised of an approximately equal dependence of 20 percent each on hunting, gathering, and fishing plus a 40 percent dependence on agriculture. There was no animal husbandry to speak of; dependence upon animal husbandry is listed as being only from zero to five percent at the most (Murdock 1967:114).

No animal husbandry among the Creeks differs from the "droves of cattle" mentioned by Bartram (1791:165) for the Seminoles for the same period. The abandoned Spanish cattle taken over by the Seminoles in northern Florida before the Seminole Wars, as noted, would appear to be the crucial variable in this subsistence difference between the Seminoles and Creeks in the early Florida period of the Seminoles. In this century, cattle were reintroduced among the Seminoles on the reservations.

With regard to family organization as a category of culture, large extended families are reported for the Creeks with a lesser tendency towards independent nuclear families of just husband, wife and offspring. Occasional polygyny is reported with some men having more than one wife. Large extended families are defined as corporate aggregates of smaller nuclear family units living together in a single or adjacent dwellings (Murdock 1967:47). Small extended families obtained for the Seminoles, correlated with greater mobility. And the tendency found among the Creeks for some nuclear families to live independently of others is true of the Seminoles. For instance, despite the matrilocal extended families of the Miccosukee Seminoles in camps and in the main community along the Tamiami Trail, new camps are, and were traditionally, established from time to time of independent nuclear families of just husband, wife, and any offspring.

Marital residence is the anthropological classification of where a newly married couple lives in relation to certain types of relatives. Matrilocal residence was the rule and still is among the Creeks and Seminoles, which means that at marriage a couple resides with or near the wife's family. Often an extended family is formed in which matrilineally related women comprise a core group for economic purposes.

Creek community organization is listed as segmented by Murdock (1967:114), which means that each town had represented in it sections of a larger kin group such as a clan. The basic Creek and Seminole kin group beyond, but, of course, including the matrilocal extended family, has been called by various authors a lineage (Hudson 1976:189), a clan (Hewitt 1939:128), and a sib (Sturtevant 1971:93).

Clans and sibs in the anthropological literature generally refer to kin groups larger than lineages that are comprised of related lineages. A lineage is a kin group larger than an extended family, but small enough so that actual genealogical links are remembered and traced from a known ancestor according to a society's rule of descent (Murdock 1949:68; Aceves and King 1978:226). The difference between a clan and a sib is that clans are more centralized and localized than sibs with a specific village known as the headquarters of a given clan. When members of a kin group live scattered among many villages with several kin groups represented in each village, the kin group is usually called a sib. The Creek clan "as a series of lineages scattered about in various towns" (Hudson 1976:192) might be more appropriately termed a sib. So, too, the Seminole clan, as it became even less centralized and localized than the Creek clan. As noted above, Sturtevant (1971:93) does use the term sib for the matrilineal kin group found among the Seminoles and Miccosukees. However, since clan is so widely used in the literature and the term in English used by the Seminoles and Miccosukees themselves, we shall retain it in this report.

The functions of the Creek clan were to regulate marriage and to up-hold social values. One had to marry outside one's clan, and one had to live up to Creek norms of reciprocity and exchange or be subject to

punishment by clan elders at the annual Busk or Green Corn Dance (Spencer and Jennings 1977:435). Rites of passage into adulthood were marked and administered by clan members--quietly for young women at menarche and publicly for young men at the Green Corn Dance when given their adult Indian names. Also the Creek clan was deeply involved with and concerned about religious matters--maintaining its sacred medicine bundle and holding with other clans the Green Corn Dance as a form of yearly renewal. The Seminole Miccosukees carry on today their Creek ancestral traditions, as do the Creeks who are now in Oklahoma, with the Green Corn Dance.

Creek government was by consensus through town councils, clan councils, and councils of the Creek Confederacy (Spencer and Jennings 1977:424-444). Although some clans had claims on certain leadership positions, selection was essentially on merit among qualified individuals, i.e., those recognized for ability as in other egalitarian societies (Murdock 1967:117; Spencer and Jennings 1977:436).

Council government was retained by the Seminoles, but with less regular meetings. In the Everglades, a Seminole settlement pattern emerged of small isolated camps, each headed by a woman. According to Fairbanks (1973:32), in the transition from Creek town to Seminole camp, the matrilineal pattern of social organization was strengthened. With towns and their ties of social communication gone, the all important linking principle became matrilineal kinship.

Creek towns ranged in size from 100 to 1000 persons. Murdock (1967:117) reports Creek dwellings or house types to be of wood with bark or thatch roofing materials, a rectangular or square groundplan, and gables of two slopes. The Seminole chickee matches this except that it is open sided, an adaptive testimony to its Creek origin.

The Seminole camp evolved because of guerrilla warfare and the need for mobility and secluded habitation sites. After the Seminole Wars, the chickee camp seems to have been a better adaptation to the Everglades than the settled town would have been because of the scarcity of solid

land (Fairbanks 1973:32). The matrilineal clan survived the transition from town to camp, emerging stronger as mentioned, perhaps because of its original dispersed or non-localized character.

J. From Camp to Community

Here are some highlights on the post-Seminole-Wars transition from scattered camps to reservation communities. We are talking about the Seminoles as hunters, gatherers, horticulturalists and fishermen and as hunter-purveyors to White traders of pelts, plumes, and hides (Kersey 1975a). Significant events leading to communities are the passage of bird protection laws in 1910; the building of the Tamiami Trail in 1928; the creation of Everglades National Park, 1934-1947; land booms in the 1920s, 1940s, 1960s and the present; and the separate political organizations of the Seminole and Miccosukee Tribes. Related events are the coming of the railroads to southern Florida, logging and lumbering, land drainage, commercial vegetable farming, cattle raising or ranching, and tourism.

The pattern is one of much loss of land by the Seminoles, a greater domestic density with more people living together in individual settlements, and the gradual modernization of the Seminoles, mostly on their own terms utilizing the technology and culture of the larger society. Before discussing Seminole acculturation, we present material on Seminole culture so that change among the Seminoles can be better understood.

Sequencing in fours, the Seminole tendency to schedule the duration of cultural events in time units of four (e.g. four days, four months, four years, etc.), has its origins in Creek culture (Stiggins 1831-1844:22, quoted in Nunez 1958:39). Details of this practice are described in the following section.

K. Seminole Sequencing in Fours

A Seminole custom is to conceptualize many categories of time and space in units of four. "We do things in fours," says Buffalo Tiger, Miccosukee Tribal Chairman (1980). A Creek origin is evident in the practice. "The number four is the cardinal ceremonial number among the Creeks, and use of it (sequencing in fours) may readily be attributed to that fact" (Hewitt 1939:129).

Creek examples are the four buildings that formed the traditional public square in Creek towns, the requirement that Creek widows mourn four years and widowers four months, and the length of the annual Creek Busk or Green Corn Dance of at least four days (Green 1973:6, 10-11). Another example is the switching of a town to the other moiety (see section on kinship), Red to White or vice versa, when defeated four times in succession in the lacrosse-like stick ball game. Only towns of opposite moieties played one another so four defeats meant that the victorious moiety gained a town (Haas 1940:479-480), at least until the next switch if that town were a four-time loser again.

Seminole examples of sequencing in fours are as follows: Symbolizing the circle-of-life aspect of the Seminole world view, fires are still built with four logs arranged in the shape of a cross, the fire in the center, and each log pointing in a cardinal direction. The circle of life refers to the earth's diurnal cycle as well as an individual's life cycle (Henderson and Dewey 1974:26). At death, the Seminole soul unites. Half of the soul wanders from the body during dreams (Sturtevant 1960:525), but becomes one at death to "pass over a long trail from the world to the sky country. . . [to a] village of the blessed. . .; [the] journey requires four days" Skinner 1913:73).

The immediate period of mourning is four days with no work to be done by fellow clan members. A fire is traditionally maintained at the grave for four nights for light and warmth to help the spirit of the deceased on its journey (Skinner 1913;74).

Another example of Seminole sequencing in fours is the traditional isolation of a girl at menarche. According to Garbarino (1966:50), "At the time of her first menses, a girl used to be isolated in a special chickee. She ate alone and was not allowed salt for four days." As a corresponding taboo, avoiding the handling of food that would be consumed by others, especially men, is expected of menstruating women, and has been reported in recent times for Miccosukee women working at the Miccosukee Tribal Restaurant on the Tamiami Trail (Dayhoff and Dayhoff 1980). Also in the category of menstrual taboos is the belief that menstruating women should not eat venison (Garbarino 1966:50; Linda Cypress 1980).

Sturtevant (1954b:321) notes that in Seminole medicine an area of specialization by sex is that native male medical practitioners will treat a woman during her pregnancy, but at delivery and for four months following only female practioners give treatment. "It is women, not men, who know and use the medical treatments required in delivery and the postpartum period" (Sturtevant 1954b:321). This custom is apparently related to menstrual taboos as a male practioner fears that his curative powers could be endangered by directly treating a postpartum women in this four-month period.

The number four figures into the temporary food taboos that comprise partial treatment for certain illnesses. In these instances, migratory foul, venison, beef, and pork are to be avoided by the patient for periods of four months on pain of recurring severity (Sturtevant 1954b:180). Fasting by a medicine man may be required as part of certain delicate procedures as in treating bullet wounds. Sturtevant cites four-day fasts as appropriate in such cases (1954b:180).

As a variation of one of the rules of four, Mahon (1967:11) reports that a woman upon the death of her husband had to remain in bed blindfolded for four days. The period of mourning, as mentioned, was to last four years unless those members of the deceased person's clan who were of the same sex as the surviving spouse reached a consensus to end earlier the period of formal bereavement (Mahon 1967:12).

The reader should realize that sequencing in fours has many manifestations among the modern Miccosukees and Seminoles. It may be seen in a request for four days' leave to mourn the death of a clan member or in the four groups of related Seminole clans, known as phratries (Swanton 1928:205-296; Buswell 1973; Spencer and Jennings 1977:441). Four horizontal stripes comprise the Seminole flag--yellow, red, black, and white, from bottom to top. The flag symbolizes the four cardinal directions and the circle of life, "the whole universe spinning slowly in a circle like the logs of. . . (the Seminole) ceremonial fire" (Baum 1977:1).

Many cultures have pattern numbers. For a pattern number to exist in a society, like the fourfold recurrence among the Seminoles, it means that there is a tendency for the repetition of a number in all sorts of categories of that society's culture. Four is the pattern number among the majority of North American Indian cultures (Dundes 1968:403) with three as the pattern number in Euro-American culture (Dundes 1968:401-424).

L. Seminole Kinship

Found in all human societies, kinship differs from group to group according to the emphasis placed upon it for various types of reciprocity and economic and political cooperation. Traditionally important, kinship remains a significant principle of social organization among the Seminoles. There are three basic kinship rules, known as rules of descent, found in the world's societies. These rules are presented here to provide a background for the better appreciation of Seminole matrilineal kinship.

The three rules of descent are bilateral, matrilineal and patrilineal with ambilineal descent a variant of the first and double descent a variant of the latter two, that is, when both matrilineal and patrilineal descent are found in a society. Bilateral descent is the rule found in American society. The individual is related to men and women by descent through both MOTHER and FATHER, and through their parents, and their parents, and so forth. Men and women equally are ancestral links between generations and culturally defined as relatives.

In matrilineal descent, the individual is related to men and women by descent through women only as ancestral links between generations. To illustrate, FATHER, although one's biological progenitor, is not recognized as a relative, but rather MOTHER, MOTHER'S SISTER, MOTHER'S BROTHER, MOTHER'S SISTER'S CHILDREN and so on are relatives and members of one's matrilineal clan.

The reverse is true of patrilineal descent. FATHER is the kinship link, and FATHER'S SISTER, FATHER'S BROTHER, and FATHER'S BROTHER'S CHILDREN and so on are relatives and members of one's patrilineal clan. In patrilineal descent, the individual is related to men and women by descent through men only as ancestral links between generations. A few societies possess double descent, which combines both principles of matrilineal and patrilineal descent in a given society, producing separate matrilineal and patrilineal clans. An individual has two sets of relatives: a matrilineal set corresponding to a matrilineal clan, and a patrilineal set congruent with a patrilineal clan, each of which has different social functions.

Under the bilateral, matrilineal, patrilineal, and double descent rules, all siblings (brothers and sisters) will be members of the same kin group(s) whether bilateral, matrilineal, or patrilineal. However, in ambilineal descent, a variant of the bilateral rule, siblings may be in different clans or kin groups. At birth, the individual is assigned by his or her parents to a clan of either the FATHER or MOTHER. Both parents are considered in the kin group designation, but an offspring may be in only one group associated with only one parent. Thus, individual siblings may end up if different kin groups, some in the FATHER'S, others in the MOTHER'S.

With ambilineal descent, either males or females may be ancestral, transgenerational links. The individual is related to men and women by descent through either a man or a woman, but not both, as links in kin groups between generations (Aceves and King 1978:226).

As to whether the Seminole matrilineal kin group should be called a lineage, clan, or sib, in this report, as noted, we use the term found most

frequently in the Seminole literature and the term used in English by the Seminoles themselves--clan.

A clan for our purposes is defined as a relatively large, corporate or dispersed group of men and women who consider themselves related to one another by way of a given rule of descent from either a real or mythological, common ancestor. Among the Seminoles, the clan is not corporate but dispersed. The several clans emanate from the creation of the universe as told in origin myths, in which the namesakes of the clans are believed to have helped in the formation of the world.

The Seminole clan only gathers together as a body once a year at the time of the Green Corn Dance, otherwise, the members are dispersed among camps and residences on the reservations and along the Tamiami Trail. Clan functions are associated with education, social control, and religion, and are discussed more fully in the section on the Green Corn Dance, "Seminole Religion."

The question of the number of Seminole/Miccosukee clans produced a range of responses in our fieldwork along the Tamiami Trail. The answers ranged from four to twelve clans. A clan or two may have died out in modern times, such as the Alligator Clan, and not all clans are necessarily represented in all areas. However, it must be said that Sturtevant (1958:17) encountered the same problem in his fieldwork, having also received a range of answers to the question of the number of Seminole clans.

The varied responses point to some underlying cultural principle that would presumably explain the apparent conflict in clan numbers. That principle we suggest is clan linkage, which refers to the fact that certain clans regard themselves, as having had a kin relationship since the beginning of the world. Such clans observe clan exogamy in relation to each other. Exogamy is normally observed within a clan. Clan exogamy is the rule that prohibits marriage with a member of one's clan. When clans are linked, the clans are as one for marriage purposes. Exogamy is extended so that individuals will not seek mates in a related clan nor in

their own. Related clans are called phratries in anthropological terminology. "Clan linkages among the Seminole-Miccosukee Indians today reveal the existence of four exogamous phratries of three clans each" (Buswell 1972:44).

Some Seminoles and Miccosukees will count the three related clans in a phratry as one; others seemingly enumerate the clans separately. Thus, a range of answers ensues in counting clans. The range is further explained below with some of the work of Buswell (1972; 1973). To paraphrase Sturtevant (1958:17), the number of clans one counts depends on one's interpretation of the system of clan linkages.

Clans are grouped into larger units called phratries. As noted above, Buswell (1972:41-50) describes four phratries of three clans each, linked exogamously, that is, not intermarrying because they are said to be related. In a count of clans, if only phratries are considered, the count is four; with all clans considered, twelve.

The clans named by Buswell (1972:32) are as follows: Wildcat (Bobcat), Panther (Florida mountain lion, puma, or cougar), and Deer in Phratry A; Wolf, Bear, and Mole Clans in Phratry B; Little Bird, Bird, and Wind in Phratry C; and Big Town, Otter, and Snake in Phratry D. Seminole practice is not to name the phratries, but just to refer to the groupings of linked clans.

Traditional Seminole culture not only grouped clans into phratries but also settlements into RED and WHITE halves, called moieties in anthropological terminology, which respectively symbolized war and peace just like their Creek counterparts, the RED and WHITE Creek towns. The Creek idea of moieties survived among the Seminoles not as part of daily life, but for reciprocal ceremonial functions at the Green Corn Dance and for long-term leaders--RED for war and medicine, WHITE for civil leaders (Sturtevant 1971:96; Hudson 1976:236; King 1978:172).

Related to kinship, residence at marriage for a couple is, traditionally, matrilocal or uxorilocal, that is, with the bride's family (Buswell

1972:51). However, some newly located camps in Big Cypress National Preserve have been nuclear family ones (just husband, wife, and offspring) as have been some newly built residences at Miccosukee Tribal Headquarters on the Tamiami Trail. Yet habitation placement is still influenced by extended family and clan considerations. Such considerations would influence official tribal decisions in any negotiations with the National Park Service. What a park manager should know about Seminole kinship is that the clan is the unit of family obligations, comprising more people in a greater circle of duties and responsibilities than in Euro-American society. If a clan member dies, an individual has an obligation to observe and participate in the four-day mourning period. This is just as true for what Euro-Americans might term a distant cousin as for a parent or sibling or offspring. In short, "Clan membership is important, and everyone knows the clan of every Indian whom he can name" (Buswell 1972:36).

M. Seminole Cultural Values

Capron (1969:717) refers to the Seminoles as "long aloof from the rest of society," but in recent years as being more receptive to new opportunities through the larger society. This section examines Seminole "aloofness" in external affairs as an adaptive strategy, which is in harmony with internal traditional cultural values.

Seminole "aloofness" is best expressed by the phrase, LEAVE US ALONE, a recurrent message to White society aptly proclaimed in those very words by the Seminoles at a 1936 conference between Florida Indians and State-of-Florida officials, the delegation of which was headed by Governor David Sholtz. The meeting took place on the Tamiami Trail, February 22, 1936, and the Seminole reply to an offer of economic assistance was, "JUST LEAVE US ALONE." A historical marker bearing these words commemorates the event (see illustration 9).

Such a reproof was not new. In 1881, the same message had been conveyed by way of a State-of-Florida report which said that, "While the

Florida Indians refuse to vote and pay taxes, they are politely social, generously hospitable, peacefully harmless, and cost the state and government nothing, and ask nothing but to be left alone" (quoted in Blassingame 1959:5).

We view wanting to be left alone as an adaptive attitude that has been quite effective in maintaining a distinctive lifeway in the face of long-term White encroachment. Fairbanks (1973:53) refers to it as the historical antagonism of the Seminoles to White affairs, which in fact has helped preserve Seminole values.

A culture's set of overriding precepts that organize its array of desirable behaviors and their priority in social situations comprise its values (Spradley and Rynkiewich 1975:361). Keeping one's word and extending hospitality are Seminole values along with a love of children and an egalitarian self-reliance (Federal Writers' Project 1941b:28; Blassingame 1959:5, 9-10). One way of studying cultural values is to discover what alarms the people of a particular society as not being proper behavior. When alarm is expressed a value is probably being violated.

An example of the above is reported by Nabokov (1978:159-160), who quotes a Seminole leader, Jumper, upon his return from Oklahoma Indian Territory, October 24, 1834, on a land inspection tour for possible Seminole relocation from Florida:

> At Camp Moultrie [1823], they told us all difficulties should be buried for twenty years. . . after this we held a treaty at Payne's Landing [1832], before the twenty years were out;. . . they told us we might go and see the country [Oklahoma Indian Territory], but that we were not obliged to remove. The land is very good. I saw it. . . was glad to see it,. . . [but] the. . . neighbors there are bad people. . . the Pawnees. The Indians there steal horses [emphasis ours]. . . they. . . steal horses from the different tribes. I do not want to go among such people (Chief Jumper quoted in Nabokov 1978:159-160).

Jumper, who on his trip learned about Plains Indian horse stealing between tribes as a matter of their personal and tribal honor, found such a

practice shocking. Stealing among neighbors was obviously not consistent with Seminole mores.

A general Seminole belief exists "that White men do not keep their promises" (Garbarino 1966:166). The history of the Seminole Wars shows a tendency for the Seminoles to keep their word in negotiations, and it shows the opposite to be true for the Whites. At least two incidents are infamous in which Major General Thomas Jesup captured Seminole leaders under a white flag of truce.

Wildcat and Blue Snake were captured on September 26, 1837 under a white flag when they presented themselves for negotiation, and almost a month later on October 21, 1837 Osceola himself was seized under similar circumstances (Mahon 1967:214-217; Peters 1979:149-151). While there could have been war objectives in the minds of the Seminoles in agreeing to truce conferences, e.g. as a way of scouting the enemy, clearly they expected the enemy to keep their word--especially under a white flag of truce. According to Mahon (1967:217) those Seminoles who continued to resist did so, "more fanatically than before. Any confidence they had felt in the word of the White leaders was utterly shattered."

Hospitality refers not only to accommodating visitors in camps with food and shelter, but also freely sharing material goods, especially among extended family and clan members. One way to view sharing is as a linkage into ever larger units between extended families, neighboring cooperative camps, and then matrilineal clans.

Personal items and chickees are thought of as owned items to be shared; land is never owned and, thus, always shared. Any family may take over a chickee if no longer being used by the family that built it (Blassingame 1959:6). Chickees are owned in the sense that the family presently occupying a chickee has proprietary use of it.

With land, "People in the chickees do not think of owning land. . . do not consider that the land belongs to them. . . it is the camp and buildings. . . and the pumps and the well. . . not the land, which they

conceive of as theirs. . ." (Garbarino 1966:24). Even with modern houses and cement block structures, the land is the tribe's as discussed elsewhere in this report.

As an example of cultural priorities in the Seminole system of values, attention to children and their needs would normally take precedence over political conferences even if in progress (Blassingame 1959:10). And personal autonomy, i.e. respect for a person's self-reliance and inner-directedness, takes precedence over telling others what to do even if in a position of authority (Freeman:1940:v; Federal Writers' Project 1941:28; Garbarino 1966:104, 110,111; Buswell 1972:211, 374; Fairbanks 1973:51).

In effect, Seminole society is egalitarian not only in equality of opportunity to achieve through the application of learned skills but also in social perception. "More than anything else in their social philosophy, the (Seminole) Indians cherish the idea that they are all equal" (Garbarino 1966:124). Egalitarianism emerges in Seminole decision-making in that consensus is expected after much deliberation, which Garbarino (1966:163) labels as "the need for wide consensus in Seminole society."

Coupled with consensus in the Seminole world view is "a philosophy of sufficing, not maximizing" (Garbarino 1966:6) as in the Euro-American ethos. In Seminole folklore, there is an origin myth that tells how Breathmaker (God) had initially provided the Seminoles with an environment sufficiently provided with food for a plentiful existence. Medicine men teach that it is right to hunt and fish for what is needed, but not to take more than one needs (Henderson and Dewey 1974:18; Osceola 1980). Thus, it may be said that the Seminoles not only have expectations of reciprocity with one another but also with nature. Man becomes part of the balance of nature and nature will provide, if he takes only what he needs.

Nature's yield was shared by Seminoles with Euro-American settlers in what amounted to a reciprocal learning relationship in the Miami area in the 1870s. The Seminoles learned about new material cultural items that

they selectively adopted, like the foot-pedalled sewing machine that became so popular with Seminole women in making their distinctive clothing (Davis 1955:974-980). And the settlers in turn learned from the Seminoles "how to make use of many products in their new milieu: sofkee, the gruel made from coontie flour; the bud of the cabbage palm; Indian pumpkin and guava syrup; woven products made from palmetto leaves; and turtle and manatee meat used in stews" (Kersey 1975a:33).

That is not to say that the LEAVE-US-ALONE attitude has abated. Sturtevant as recently as 20 years ago (1960:526) reported the belief among Seminoles that Whites yet may be attempting to subvert and deport the Seminoles who remain in Florida. So we end this section on the note on which it began--the Seminole strategy of White avoidance to protect their values and culture, not to mention their Florida land.

N. Seminole Religion

The all-powerful god among the Seminoles is Breathmaker with related lesser spirits who figure in clan origin myths (Blassingame 1959:9). Seminole religion is not well known or understood, even today, because it is the aspect of their culture the Seminoles keep most secret (Sturtevant 1954a:34; Fairbanks 1973:32; Lefley 1974:463). Nevertheless, the Green Corn Dance, the main religious ceremony, has been observed by Whites in modern times (Capron 1953; Buswell 1972:64-226), and we know that some changes have occurred.

A minor change is the substitution of modern sewing-machine needles for animal claws and snake teeth employed in the back scratching portion of the annual Green Corn Dance. Scratching occurs when young men assume their adult names and when persons found guilty of violating tribal mores are punished following court proceedings at the Green Corn Dance. A major change is the decline in the number of separate Green Corn Dances held each year on account of Christian influences on the reservations. That is to say that the Green Corn Dance of the Big Cypress Seminole/Miccosukee Reservation no longer exists; it has not

been held in 30 years (Buswell 1972:361, 364). Ten years ago Buswell (1972:372) reported three active Green Corn Dances--two associated with Trail Miccosukees and one with the Brighton Seminole Reservation. The disappearance of the Big Cypress Dance is correlated with the growth of an evangelistic Christianity led by a Creek Indian missionary from Oklahoma, Stanley Smith, who arrived there in 1943.

According to our Trail informants, two Green Corn Dances do exist today along the Trail. Both have their dance grounds within Big Cypress National Preserve, one is north of the Trail, the other, south, just off the Trail. During our visit we saw the site south of the Tamiami Trail with its 67 chickee structures, including cook houses, a central fire, and ball ground. The site is indeed active and in current use with ceremonies held as scheduled once a year in early summer for at least four days.

The Green Corn Dance was once widespread in what is now the eastern United States, especially the southeastern region. Variations existed from group to group, but the common element was thanksgiving, an expression of gratitude for a successful corn crop and all that flowed from it (Conrad 1957; Hudson 1976:366-367). The Seminole Green Corn Dance is derived from the Creek word poskita (to fast), and ceremony and annual rite of the same name whose purpose was not only to ensure the bounty of nature but also the Creek social order in the eyes of Breathmaker. Buswell (1972:222) defines the Seminole Greek Corn Dance as "a sacred observance and an experience of spiritual intensification and renewal." Fasting was part of the rites of purification along with the Black Drink, an emetic (Ilex vomitoria or related plants) (Hudson 1976:367, 373).

It is interesting to note here that the aboriginal Timucuan peoples of northern Florida as part of battle preparations also partook of a tea brewed from Ilex vomitoria leaves. The dosage in this instance was not of emetic strength, but, "The caffeine in the tea helped to stimulate the warriors and [thus] had medicinal as well as ritual qualities" (Milanich and Fairbanks 1980:223).

In anthropological terminology, "the Green Corn Dance may be seen as a tradition-bound, culturally-validated, annual celebration with a religious core surrounded by social functions not at all unique in human societies" (Buswell 1972:225). According to Sturtevant (1954a:62) the Seminole Green Corn Dance has several functions: It marks the beginning of the Seminole new year, i.e. a new annual cycle the variable date of which is determined by the medicine man. Through rituals of fasting and self-purification, it provides for the general health and well-being of the people. By way of ideology the Green Corn Dance aims toward the well-being of the Seminole people through the annual re-examination of the sacred medicine bundle, kept safe in a secret place all year by the medicine man, "to ensure its continued potency and power for good" (Sturtevant 1954a:62). The Green Corn Dance provides an annual court for the consideration of serious offenses, i.e. violations of tribal customs. Elders from each clan serve as a supreme court to determine guilt and punishment. The Green Corn Dance functions as a political forum to discuss important tribal issues, and to maintain networks between groups. In the past, but no longer, marriages were performed during the Green Corn Dance, i.e. unions were confirmed and ritually validated. In short, the Green Corn Dance is the social event of the year, "the time when the people gather from their scattered camps and associate with old friends, renew old acquaintanceships, and learn the news and gossip of the past year" (Sturtevant 1954a:62).

The Green Corn Dance is the time when a new fire is kindled as a symbol of the tribe. Four logs are set, each in a cardinal direction, and with the lighting of the fire the Seminole circle of life is renewed (Debo 1941:21). It might be added, as noted earlier, that the Green Corn Dance is a time of collective ritual and social clan activity, when the clan camps together, dances together, sits together, and performs together (Garbarino 1972:75). It is the only time that the clan meets as a body.

Drinking alcoholic beverages is an activity associated with the Green Corn Dance, and has been for some time. Buswell (1972:198-226) extensively analyzes the place of drinking in the Green Corn Dance. Generally its purpose is to ease social interaction and communication.

Expressions of modern Seminole and Miccosukee identity have become part of the Green Corn Dance. The Green Corn Dance itself is part of this ethnic consciousness, fostering pride in clan and people (Spoehr 1968:9; Garbarino 1972:76).

A summary statement is that, "For the non-Christian community of Seminoles, the Green Corn Dance is as thriving today as it ever was" (Buswell 1972:225). It should be understood that the Green Corn Dance is both a sacred and secular activity and, as such, is a highly significant expression of Seminole culture. It commands respect, and that, indeed, seems to be the case in the fine cooperation given its practioners on park lands by the staff of Big Cypress National Preserve.

Concerning the metaphysics of Seminole religious belief, not even as distinguished an anthropologist as William Sturtevant (1954a, b) has been able to learn the sacred significance of objects within the medicine bundles his informants recall seeing at annual Green Corn Dance ceremonies. Nevertheless, we must understand that Seminole religion is very much alive, and has meaning, even for many of those who have converted to Christianity.

The most sacred of Seminole knowledge rests in the contents and contexts of the medicine bundles (Sturtevant 1954a:34). In other words, sacred knowledge rests in the nature of medicine-bundle objects and their mythical meanings related to Breathmaker and lesser spirits. This knowledge is passed down from generation to generation by an established medicine man to a neophyte in training. Buswell (1972:226) notes a decided decline in the number of young apprentice medicine men qualifying to carry on the Green Corn Dance. However, Maus (1980, personal communication) says that at the start of this decade new individuals are being training as medicine men as part of a Seminole cultural revival, especially among the Trail Miccosukees.

Fasting and praying set the stage for knowledge (Gregory 1956:195), but direct observation of a medicine man at work is the primary teaching method. Training is secretive (Lefley 1974:463) and strict, and lasts several years (Capron 1969:733).

As examples of the contents of a medicine bundle, Sturtevant (1954a:37) reports owl, panther, and bobcat claws and rattlesnake teeth. A trainee would have to learn the meaning and purpose of all such items since the medicine bundle is the symbolic soul or heart of the Seminole people. The medicine bundle's spiritual renewal is the primary object of the Green Corn Dance (Capron 1953:160-163, 175; Sturtevant 1954a:42). The Green Corn Dance stresses peace and harmony and the people's place in nature, and that the future has some unity or continuity with the past. "If a medicine man is good and smart, that is, works hard at his ceremonial duties, doctors his people and takes care of them properly, medicine will [supernaturally] come back to this bundle" during the Green Corn Dance (Sturtevant 1954a:41).

While the medicine man has a tremendous responsibility for the health and prosperity of his people, the responsibility is not his alone (Lewis and Knebert 1958:134). It is everyone's duty to observe Seminole customs for the honor of Breathmaker and the good of the tribe, hence the tribal court at the Green Court Dance. By punishing violators, the court helps preserve the honor of the clans and tribe and thus the power of the medicine bundle (Sturtevant 1954a:50-51).

Historically, some medicine-bundle objects had origins and uses connected with warfare for offensive and defensive magic and to cure wounds (Sturtevant 1954a:35). During the Seminole Wars, large medicine bundles were broken up into smaller ones so that separate war parties could have the protection and power of the medicine items. According to Sturtevant (1954a:33) three medicine bundles were left in Florida following the wars. They are said to exist today as portions of the bundles of the remaining Green Corn Dances (Garbarino 1972:75).

Death is ritually represented at the Green Corn Dance, according to Breathmaker's design, as a completion of the circle of life when someone dies and returns to the earth (Henderson and Dewey 1974:26). For actual interment, the White man's cemeteries near Miami are being used more and more. However, swamp burials still occur in an area set aside for the purpose in the Everglades. When they do occur, ancient

Seminole-Miccosukee-Creek burial customs are followed (Fred Dayhoff 1980). The burial practices require that the body be placed in a frame box or coffin and taken far into the swamp where it is placed above ground on a small platform built for the purpose. Grave goods surround the casket on the platform. These are things the deceased person cherished in life, but now they are broken as they are placed "to release the spirit of the object so it may accompany that of the dead person into to the beyond" (Blassingame 1959:12).

As a footnote to history it may be said that the Seminole Green Corn Dance indeed has Creek antecedents, but that among the Seminoles it changed because of the adaptation of the Seminoles to the Everglades. The Seminole dance has dropped many of the rituals celebrating agriculture in the Creek Busk. Sturtevant (1954a:64) attributes this to a decline in the importance of agriculture from northern Florida days as the Seminoles were forced ever southward, seeking refuge in the Everglades. As a subject for further study it would be interesting to compare in detail the descriptions of Howard (1968) and Buswell (1972) of contemporary Oklahoma Creek and Florida Seminole Green Corn Dances, respectively, to see if the Creeks retain more agricultural emphasis in their rituals than the Seminoles. What follows is a brief section on acculturation to acquaint the reader with aspects of Seminole cultural borrowing from the larger society.

O. Acculturation

Culture comprises "the distinctive ways. . . different human populations organize their lives. . . (according to their) rules concerning the ways in which individuals. . . should communicate with one another, think about themselves and their environments, and behave toward one another and toward objects in their environment" (LeVine 1973:3-4). Acculturation refers to the changes a society experiences through borrowing from another culture. Change occurs in all societies from internal evolution and from contact with other cultures, but American Indian cultures must be seen not only as "entities undergoing a continual pro-

cess of adjustment and change" (Trigger 1980:672), but also as cultures changing because of borrowing from a politically and economically dominant larger society.

We know that items of material culture such as pots and pans, guns, knives, and sewing machines were sought quite early and readily after they were introduced. The acculturation story is one of borrowing much of the material culture of the larger society but rejecting other aspects.

Seminole cultural borrowing from the larger society includes the use of alcoholic beverages and other drugs, the English language to an increasing extent--spoken and written, electricity, electric fans and other electrical appliances, automobiles, air boats, Euro-American clothing, including blue jeans even for young women, supermarket-packaged foods, and television. However, "just because people dress in blue jeans and live in cinder-block houses does not mean they have embraced the White man's ways on more than a superficial level" (Page and McBride 1982:3).

Alcohol abuse as reported by Fairbanks (1973) and Kersey (1975a), and cited by Page and McBride (1982:9) has been "the most salient problem during the Seminoles' entire history" as a people. Before we jump to a stereotypic conclusion, it must be said that the use of alcohol often upholds social values through the reciprocal exchange of beer and other forms of alcohol at parties and other gatherings in many different but basically close-knit societies, like that of the Seminoles (Robbins 1973:99-122; Van Horn 1977:50-56; Collmann 1979:208-224). Alcohol at gatherings is a matter of reciprocity; these gatherings serve as forums or at least opportunities for free discussion. Rites of renewal like the Green Corn Dance have their elements of gossip, and gossip is a means of social control (Garbarino 1966:110-111). Alcohol aids talk and gossip. A further study is needed of Seminole and Miccosukee drinking patterns to explore the social values and reciprocal exchanges involved in what Buswell (1972:213) calls "the cohesion and friendliness. . . of Seminole drinking expectations."

While Fairbanks (1973:70) is greatly concerned about what he sees as a Seminole cultural gap between generations, there is much positive social change taking place among the Miccosukees along the Tamiami Trail by way of selective acculturation through the tribally-run school (Maus 1980:41-42). A Seminole-Miccosukee folk tale told often by Miccosukee Chief Buffalo Tiger (Liss 1976:1E) is that Breathmaker gave speech and memory and the bow and arrow to the Seminoles to "go out and live in nature". White men were given writing as their primary means of learning and thus "can make guns and bombs and. . . can dominate" (Tiger in Liss 1976:1E). The writing of anything can bode ill for the Seminoles because it is not their tool; it is the White man's. The history of Seminole treaties would seem to bear this out.

Despite the folk belief, a change has taken place since the Trail Miccosukees have permitted their language to be reduced to writing with the aid of White linguists. "Miccosukee now is a written as well as an oral language, and children learn to read their own language first and then English" (Maus 1980:41). Maus goes on to say that "a dictionary of Miccosukee--English is being readied primarily for use by the members of the [Miccosukee] Tribe in the [tribally-run] education program" (1980:41).

We were told by several Miccosukees that they do not wish to share written Miccosukee with non-Miccosukees. This is consistent with the above statement of Maus that the Miccosukee--English dictionary is being prepared primarily for Miccosukee use. A compelling interpretation is that a lingering fear exists of ill fortune from the folk belief previously mentioned that writing should not be used for things Seminole or Miccosukee. By restricting access to written Miccosukee materials, the Miccosukee Tribe will preserve its culture and oral tradition and presumably avoid any ill effects of having the Miccosukee language in written form. The writing of Miccosukee may be said to be part of acculturation, in borrowing the methodology from the science of linguistics to formulate and agree upon appropriate symbols for a Miccosukee alphabet.

Another item of change and presumed acculturation is the reduction in the number of wives permitted. That is to say that until at least the Second Seminole War, polygyny was acceptable, but monogamy is the norm now. Blassingame (1959:6) notes that some men had two wives, and Osceola is said to have had two wives (Mahon 1967:217).

An effect of acculturation may be increased stress and frustration on the part of those individuals who acquire more knowledge of the larger society than their fellows and actually participate in it. Such a case is well documented by Garbarino (1970) in her article, "Seminole Girl: A Young Woman between Two Worlds," about the difficulties encountered when a young person returns to the reservation to help run a store after being trained as a bank teller in the larger society. She misses her old job, but wants to help her people by bringing in new skills. The problem is that others are suspicious of her and of her new interests and broader horizons. The article closes with the problem unresolved.

On the other hand, borrowed traits may be reinterpreted and adopted by the recipient culture to its own advantage. That seemingly is the case with the bingo parlor being operated by the Hollywood (Dania) Seminole Reservation. It is a smashing success because of the high cash prizes and very frequent games being offered, contrary to Florida regulations, which prohibit stakes over one hundred dollars and restricts games to two nights a week. Since the Seminole bingo hall is on federal land, state regulations do not apply.

The Seminole bingo project at Hollywood, Florida is an example of a White business firm providing capital for the initial investment as well as a managerial staff and an Indian/White operating staff. At issue is whether non-Indians should be able to directly profit from the special status that Indians enjoy on federal Indian land. As mentioned above, the state rules do not apply on the federal reservation. The White corporation takes 45 percent of the profits as its share. Yet, the Seminole Tribe is still making money, much more than without the bingo operation, and, thus, the tribe is bringing in funds to benefit the community. Apparently there would be no issue with the local sheriff if the enterprise

were completely Indian run (Guyon 1980). Seminole Chief James Billie says that with bingo, "the Seminoles are adapting to their environment"--the urban environment of Miami, Florida, and using the White game of bingo as a resource--as "money coming in" (Chief James Billie quoted in Alva 1980:18).

P. Seminole Language Use

As noted in he introduction, two related but mutually unintelligible Muskogean languages can be found among the Florida Seminoles (Driver 1970:43). Miccosukee or Mikasuki, derived from the Hitchiti language of the Lower Creeks, is primarily spoken on the Big Cypress and Hollywood (Dania) Reservations and along the Tamiami Trail. And Muskogee, derived from the Muskogee language of the Upper Creeks, is spoken on the Brighton Reservation (Garbarino 1972:1-2). Creek migrants in the eighteenth and nineteenth centuries from Georgia and Alabama comprised the bulk of those who became known as Seminoles in Florida. In Georgia and Alabama, those Creeks living along the Coosa and Tallapossa Rivers were known as Upper Creeks, and those along the Chattahoochee, Flint, and Ocmulgee Rivers as Lower Creeks (Nunez 1958:3; Covington 1979:37).

At the time of the Seminole Wars, Blacks among the Seminoles often acted as interpreters of English for their Seminole friends and leaders who had given them refuge and among whom they lived freely (Peters 1979:72-73). Today, of course, the Seminoles do their own interpreting. There is still a need for tribal interpreters because some do not yet speak English fluently as a second language (Lefley, 1974:462; Milo 1980:2).

In terms of preserving their own language, the Miccosukees of the Miccosukee Tribe on the Trail are now instituting oral and written language instruction in school as part of a Miccosukee Culture Program (Lefley 1974:462-463; Maus 1980:41). With the help of linguist David West, classroom materials and a short guide to the Miccosukee language have been produced by the Miccosukee Tribe. The short guide (West and

Smith 1978) complements West's technical study (1962) of Miccosukee phonology.

The extent of Seminole bilingualism is a fascinating question not well documented in the literature. According to Hudson (1976:464), Alabama and Yuchi and a few other southeastern languages like Apalachee were represented alongside the predominant Miccosukee and Muskogee languages in the early Seminole settlements of northern Florida. Hudson further says (1976:464) that, as in the Creek Confederacy, Muskogee served as a lingua franca or common language among the speakers of different languages. Since the Seminole Wars, Miccosukee-speakers have been in the majority, but Muskogee seems to have remained the common language until very recent times when English has become more of a lingua franca.

On the use of English among the Miccosukees, Lefley writes (1974:462), "this is the first generation attending school. . . and the first experiencing psychological distance from their parents and from the oral tradition of their ancestors." As acculturation through formal education increases, no doubt will the use of English. This is not to say that the Miccosukee language will be lost. Rather, complementary bilingualism may result, related to the Miccosukee Culture Program instituted in the early 1970s and its attendant reinforcement of a positive Miccosukee self-image. That is, a set of complementary social functions may well evolve between the two languages with only a shift in some language uses to English, given the survival of Miccosukee cultural values.

Buswell (1972:12) makes the point that the modern tribal structure of the Miccosukees and Seminoles cannot be fully understood without appreciating their ancient language divisions as well as their relatively recent political ones. The Brighton Reservation, as noted, is primarily Muskogee or Creek speaking, and is part of the Seminole Tribe of Florida, organized and federally recognized in 1957. The Big Cypress Reservation, mainly Hitchiti or Miccosukee speaking, is also part of the incorporated Seminole Tribe as is the Hollywood Reservation, which has both Muskogee and Hitchiti speakers. Along the Trail, there are Miccosukee speakers who are members of the Miccosukee Tribe as well as

independent Miccosukee speakers, who refuse membership in either the Miccosukee or Seminole Tribes. Regardless of language orientation or political affiliation, a trend from subsistence to business seems to be generally affecting all Miccosukees and Seminoles. This land-use trend is discussed in the next section.

Q. Subsistence To Business

The Seminole land-use continuum is from subsistence to business in terms of the Seminole occupation of the Everglades. This section follows through with acculturation by emphasizing the change from a subsistence economy to a business one by the Seminoles and Miccosukees. Subsistence activities include hunting, gathering, fishing, and hammock horticulture, and business for the Seminoles includes their cultural and handicraft centers for tourists, alligator wrestling exhibitions, the sale of air-boat rides, commercial cattle raising, bingo, and possibly a future agribusiness through the aid of a major United States corporation (Business Week 1981:44f, 44J). Intervening economic pursuits on the historical land-use continuum of the Seminoles include commercial hunting for pelts, plumes, and hides (Kersey 1975a); frog hunting to sell to restaurants; guide services for explorers, loggers, and tourists; and working as farm laborers.

From the point of view of acculturation, modern business ideas are being employed or considered by the Seminoles such as cattle raising, large farm projects, and bingo as mentioned above. The Miccosukee Tribe has a tribally-run restaurant on the Tamiami Trail as well as a gasoline station and a cultural and handicraft center. And the Miccosukee Tribe operates its own school system, health clinic, and police and fire departments not to mention a community library (Maus 1980). As for modern management methods and business practices, the Seminoles and Miccosukees generally lack enough trained personnel and financial resources to be completely independent with Indian-run, tribally-staffed enterprises (Kersey 1971:13; Page and McBride 1982:1-16). It may be said of the Miccosukee Tribe that it is Indian run, but White and Indian

staffed, with a growing number of Miccosukees serving as administrators (Maus 1980:42, 46).

Self-managed enterprises should increase in the future among the Seminoles and Miccosukees. To show progress towards that end, a lengthly quote from Maus (1980:45-46) is hereby reprinted:

> Previous to 1971, the [Miccosukee] Tribe had already begun business ventures aimed predominantly at tourists. . . [with a] restaurant, general store and service station along the Tamiami Trail. Besides these Tribally owned and operated enterprises, several other family owned attractions are also in operation in the area. . . gift stores [gift shops], villages open to the public, and air boat rides.
>
> Since 1971, the Tribe has increased its investment in tourism by opening an arts and crafts store next to the restaurant and by purchasing the largest of the family-owned attractions. The site has now been transformed into the Miccosukee Culture Center. Tribal members demonstrate arts and craft skills and provide guided tours daily. A small collection of cultural items is on display. The Tribe plans shortly to erect a small museum there to make the display permanent and more educational. The Culture Center is intended as a center for educating both Miccosukee youngsters in the treasures of their heritage and children and adults from the general public in the culture and values of the [Miccosukee] Indian way.
>
> For five years now, the village [of the Miccosukee Tribe] has also been the location of the Tribe's annual winter Indian Arts Festival and of summer music festivals. The major event of the two [types] is the arts festival, scheduled each year from December 26 through January 1. During these days, Indian artists from around the country show exhibits of their works while dancers and singers perform on stage repeatedly through the day.
>
> The [Miccosukee] Culture Center is a non-profit educational project. Other for-profit enterprises are planned both in the area of the Tamiami Trail and on the State Indian Reservation along Alligator Alley [State Route 84] to the north. . . [where] a lease operation for cattle-grazing on the Alligator Alley land has been started. Also from 1977 till now the Tribe has operated hydroponic gardens and [instituted] self-help gardening projects as training for agricultural expansion in the State Reservation (Maus 1980:45-46).

To bring the reporting of Maus (1980), above, up to date, an impending oil and gas leasing program for drilling on the State Reservation to bene-

fit the Miccosukee Tribe must be mentioned (Waggoner 1981). Also of note is the tribe's intention to develop Miccosukee-operated attractions and services on the Alligator Alley corridor (State Route 84) where it traverses the reservation (Waggoner 1981:62). And the Miccosukee Tribe, lacking land title on the Tamiami Trail, wishes eventually to move to the State Reservation to inhabit it as a culmination of its long and continuing "struggle for a land base" (Maus 1980:49). That struggle must be understood in the context of cultural continuity and change. What follows is an ethnographic comparison between 1910 and 1980 of the Miccosukees and Seminoles for an appreciation of continuity and change in Miccosukee and Seminole life.

R. A Cultural Comparison between 1910 and 1980, Miccosukees and Seminoles

A comparison of Miccosukee and Seminole culture between 1910 and 1980 is possible because of the field visits of anthropologist Alanson Skinner, who was among the Florida Seminoles in 1910 on behalf of the American Museum of Natural History in New York, and published his observations in 1913. The first decade of this century was a time when trading posts for pelts, plumes, and hides among the Seminoles and Miccosukees were most prevalent (Kersey 1975a). The trading post was pretty much the only means of contact of the Seminoles with the larger society, so that 1910 can be considered to be a time representative of traditional Seminole and Miccosukee culture in modern times. The following categories of culture are compared for the years 1910 and 1980 as related to land use: subsistence and economic organization, kin groups and social organization, religious beliefs and burial practices, and attitudes towards the larger society, including values and language use.

Skinner (1913:68) writes of Seminole hunting, fishing, and gardening, and of the daily dispersal of the men from the camps in the Everglades:

> After a hearty breakfast, the men take their rifles and depart, some to hunt, some to cultivate their cornfields, and others to

> spear turtles and fish. Thus, the camps are deserted by the older males during most of the daytime.

We observed this diurnal departure from the camps in 1980 along the Tamiami Trail, but of both sexes and young and old. Camps would be deserted in the morning; men, women, and children would be gone. There is an increasing involvement of women in the contemporary Miccosukee work force along the Trail at tribal headquarters in clerical, secretarial, and teacher's-aides positions. While hunting, fishing, and gardening are indeed still practiced, and the pursuit of traditional subsistence methods is guaranteed within the boundaries of Big Cypress National Preserve by the preserve's enabling legislation, there is concern among the Miccosukees that young people today are not learning the ways of the woods, swamps, and glades (Fairbanks 1973; Milo 1980).

Although much traditional knowledge survives, especially the native medical beliefs that are being passed on (McBride and Page 1978; Maus 1980; McBride and Page 1982), some of the wilderness ways of subsistence may not be as adaptive as before. One of the difficulties of traditional subsistence is that the environment has changed. Less water flow, on account of drainage canals and the Tamiami Trail, has "changed the shape of the Everglades" (Milo 1980:2D). Less game is available. Miccosukee Chief Buffalo Tiger says of his people as he grew up along the Trail in the 1930s:

> We didn't need any money. We built our chickees. We hunted deer, alligator(s), fish. We made everything, and worked for ourselves (Buffalo Tiger quoted in Milo 1980:2D).

It is more complex for the Seminoles and Miccosukees in today's world to maintain a harmonious and smoothly functioning society, given that they have developed through acculturation some of the tastes of the larger society for certain material goods that require cash to purchase. It is interesting to note that the demise of the White fur traders, circa 1930, who accepted pelts for goods in the Everglades (Kersey 1975a:124), coincides with the advent of the modern, recent period of Seminole/ Miccosukee history marked by the building of the Tamiami Trail. This period has meant less land, less game, and more outside contact.

There is concern, as noted, over Miccosukee youth in a modern age with problems of alcohol abuse and dependency on other drugs (Fairbanks 1973:70; McBride and Page 1978, 1982) as well as a lack of parental and family guidance. There is concern, too, with the rate of unemployment, as expressed by Miccosukee Chief Buffalo Tiger (referred to in Milo 1980:2D). Yet, faith exists in the young people of the Miccosukees "because of their remarkable honesty" and their continued sensitivity to the extended family and clan system (Anthony Zecca, Police Chief, Miccosukee Tribe quoted in Milo 1980:2D). Zecca's statement may be more optimistic than Tiger's, but it implies that despite larger-society problems, Miccosukee values are still operational among the younger generation and that Seminole core values may well survive in the modern world. The best of both worlds is a goal of the Miccosukees and Seminoles, we think.

By way of comparison, Skinner in 1910 had no trouble learning of "a number of exogamous clans" with matrilineal descent and matrilocal residence (1913:77). The matrilineal clans survive today with less emphasis on matrilocal residence but with still significant religious, educational, and social-control functions. The clan has a place in the Green Corn Dance as part of the overall rites-of-passage function (Buswell 1972:149:226; Milo 1980:1D).

Freeman (1960:253), an anthropologist who has known the Seminoles since 1928, stresses the importance of the clan in child rearing. According to Seminole custom, upon the death of a woman with young children, custody is awarded to the woman's matrilineal clan, to her mother and sisters in particular. Guardianship would not be awarded to her husband, the father of the children, as is the American custom because he is a member of a different clan than that of his wife and their children.

Freeman (1960:251) also demonstrates the importance of the clan economically as a work unit. During World War II when labor was scarce, the Seminoles started to work as local farm laborers, but on their own terms:

> The Indians dictated the conditions under which they would work. Kinfolk groups picked and planted crops for White ranchers. Isolated from foreign contact. . . they followed their clan system of food gathering of the early days. The. . . [Tamiami] Trail Seminoles [Miccosukees] developed a wholesale frogging industry patterned on the same cultural tradition (Freeman 1960:251).

Freeman (1960:253) emphasizes that Seminole isolation has been one of the reasons for their cultural stability. Skinner from his 1910 observations labels Seminole isolation as purposeful and effective. He speaks of visiting camps "never before visited by Whitemen" and of being met at some camps by "armed warriors who were decidely menacing until his guide [Frank Brown, son of a trader, both father and son being known for their honesty]. . . was able to persuade them that we were neither of their most dreaded enemies--Government spies and missionaries" (Skinner 1913:69).

Skinner couples isolation with traditional subsistence, giving a very explicit description of Seminole fishing, hunting, gathering, and hammock gardening (1913:64). He emphasizes the importance of egret plumes, alligator hides, deer and otter skins, and other pelts for trading-post sale or exchange for items of White material culture. In contrast to their care in restricting White visitors, "the Indians themselves are quite familiar with the towns of the Whitemen, for the (Seminole) men, and a few of the women, often go to Miami, Fort Lauderdale, Jupiter, and other towns to trade" (Skinner 1913:63).

As drainage for agriculture and land development changed the face of Miami, the pelts, plumes, and hides that the Seminoles brought in from the Everglades became less important to the economy of the city. Also, drainage restricted the hunting range of the Seminoles; finding adequate game became more difficult. And the passage of state and national laws protecting plume birds, the whims, of fashion, and conservation sentiment to protect the alligator (vital to the ecosystem of the Everglades) all led to a diminished demand for Seminole products of the wilderness. G.E. Whitten, a clerk and bookkeeper who in 1913 joined the Miami firm of

William M. Burdine, known for its calico trade to the Seminoles, "does not recall any Indians coming in large groups after the 1920s" (Kersey 1975a:40).

The Seminoles from their early days of trading with the Spanish, continued with the Americans, then the English, developed a pattern of selecting what they wanted from the artifacts of White material culture available on the "Indian circuit." In trading-post days, some store-bought foodstuffs were regularly brought back to the camps, including certain canned goods, as well as metal tools. Guns, kettles, and cloth always had high priorities. The most famous trade artifact was the foot-powered sewing machine with which Seminole women made intricate designs on Seminole clothing, an art that became widely known in the early part of this century. Sewing machines are still popular (Davis 1955; Kersey 1975a:42-43).

The trend of importing White technology and material goods continues today with such practices as supermarket shopping and the installation of electricity in homes and chickees. It is not uncommon, to find television sets, electric fans, and electric sewing machines in open-sided chickees. In 1980, we were told that with only one exception all the camps with chickees along the Tamiami Trail had been wired for electricity. Under such circumstances it would seem difficult for the Miccosukees and Seminoles to maintain their much coveted isolation. Yet, certain customs and values survive.

Alanson Skinner who, as we have said, worked for the American Museum of Natural History in New York, observed in 1910 when he visited the Seminoles that, "Life in the [Seminole] camps is cool, clean, and pleasant" (1913:67). He goes on to say as he traveled by ox cart and canoe that, "Little refuse is to be seen about, for while the Seminole throw the bones and scrapes from their meals about promiscuously, the wandering dogs and pigs soon make away with them" (Skinner 1913:68). The practice then was one of refuse disposal by uninhibited domestic animal consumption.

Today refuse heaps can be found adjacent to certain Miccosukee camps along the Tamiami Trail, some of which are within Big Cypress National Preserve. These, of course, are a source of concern to park personnel who view the situation as a sanitation and aesthetic problem. We wish to demonstrate that refuse scattering seems to be part of Seminole culture as it developed during and after the Seminole Wars. Knowledge of this fact may help the park negotiate a workable solution with the tribe.

Prior to the Seminole Wars, circa 1775, William Bartram during visits to the Seminoles of northern Florida noted the cleanliness of their towns, commenting that the yard around each log frame dwelling "is always carefully swept" (1791:169). He adds, "Their towns are clean, the inhabitants being particular in laying their filth at a proper distance from their dwellings, which undoubtedly contributes to the healthiness of their habitations" (Bartram 1791:169).

Thus, we find the Seminoles in the late eighteenth century being orderly and clean about their refuse, depositing it at a distance. In the early twentieth century, we find indiscriminate, on-the-spot disposal, but still clean living areas. But in the late twentieth century, we find the living areas not so clean because of adjacent trash piles.

On-the-spot disposal may have grown out of the Seminole Wars period when the need for mobility was great and the camps highly temporary. Food bits would have constituted the refuse bulk, as they did in the early twentieth century. The nature of the refuse has changed in recent times. With the advent of plastic containers, the refuse comprises much more non-biodegradable material. Dogs and pigs, admirable "garbage collectors" in the past, of course, cannot help dispose of non-edible items. So trash accumulates.

The present practice of seemingly indiscriminate, close-to-camp refuse disposal may be viewed as a cultural survival from the Seminole Wars period. Town life was no longer possible; camps were temporary; and it was expedient to have immediate, close refuse disposal. There are

cultural traits that survive from times past, but around which conditions have changed (Winick 1961:517). Such a surviving trait from the past may or may not be adaptive in the present. Refuse disposal at close range would seem not to be adaptive today among the Trail Miccosukees.

On another topic of Seminole culture, Skinner (1913:77) makes the comment that "there are no longer any regular chiefs"--no Creek-like town chiefs as the Seminoles presumably had in their northern Florida towns concomitant with their Creek heritage. The Seminole Wars produced war chiefs or war leaders like Osceola who was recognized for ability and charisma rather than by inherited status. Prior to this period certain clans filled specific political offices. This arrangement in Seminole social organization was a division of labor among clans in which given clans filled given offices by consensus. The Bird Clan, for example, provided the candidate for the chiefly civil office of micco (King 1978:172). Freeman (1960:251) documents the fact that after the Seminole Wars and the subsequent drainage of the Everglades several decades later, "Status could no longer be gained by war and hunting prowess."

Modern political life among the Seminoles and Miccosukees is a combination of the older tendency of certain clans to fill specific offices and the charisma of dynamic individuals who demonstrate purposeful and effective leadership and win elections. The latter is done through community service of one form or another by way of traditional religious and medical knowledge, Christianity, or dealing with the larger society for tribal benefit. Membership in a traditional political clan is not a requirement for office, but may help win an election. As in the larger society, members of political families may have an advantage in entering and staying in politics.

In spite of the above mentioned differential division among clans for political offices and as mentioned previously, the Seminoles and Miccosukees were and are basically egalitarian in their social values. As Freeman (1960:253) says, "The amassing of material goods by an individual is still frowned upon. Ideally, no man or clan has more prestige than another. Land is communally owned."

These egalitarian values have been alluded to earlier in this report, but it is appropriate to mention them again as important cultural survivals. We have also referred to the communal nature of Indian land. Mention is made below of modern political organization and its implications for attaining the best of both worlds.

S. Modern Political Organization: The Best of Both Worlds

The modern political organization of the Seminoles and Miccosukees grows out of the Indian Reorganization Act of 1934 (King 1978:75). This statute requires a written constitution or charter delineating the roles and functions of the elected and appointed tribal officials and the composition of the body politic (requirements for tribal membership). An attempt to preserve American Indian cultures and simultaneously to strive towards their self-determination, the Indian Reorganization Act with its emphasis on an elected representative democracy like the larger society conflicts with tribal ways in some instances.

In the case of the Seminoles and Miccosukees, the egalitarian, consensus-seeking leadership style of the tribal elders (King 1978:170-171) has been replaced by a more formal structure requiring elections. However, "clan elders still give advice," and consensus is still patiently sought (King 1978:173). The "best of both worlds" means that persons of both traditionalist and acculturated orientations may have places in tribal leadership. The more acculturated are often the elected officials. Yet, the elders are still heard and have influence. That combination for the Miccosukees has led to the Miccosukees negotiating a contract in 1971 with the Bureau of Indian Affairs "that resulted in the Miccosukee Tribal Council assuming the administration of all programs previously administered by the bureau. . . [and] responsibility for hiring all. . . personnel and managing. . . funds" (Waggoner 1981:36).

The Miccosukee Tribe manages its affairs completely today, with the Bureau of Indian Affairs in only an advisory role on such matters as oil and gas leasing. It hires its own teachers, policemen and other com-

munity personnel, keeps accounts with full financial responsibility, and makes its own decisions as to its needs and priorities. That is much like any other local American community except that federal programs rather than local taxes still constitute the bulk of the funding sources.

Thus far we have concentrated upon ethnohistorical events of the Seminoles and Miccosukees. The next section focuses on land-use events of the larger society in the Big Cypress area.

PART TWO
THE BIG CYPRESS ITSELF

A. Reclamation Efforts

Plans to drain the Everglades were born in the Spanish Colonial period, but never implemented. Dreams of drainage persisted until Florida became a territory of the United States. Early American pioneers, like their Spanish counterparts, formulated ambitious designs for reclamation, which culminated in an 1845 joint resolution of the Florida legislature for their representatives to the United States Congress to seek reclamation legislation for the Everglades (United States Congress, Senate 1911:5; Hanna and Hanna 1948).

As the first step in this endeavor, United States Senator James D. Westcott, Jr., petitioned Secretary of the Treasury Robert J. Walker to appoint someone to report on the feasibility of reclaiming Florida swamplands after a detailed reconnaissance. Buckingham Smith of Saint Augustine, Florida, was assigned the task on June 18, 1847. With his exploration party, he reached the Big Cypress Swamp in September of 1847. The report was submitted on June 1, 1848 and transmitted to Congress on August 10, 1848 by the Secretary of the Treasury with a conclusion that it was feasible to reclaim lands in the Everglades.

Smith calculated that drainage could be accomplished with as few as two or three canals. His findings revealed that the Everglades formed a large saucer-shaped basin with limestone rock underlying the marsh-and swamplands at a depth of twelve feet or less. Once the limestone rim of the saucer was pierced his belief was that freshwater would flow out into the ocean, leaving a rich and fertile interior. This operation would, incidentally, kill most of the wildlife, and fill the air with stench and plague for several months. However, the region then could be opened to all manner of farming. The cost estimate was $500,000. This report spurred on the State Legislature of Florida and United States Senator Westcott to press the Federal Government to drain the Everglades. Nonetheless, Congress took no action (United States Congress, Senate 1911:5; Dovell 1947:83-97; Johnson 1974:70).

Senator Westcott, however, succeeded in 1850 when Congress passed and President Millard Fillmore signed "An Act to Enable the State of Arkansas and other States to Reclaim the Swamp Lands Within Their Limits" (9 Stat. 519; United States Statutes at Large 9:519, 1850). This act gave the State of Florida jurisdictional rights over the Everglades and Big Cypress. The State Legislature of Florida accepted this land grant in 1851 from the United States, and proceeded to create the Board of Internal Improvements to administer the newly acquired lands and to oversee drainage efforts. However, this board was unable to function on account of deficiencies in the original law. In 1855, the Florida legislature reconstituted the board through additional legislation, giving it control of lands that had been ceded by the Federal Government to Florida in 1845 as part of statehood plus those acquired by the 1850 grant. Further modification of the rules under which the Board of Internal Improvements operated occurred in 1879 (Stephan 1944:198; Dovell 1947:83-97).

The board considered several schemes for draining the Everglades, but had carried out none by 1880 when Hamilton Disston arrived on the scene. He had high hopes and financial resources enough to begin drainage operations around Lake Okeechobee. Work on his venture started with the purchase of over four million acres of swampland by Disston on May 30, 1881. This activity did not directly affect Big Cypress, but it did contribute to the growing interest in all types of development in the Everglades. Disston died in 1896 before completing most of his drainage projects (Tebeau and Carson 1965:252).

In 1892, James E. Ingraham, President of the South Florida Railroad, organized an expedition to cross the Everglades from Fort Meyers to Miami for the purpose of surveying possible routes for a railroad between the two cities. The expedition consisted of a party of 22 members that began the trek the morning of March 14, 1892 and reached Miami at noon on April 5. By the time they had crossed Big Cypress Swamp and the Everglades--mostly on foot, with the aid part way of an ox team, three horses, two wagons, two cypress skiffs, and two canvas canoes--it had been decided that building a wetlands railroad would not be feasible

(Dovell 1947:162). Yet the persistent desire to reclaim land for development was reinforced by findings from the trip with statements like the following: "If this country could be drained, a vast expanse of arable land could be opened to development. It seems rich and would be easily cultivated once the water were permanently removed. . . Reclaimed, it would be very rich land. . ." (Moses 1892 in Marchman 1947:14-15).

The men on this venture walked and waded through sawgrass and bog as noted by the secretary of the expedition, Wallace Moses, with such comments as, "The bog is fearful. . . Lunched in the saw grass. . . The men walk beside the boats and as they bog, raise themselves and so continue" (Moses 1892 in Marchman 1947:19, 20, 24-25). Indian knowledge and technology came to be appreciated, especially the fine cypress dugouts of the Seminoles, so navigable in the Everglades. The expedition of 20 Whites and two Blacks had no previously arranged Seminole guides. A Seminole woman with three children and two Seminole men were encountered in separate incidents of food sharing and information exchange, and one of the Seminole men agreed to guide the Ingraham party on the last leg of the trek into the settlement and trading post that was Miami in 1892.

Ingraham's summary of his expedition is as follows:

> The project of draining the Everglades attracted the attention of Henry B. Plant in the early nineties [1890s], but he was by no means sure that the scheme was feasible (owner of the South Florida Railroad Company of which Ingraham was president); so I, acting under his direction, undertook an expedition through the region. Despite its proximity to centers of population, it was then for the first time thoroughly explored by white men. Ours was virtually a voyage of discovery. We paddled our light boats on lakes, and camped on islands, that I have good reason to believe had never before been visited by any human beings but Seminole Indians. . . Our efforts were not in vain, for we ascertained the important fact that the Everglades along the whole 160 miles of the eastern side are rimmed by a rock ledge. We decided that there was nothing whatever to prevent the water of the lakes from flowing into the ocean and leaving the land drained, if vents could be made in this long ledge of rock. The chief question. . . pertained to the practicability of cutting through the ledge in various places, and dredging outlets into the Atlantic, which is not more than 2 or 3 miles away at numerous points. Experiment proved that this work

> would present no great difficulties. It was merely a matter of a great deal of digging. Henry M. Flagler took up the project. . . (Ingraham 1911 quoted in United States Congress, Senate 1911:107).

Shortly after leading his expedition across the Everglades in 1892, Ingraham changed employers. He left Henry Plant to join Henry Flager, to become land commissioner and vice president of the Florida East Coast Railroad and later president of four land companies, all part of the Flagler System. Ingraham died in 1926, the year that the first of two drainage canals was completed in the Big Cypress Swamp. However, before canal construction could be actually considered "merely a matter of a great deal of digging" as Ingraham reported in 1911 above, Everglades' drainage had to have political and judicial endorsement.

Napoleon Bonaparte Broward, a tug and freight boat owner and operator as well as a former county sheriff and state legislator, campaigned for governor in 1904 on the promise that he would work vigorously to encourage drainage projects in the Everglades. He was elected:

> The Broward inaugural address was an expression of faith in democratic government and the belief that people should have more, not less, to do with it. He repeated his commitment to the primary election system, the railroad commission, the common school, Everglades drainage, economical government, and equal enforcement of the laws (Tebeau 1971:330).

In 1905, the Florida State Legislature passed an act creating the Everglades Drainage District, which placed the lands of the Internal Improvement Board under its control. The Everglades Drainage District included a portion of Big Cypress Swamp. However, a law suit was filed, and a federal court found the law unconstitutional. An amended act was subsequently passed by the Florida legislature in 1907, and upheld by the courts (Lupfer 1906:373; Tebeau 1971:347-348).

The Everglades Drainage District was reorganized by the legislature in 1913, prompted by a report of the Florida Everglades Engineering Commission. This report also suggested that a number of canals be built for the drainage of the Everglades and Big Cypress. Three of the proposed canals would directly penetrate into the Big Cypress Swamp. One

would start at Lake Okeechobee and traverse the eastern section of the Okaloacoochee Slough, then follow the Turner River to the Gulf of Mexico. This canal was to protect the western edge of the drainage district from the overflow water of Big Cypress Swamp. A second canal would be constructed from a point 25 miles south of Lake Okeechobee on the Miami Canal, then to the western section of Township 52 south, Range 35 east, and from this point connect with the Chatham River. The third canal was to have the same starting point as the second canal, but would run 12 miles south and then down to Lostmans River. Though some portions of the proposed three-canal system were completed, the bulk of the work planned that would have affected the drainage of Big Cypress Swamp was never implemented (Randolph 1913:24-25; Florida Flood Control Project 1954:8).

During the 1920s, two canals were built in the Big Cypress in conjunction with roads built in the area. A north-south canal known as the Barron Collier Canal was completed in 1926, which supplied roadbed material for the Immokalee-to-Everglades City road. The canal today is approximately forty miles long and thirty to sixty feety wide with a depth of six to twelve feet (Klein 1970:24; Duever 1979:758). The Tamiami Canal was the other one, built to follow the north side of the Tamiami Trail, as noted, the modern highway linking Tampa and Miami that opened in 1928. The construction of this canal is discussed more extensively in a subsequent section on the Tamiami Trail.

Overdrainage can be just as much a problem as underdrainage (Dovell 1948:196). In 1931, D. Graham Copeland and C.M. Collier of Barron Collier's enterprises requested the Florida Highway Commission to clean out the Turner River as the newly-constructed canal allegedly caused flooding in Everglades City. They believed that the cleaning and dredging of the Turner River for a cost not to exceed $15,000 would solve the problem. The Commission resolved to have departmental engineers investigate the matter. However, despite this resolution no action was taken (Florida Highways 1931:5).

An alternating series of droughts and floods in the 1920s, but especially events in the 1940s that prompted action, created much anxiety for

local and state officials in Florida. At last, in response, they requested federal assistance in flood control and water conservation works. The District Engineer for the Army Corps of Engineers set to work drafting a report addressing the needs of the state. The recommendation was to consolidate the Saint Johns, Kissimee, Lake Okeechobee, Caloosahatchee, and Everglades Drainage Districts into one administrative unit. This organization would constitute a single Florida authority for the federal government to work with concerning water matters. The State of Florida agreed with this recommendation, and in 1949 the legislature passed an act creating the Central and Southern Florida Flood Control District as a ninety-nine year public corporation with a governing board of five persons. This organization took over the staff, facilities and responsibilities of the Everglades Drainage District in 1955 (Florida Flood Control Project: 1957:13).

During the late 1950s, the Turner River Canal was constructed as a by-product of building State Road 840A. The material dredged was used as fill for the roadbed, the canal being situated one mile south of the Tamiami Trail. The Turner River Canal accelerated the western drainage of Big Cypress Swamp (Klein 1970:24).

In 1962, the Central and Southern Florida Flood Control District began a water management project that affected the water flow in Big Cypress. Levee 28 was completed in 1963 to control the flow in the northeastern section. Further work in this section of Big Cypress included the construction of the L-28 tieback levee and canal in 1965 and the Levee 28 interceptor canal in 1967. In 1970, an organization known as the East Collier County Land Owners Improvement Committee wrote to Governor Claude R. Kirk, Jr. for permission to dredge a two mile extension from the end of Levee 28 to the Loop Road Canal south of the Tamiami Trail. This canal was to be 100 feet wide by 40 feet deep. Governor Kirk refused on the grounds that it would adversely affect water flow within the Big Cypress Swamp (Chism 1970). The water-flow issue surfaced in the early 1970s as a grass-roots concern of environmentalists. It was one of the reasons, along with an impending jetport, that led to the creation of Big Cypress National Preserve in 1974. These events are dealt with in a following section.

B. The Tamiami Trail

The idea of building a cross-peninsula road at the southern tip of Florida was first suggested in 1914 by Dr. John C. Gifford, who later became Professor of Tropical Forestry at the University of Miami, in the July issue of Tropic Magazine. That same year plans were made to extend the Dixie Highway down the coast to Miami. Newspapers on the Atlantic and Gulf Coasts took the opportunity to recommend that the highway should be extended across the lower peninsula (Stephan 1944:211; Walker 1959:23; Tebeau 1966:220-221; Rothra 1972:54-55).

James Franklin Jaudon, a tax assessor for Dade County and concurrently a real estate promoter, encouraged journalist William Stewart Hill to write a series of newspaper articles on the benefits that could accrue from such a highway. In April 1915, Jaudon met with Francis W. Perry, President of the Fort Myers Chamber of Commerce, and E.W. Crayton and Judge E.G. Wilkerson of Naples all of whom agreed to work for a trans-coastal road (Tamiami Trail Commissioners 1928:8-9). Shortly thereafter on June 10, 1915 at the meeting of the Central Florida Highway Association the term "Tamiam Trail" was introduced to describe the proposed roadway, which subsequently became known as the Tamiami Trail. This meeting attracted 267 official delegates and an overall attendance of over 2,000 people. The association adopted an official list of projects that they sanctioned and promised to promote. The list included the Tamiami Trail (Tebeau 1966:221; Liss 1978).

The next task was to convince the county commissioners of the need to build. Proponents of the Tamiami Trail appeared before the Dade County Commissioners on July 6, 1915. They presented their reasons for the road and discussed the relative merits of several proposed routes. The commissioners strongly endorsed the project, promising to call for a special election to create a new road and bridge district to finance the highway construction. And the Lee County Commissioners proceeded to prepare financial plans to start construction on their portion of the roadway. The first phase of the work was to extend the existing road from Fort Myers to Marco (Tebeau 1966:222).

J.F. Jaudon, as a Tamiami-Trail advocate, had an immediate reason for wanting a trans-coastal motor route. His founding of the Chevelier Corporation (Blackman 1921:171) and its acquisition of over 200,000 acres of Wetlands in Monroe County gave him the opportunity to have these lands greatly increase in value if the highway could be routed across them. Jaudon planned the development of a town called Pinecrest on corporate land with the Tamiami Trail running through the center of a proposed townsite. To insure this, in 1919, Jaudon offered to personally pay for the road construction work, provided that the route go through Pinecrest. This plan was agreed to by the commissioners of Dade, Lee, and Monroe Counties. Jaudon then proceeded to finance construction of what is now known as the Loop Road or County Route 94 (Douglas 1947:343).

The group working toward the construction of the Tamiami Trail appeared before the Dade County Commissioners on August 3, 1915, requesting that the county pay part of the costs for a preliminary highway survey. The commissioners agreed to this proposal, and two days later a survey team began work in the field. The surveyors completed their work and returned to Miami on August 21, 1915 (Tamiami Trail Commissioners 1928:12).

Both the Lee and Dade County Commissioners then ordered bond elections to be held on October 19, 1915, to fund the road construction. In Dade County, opposition to the bond issue arose from a number of people who believed a highway across the Everglades would cause the flooding of arable lands in the Dade County. Those in opposition also doubted that Lee County had the financial resources to complete their section of the road. However, after much debate, the voters decided in favor of the bond issue (Tamiami Trail Commissioners 1928:14).

The Dade County Commissioners scheduled a road-construction bid opening on February 11, 1916, but no bids were received. They then ordered a permanent survey of the proposed route to the Lee County line. This was begun on February 18 and completed on March 14, 1916. Using the additional data gained from this survey, the construction work

was re-advertised. The contract was awarded on May 2, 1916 to the J.B. McCrary Company of Atlanta, Georgia, with subcontracting going to the Morgan Paving Company. Actual work and construction began in September 1916 (Tamiami Trail Commissioners 1928:16-17).

The task turned out to be more formidable than expected. Large amounts of money were expended but little progress was made. The entry of the United States into World War I, April 1917, created numerous difficulties as labor and materials became scarce and costs skyrocketed. This increased financial burden forced Lee County to stop work on its portion of the roadway. Dade County, however, managed to complete the grading of its section to the county line. Then Jaudon made his offer to finance and construct a portion of the Trail if, as mentioned, it were agreed that it would pass through the holdings of the Chevelier Corporation, specifically the planned town of Pinecrest. Work began in the Loop Road area in 1923 (Tebeau and Carson 1965:II:57).

Several other events occurred in 1923, which significantly assured completion of the route. Perhaps the most colorful was a publicity stunt--crossing the Everglades by car, without a highway, by a group known as the Tamiami Trail Blazers. This expedition and its caravan of ten vehicles was organized by Ora E. Chapin of Fort Myers, Florida, who "commanded" 23 White men, and two Miccosukees as guides.

The expedition wished to demonstrate the feasibility of crossing the Big Cypress and Everglades and to rekindle public enthusiasm for the Tamiami-Trail project. They succeeded on both counts despite the hardships. Almost as soon as they had embarked from Fort Myers on April 4, 1923, their vehicles became bogged and broke down in the muck. Nevertheless, the party minus a couple of vehicles, arrived in Miami some three weeks later. Each day that the Tiamiami Trail Blazers trudged through the swamps, press coverage of the event increased. Even major newspapers in the United States and England carried stories on the daily progress of the motorcade. All of this media coverage revived public interest in the success of the cross-peninsula Tamiami Trail (Federal Writers' Project 1939:406; Tebeau 1966:225-228).

At this critical time, Barron Gift Collier, a millionaire businessman, emerged to take a leading role in completing the Tamiami Trail. Collier was born March 23, 1873, in Memphis, Tennessee, and at an early age, he began working in advertising. By the beginning of the twentieth century, he had migrated to New York and made a fortune in streetcar placards through the business he founded, the Consolidated Street Railway Advertising Company (Tebeau 1966:83). Well established, he turned to investing in real estate. This led him to involvement with numerous land improvement schemes including drainage projects and land-development as well as lumbering enterprises in Lee County, Florida. He was so successful that the Florida State Legislature created Collier County in 1923 from a portion of Lee County. Collier had promised that if this legislation passed, he would bring the Tamiami Trail to completion (Carter 1974:77-79).

Collier immediately plunged into efforts to revitalize the road work and shortly thereafter came into conflict with the Jaudon and his competing Chevelier Corporation. Collier wanted the route changed back to the original survey, which would delete the lands and road constructed by the Chevelier Corporation from the Tamiami Trail. Both factions argued their cases before the commissioners of Collier and Dade Counties to a deadlock, ultimately going to the state legislature. "Collier and Jaudon both appeared before the 1925 session, seeking state takeover, each hoping the road would go through his land. The state decided to take over, and to study which route would be best" (Liss 1978). Over the objections of the Dade County commissioners who felt a route change would be a double cross to Jaudon, the state adopted Collier's route in 1926 (Liss 1978). To placate Jaudon, the state extended and paved his road to connect with the Tamiami Trail; this route became popularly known as the Loop Road, as mentioned (Tamiami Trail Commissioners 1928:16-17).

While Collier was directly involved in the road building, he used the construction firm of Alexander, Ramsey, and Kerr, whose crews began in October 1923 to work from Carnestown towards Dade County. After surveying the route, clearing crews would chop down the trees, remove

brush, and burn the slash. The felled trees would sometimes be used in later construction work. Sometimes these crews would be accompanied by men armed with rifles with orders to kill all reptiles and other dangerous wildlife ahead of the workers (Tenney 1976:9-18).

Following the clearing crews came the track-laying crew. They constructed a roadbed and put down industrial standard gauge rails on which a railway car with a specially designed drilling machine was brought into place for drilling holes for the placement of dynamite charges. This machine carried two Ingersoll-Rand compressors that drove three pneumatic drills placed six feet apart. The machine was brought up to the drill site, levelled, and three 12 foot holes drilled. Then the machine would move up another six feet to repeat the operation. Meanwhile, tracks were picked up and relaid in front of this thirty-ton apparatus (Tenney 1976:12).

Next arrived the blasting crews who cleaned the muck and water out of the blasting holes with jetting pumps. Ten to 40 sticks of dynamite were placed in the holes, and the crew would retreat to a safe distance and detonate the explosives. This would shatter the subsurface limestone stratum, but occasionally a dangerous problem arose when a dynamite charge would not go off. The "powder monkey" would then have to investigate carefully and eventually re-shoot the holes that failed to fire (Tenney 1976:14). Electric blasting caps were in use on the Tamiami Trail, having been invented and introduced as a safety feature in the latter part of the last century and made more available as a standard production item of explosives equipment at the beginning of this century (DuPont Company 1969:6). "It is a tribute to the safety standards employed (in the building of the Tamiami Trail) that not a man lost his life handling and firing. . . [the] huge amount[s] of high explosive[s]. Only one man was injured by a blast" (Tenney 1976:13), and he recovered later in a Fort Myers hospital.

The excellent safety record achieved for blasting in building the Tamiami Trail is particularly impressive given the difficult swamp conditions. A passage in the Blasters' Handbook (DuPont Company 1969)

sounds almost like a tongue-in-cheek understatement about doing seismic work in swamps:

> From a physical standpoint, swamp work is probably the most disagreeable seismic operation. The equipment must be either carried or pulled in small boats, sometimes through waist-deep mud. And in addition to the normal occupational hazards, the swamps often contain snakes and alligators (DuPont Company 1969:357).

The blasted rock was used for the roadbed of the Trail, dredged up by three Bay City Walking Dredges. The Bay City dredges followed the blasting crew, each straddling the trench at 200 foot intervals from one another. One dredge would be 400 feet in front, the second 200 feet back, and the third another 200 feet back where the canal ended. The work proceeded in 400 foot increments as the three dredges performed in line one before another. The man-size steel buckets of the dredges would scoop out a ditch ten to 15 feet deep and approximately 20 feet wide. The dredges operated in two ten-hour shifts each day, including two hours between shifts "to carry out a rigid service, inspection, and maintenance program, which drastically reduced breakdowns" (Tenney 1976:14). When a breakdown did occur, repairs were made immediately by a maintenance crew who worked feverishly to fix the equipment and not impede the progress of construction. Dredge parts were somtimes fabricated at the machine shops at Port DuPont while other repairs required only the replacement of a part from the warehouse supply. The most common breakdowns were replacement of buckets, cables, and bucket teeth. The fill dredged up often was not enough for the roadbed so rock quarries were opened up in the Big Cypress and crushed limestone was brought to the areas of need (Tenney 1976:13-14; Liss 1978).

The dredges were followed by a machine called the Bay City Skimmer Scoop that levelled the roadway. Behind this, the grading crews would arrive to begin the more meticulous work of preparing the highway for the final asphalt covering. Along with the graders came a "camp on wheels" that provided three mess sections and bunk houses for the crews working on the Trail (Tenney 1976:14-15).

Supplies were brought "to the front" by boat, motor vehicle, oxcart, and even handcart (Tenney 1976:13-15). The construction of bridges required large quantities of pine and cypress lumber. Logging operations were set up to provide the timber required. Also large amounts of gasoline, oil, and dynamite were needed, not to mention the quantities of food and ice brought forward daily from the commissary at Port DuPoint. The diet of the trail builders was supplemented by venison and wild turky purchased from Miccosukees and Seminoles "who lived and hunted in the area" (Tenney 1976:15). Indian involvement in building the Trail is discussed in the following section.

C. The Tamiami Trail and Indian Involvement

The question of Indian involvement in building the Tamiami Trail is a curious one. According to Sam Bonard of Everglades, Florida, age 85, a dredge operator when the Trail was built, no Indians worked on the Trail, "not a man" (personal communication 1980). Bonard does talk of seeing a few Seminoles in hunting and gathering pursuits and speaks enthusiastically of coming across an Indian camp when on an off-duty recreational hike one Sunday afternoon. The camp had a luxuriant garden with especially tall corn. The consensus we received from Miccosukee informants living along the Trail today is that there was no extensive Indian participation, but some Seminoles and Miccosukees may have been temporarily employed as guides or game hunters, as noted earlier, to supplement the trailbuilders' diet. It is reasonably certain that no Seminole would wantonly kill game or other wildlife, and, thus, Seminoles would not have been a part of the previously mentioned rifle squad who preceded the clearing crews in search of dangerous wildlife to kill, as a safety measure for the workmen. As a matter of fact, Seminoles and Miccosukees would go out of their way not to kill needlessly. For example, Liss reports that the two Miccosukees who accompanied the 1923 "motor" Trail Blazers across the Everglades became incensed when one of the trailblazers killed a snake. This action was contrary to Miccosukee principles "'because the snakes have more right to be here than the humans'" (Liss 1978:14A).

Maus (1980:26) in commenting on the Tamiami Trail says that, "Many Indians helped make this road, sticking to the difficult job when other workers couldn't take it, and quit." Maus, unfortunately, says no more on the subject, and does not provide any examples of historical accounts. He is undoubtedly correct about his implication of Miccosukee adaptability in the difficult Big Cypress/Everglades environment. On that score, the ability of the Miccosukees to deal effectively with the swamp was noted at the time by the 1923 "motor-car" Trail Blazers (Liss 1978:14A). However, Miccosukee-Seminole participation as Tamiami-Trail builders remains unclear. Our understanding from the literature and from fieldwork is that the Miccosukees and Seminoles were mainly bystanders. That is not to say that they were unaffected by the Trail. We know that some Seminoles and Miccosukees worked as loggers in the cypress timber industry that flourished in the Big Cypress area from the late 1920s through the late 1950s (Van Holmes 1954). Thus, it is quite possible that the logging and lumbering activities initiated by the building of the Trail could have included Seminole and Miccosukee loggers. The section below deals with the effects of the opening of the Tamiami Trail, including its effects on Seminole life.

D. The Opening of the Tamiami Trail and Its Effects

The Tamiami Trail officially opened April 25, 1928 with a two-day celebration, many commemorating activities, and a 550-car motorcade from Fort Myers to Miami. Collier, Jaudon and other dignitaries made speeches on the virtues of the new road, and local Miccosukees made up a dancing exhibition to add to the festivities (Liss 1978:14A). Newspapers in Naples, Florida, hailed the achievement as a monumental undertaking, lavishing praise on the completed route as the "Appian Way of America." Expectations for the highway, especially by the promoters, were that it would not only shorten the trip considerably from Tampa to Miami, but also would open the Big Cypress to development:

> '[The Tamiami Trail] is the final accomplishment of a great and glorious dream,' Collier said, 'but it is only the beginning. . . the completion of the Trail is only the beginning, only the

> planting of the tree. The fruit is still to be produced. Therefore the biggest part of our task is to restore the hitherto uncultivated wasteland and make it blossom with fruit and food for all.' The Tamiami Trail, of course, never did become a ribbon cutting through rich farms. But it did become a vital link across the state and a popular recreation road (Liss 1978:14A).

The opening celebrations were organized by the Tamiami Trail Association of which Barron Collier was president. The main purpose of this group was to publicize the Trail. However, one of their projects which was related to improving Trail facilities was the formation of the Southwest Mounted Police. Despite its name, the SMP was not a law enforcement agency, but rather a patrol to aid motorists who had automobile trouble on the Trail. Stations were established at ten-mile intervals on the Trail at Belle Meade, Royal Palm Hammock, Weaver's Camp, Turner River, Monroe Station, and Paolita. These way stations operated as a gas station, general store, and first aid station, and housed the husband-and-wife teams that constituted each patrol. The wife would sell gasoline and operate the store while the husband patrolled his section of the Trail to assist any stranded drivers. The patrolmen were issued a motorcycle and uniform plus incidental equipment to carry out their duties. Collier supposedly modelled the uniform after that of the Northwest Mounted Police, reorganized in 1920 as the Royal Canadian Mounted Police. Hazards of fog and chuckholes were such that four members of the Southwest Mounted Police were killed in motorcycle accidents during the first year of operation (Dunn 1928:1; Tebeau 1966:232; Tenney 1976:17).

The town of Ochopee, which means "garden" in Miccosukee (West and Smith 1978:19), sprang up in 1930 at the western end of the Trail. The town's founder was James F. Jaudon, mentioned earlier as a competitor of Barron Collier in Trail-related development. Jaudon operated a sugar mill at Ochopee, though the big agricultural crop of Ochopee was not sugar, but tomotoes. At one time, 2,000 acres were under cultivation, and the town had a tomato cannery, a packing plant, warehouses, and a variety of other buildings needed to support a large agricultural enterprise. Yet the tomato boom flourished only briefly. It seems that construction of the Tamiami Trail reduced the natural north-south flow of fresh water, caus-

ing salt water intrusion in the fields south of United States Route 41, which made it impossible to grow tomatoes. The growers were forced to move their operations farther north to Immokalee. During its tomato-growing peak, Ochopee was one of the most populous towns in Collier County, boasting a community of several hundred people. However, by 1953, the farmers had left, a fire had destroyed many of the tomato-farming structures, and the population had begun a steady decline. (Federal Writers' Project 1939:409; Burt 1978; Stewart 1978:30-31). By December 1977, the Ochopee Post Office, physically dubbed "the world's smallest," was serving only 225 families (Burt 1978:31).

The Tamiami Trail served the east-west transportation needs of southern Florida well until the 1950s when a movement began that supported the building of another road across the Everglades, the Everglades Parkway not too far north of the Trail. The arguments advanced for a new roadway were the same as those for the Tamiami Trail itself: increased commerce and land development. The highway terminuses of this "Everglades Turnpike" were to be Naples and Fort Lauderdale, with the road passing through tribal lands of the Seminoles. In 1962, officials of Broward and Collier Counties agreed to a feasibility study of the proposed routes along with a preliminary engineering report. And the Seminole Tribal Council adopted a resolution supporting the project, which included a grant-of-access across tribal land for a highway right-of-way. In 1963, more exhaustive reports appeared on route feasibility. Opposition to the roadway soon followed. The most constant critic was the American Automobile Association who objected to the tolls to be charged and the fact that it was only to have two lanes. The American Automobile Association used the sobriquet "Alligator Alley" when referring to the proposed highway to ridicule it. However, despite objections, work commenced in October 1964, completion occurring three years and three months later. State Route 84, the Everglades Parkway, now popularly known as Alligator Alley, was opened to motorists on January 15, 1968, and officially dedicated on February 11, 1968. As Tebeau (1971:445) says, "Critics dubbed the. . . road 'Alligator Alley' in derision, but supporters adopted the name and made it official."

Soon after completion, competition developed between the promoters of Alligator Alley and the Tamiami Trail as to which route should be chosen for the proposed Interstate 75 corridor. Both groups believed that their route would be the most advantageous for the state and could be easily upgraded to interstate-highway standards. Newspapers and various groups took sides, and attempts were made to engineer backroom deals in hope of influencing the final decision. Debate raged until Governor Reubin Askew announced in 1973 that Alligator Alley would be the route upgraded to become part of Interstate 75 (Morris 1981:171-172).

The Tamiami-Trail promoters were disappointed, but it must be remembered that since the opening of the Trail, its effect on area development had failed to keep up with speculators' expectations. For example, the town of Pinecrest, which had been planned well before the completion of the Trail, stands today only as a few scattered homes and businesses bypassed by the highway, and at this writing is in the process of being purchased by the National Park Service for Big Cypress National Preserve. And Ochopee flourished only briefly as an agricultural center before declining, first because of salt water intrusion and then from federal land acquisition. Other areas remained little more than place names on the map such as Monroe Station and Trail City. The Trail was undeveloped by Miami standards. Shortly before Big Cypress National Preserve was established, one estimate indicated that the entire area contained only "90 year-round residences, 25 commercial establishments, 2 churches, 300 to 325 hunting cabins, and about 100 other structures, including trailers used for temporary or permanent housing" (United States Congress, House 1972:19). There were also Indian camps and a Green-Corn-Dance site with approximately 70 chickees. Yet the Trail had opened the area to recreational use, grazing, drainage, oil and gas exploration, and timber harvesting, and had concentrated Miccosukee settlement along the Trail for convenient access to tourists.

Tebeau (1971:380) summarizes the construction of the Tamiami Trail below, citing it as illustrative of the handicaps experienced by underdeveloped areas in underwriting road construction over long distances:

> The story of the Tamiami Trail illustrates the handicaps under which underdeveloped areas operated in the construction of roads under local auspices over long distances. The route lay through areas least developed, least able to pay, and, as it turned out, involved some costly engineering problems. With little notion what the eventual cost would be, each community became a road and bridge district and bonded itself to finance the construction. But when districts south of Fort Meyers had mortgaged themselves to the limit, a total of about half a million dollars, they barely had enough to start the work. Construction nevertheless began in 1915 and 1916. The Dade County portion of the grading was accomplished in 1918, but the contractor gave up in Lee County and the work stopped.
>
> The state legislature created Collier County in 1923 largely on the promise of Barron G. Collier, who owned some three-fourths of the land in the new county, that he would get construction of the Tamiami Trail under way. A $350,000 county bond issue provided funds to get construction going again. In August of 1926 the State Road Department took over the construction, and the Tamiami Trail officially opened on April 25, 1928 (Tebeau 1971:380).

And Maus (1980:26), in a summary statement of the effects of the Tamiami Trail on the Miccosukees, links the coming of the Trail with the eventual establishment of Everglades National Park. These two events have contributed significantly to the urbanization and acculturation of the Miccosukees:

> From 1926 to 1928, another "improvement" was being added which changed the Miccosukees' life. It was the new road, the Tamiami Trail (Route 41), which connects Tampa and Naples in the west with Miami in the east. Many Indians helped make this road, sticking to the difficult job when other workers couldn't take it and quit.
>
> At first the new road was not a bad thing since it made traveling to the coast much easier. As a result, people began to move south and north out of the glades to set up camps along or near the highway. By the mid-thirties and early forties, a new "community" had been formed. The people living there were sometimes referred to as the "Trail Indians."
>
> But the road also brought further changes to the natural surroundings. It cut off the flow of the Everglades, the "river of grass," to the southwest, so that the areas south of the road were increasingly affected by the seasonal droughts. Also, the road opened up the interior to non-Indian hunters and fishermen. Game became harder and harder for the Miccosukees to find.

> But worst of all, the road was built right through the heart of Indian country. The Miccosukees were not yet organized according to the "rules" of the United States, and whatever resistance they had to the use of their lands by non-Indians was easy to overlook by the United States Government and the State of Florida.
>
> When the United States Department of the Interior set up Everglades National Park (1934-1947), nature lovers throughout the United States proclaimed it a great victory for conservation. For the Miccosukees, it was something else. A major portion of their ancestral lands was simply declared the possession of the Federal Government. Many family camps had to be moved out of the newly established park. The people settled along the Tamiami Trail (Maus 1980:26-27).

The Miccosukee-Seminole land-title question is the subject of a subsequent section. In sum, if Maus (1980) is correct in historically linking the building of the Trail with the later establishment of Everglades National Park, the Tamiami Trail becomes the most significant event for the Seminoles in post-Seminole Wars history. The Miccosukees were drawn to the Trail for the commerce of tourism, and ultimately forced along the Trail when they could no longer live in what is now Everglades National Park. Being there has meant greater cultural contact with the larger society for the Miccosukees, some of which, for example, as a result of their Trail association, worked in the timber industry, our next topic.

E. The Timber Industry

Interest in logging in the Big Cypress Swamp manifested itself at the turn of the century when the partnership of Butterfield and Keeney purchased a tract of 150,000 acres of virgin cypress. However, five or six years later the tract was sold to a Michigan corporation known as the Florida Cypress Company who did not develop it. Yet, cypress land continued to be promoted. In 1911, the Everglades Land Sales Company, a developer of commercial and private tracts, advertised its holdings in the Big Cypress as the largest and finest stand of virgin cypress left in the South, which the pamphleteers said could be profitably harvested. In

1913, the company of Burton, Swartz, and Turner responded and entered the Big Cypress timber market. They, however, bought their land for logging from the Florida Cypress Company, mentioned above. Burton and Swartz owned 60 percent of the venture; Turner alone had the remaining 40 percent (Gifford 1911:97; Tebeau 1971:349).

After their purchase, Burton, Swartz and Turner constructed a sawmill at Perry north in Taylor County, to process the cypress timber felled by them. The mill was designed to turn out 100,000 feet of lumber daily. The operation prospered, but Turner died in 1923. A holding company was formed as part of a necessary reorganization to handle the logging in Big Cypress. The new company was named the Lee Cypress Company after Lee County. Operations expanded, and by 1926 it had become the second largest landowner in newly created Collier County, mostly out of Lee County.

During World War II, the Lee Cypress Company supplied cypress to the United States Government along with large amounts of yellow pine. Because of expansion, the company changed its name to the Lee Tidewater Cypress Company in 1947. The next year witnessed the beginning of semi-weekly 40-car trains that hauled 400,000 board feet of cypress and pine out of the Big Cypress to the sawmill at Perry, Florida. During the early 1950s, the Lee Tidewater Cypress Company faced opposition from conservation groups wishing to halt cypress cutting. But cutting continued until the winter of 1956-1957 when the last trainload of giant cypress logs left the Big Cypress tract and operations ceased. Other companies, too, closed down their Big Cypress operations at about the same time since all the economically harvestable stands of cypress had been depleted. Some small pine operations, however, continued until the 1960s (Brown 1948:34; Kantner 1955:9; Thomas 1976:129).

Besides the Lee Tidewater Cypress Company, other logging firms operated in the Big Cypress. One of these was the C.J. Jones Lumber Company, which began working in the Big Cypress Swamp circa 1940 and continued operations until 1956. C.J. Jones formed a partnership with J.W. McDaniel who had sawmills at Immokalee, Sunniland, and Jerome. Later, Jones bought out McDaniel's interest. Although there were six

sawmills in the Big Cypress area that processed cypress and pine, Jones mainly harvested pine. Other companies that worked in Collier County during the heyday of its timber industry were the Mullins Lumber Company, the firm of Sherred, Frazell and Summitt, and the Bert John Company (United States Congress, House Subcommittee 1972, 1973).

Cypress as a wood is desired for its multiple uses, beauty and durability. It is quite impervious to water and weather and has a handsome, satin finish. When employed to make a vat or tank, cypress wood imparts neither odor or taste to whatever is stored inside. It is used for boats, furniture, interior panelling, and exterior trim siding, shingles, and fencing (Brown 1948:169).

The actual work of cutting and milling cypress and pine was complex. First, a crew goes into an uncut area to girdle the trees to be felled. This step consists of hewing completely around the circumference of the tree to drain the sap and kill the tree. Since a great deal of a tree's weight consists of water, girdling greatly assists the loggers in a timber harvesting.

Next a crew lays out a trail or grade for a train. The wood cut in making the trail is used in constructing the roadbed and whatever bridges and trestles would be needed. Tracks are pulled up and rails reused when the logging in a given area is over and a section of the railway abandoned.

The trail-grade locomotives were built from 1913 to 1920 with relatively light engines weighing 38 to 50 tons and small tenders of 15 to 20 tons. The cleared rail trails were 16 feet wide. It took a crew approximately three months to construct the bed and lay a mile of track. While the railroad was being built another crew would top and fell the girdled trees 800 feet on either side of the tracks. Trails perpendicular to the tracks would be blazed to skid the trees out of the swamp to the train by way of cables, tongs, and rollers. In dense muck, a standing tree would be used to attach the long steel cables to drag a log to the train. Once the logs were brought to the train, a crane loaded them on the empty

cars for the journey to the sawmill. Where possible, canals would be taken advantage of to float logs to a place suitable for loading. When logging operations closed out, the tracks and equipment were removed, but remains of the railroad beds are still visible even today in the Big Cypress Swamp.

A full cypress outfit consisted of about 200 men, divided into various units such as the clearing crew, the steel gang or track layers, and the dragline and crane operators (Tebeau 1966:254-255). Blacks are known to have been cypress sawyers, and Miccosukees, girdlers and clearers (Kelly 1947) with a reputation of being able to "ax clean to water level a sixteen-foot strip for the (railway) roadbed, leaving cypress stumps nine feet across hewn as flat as the water itself" (Van Holmes 1954:102). As a footnote to the Seminole Wars associated with the cypress logging era, Van Holmes (1954:102) quotes a Black logger on skeletons found in the swamp, supposedly of Seminole-Wars origin: "The funny thing about that Indian War is now you can't tell which man was white and which man was red."

Mention should be made of certain old growth cypress stands on the Big Cypress Seminole Reservation as well as patches of pine. Henry Rawlins, the professional forester on the Big Cypress Reservation, has tentative plans for some cash-crop harvesting plus the seeding and rooting of an eventual forest plantation for the Seminole Tribe to harvest slash pine (Byrus 1979:8). Such modern land uses of the Seminoles and Miccosukees are placed in context in the section following.

F. Seminole Land Use After the Trail

We pause here to examine Seminole land use in the mid-1930s, early 1940s, late 1950s, mid-1970s, and the present (early 1980s). We have first-hand accounts of Seminole and Miccosukee camps and enterprises at these times. The significant impacts on Seminole life of the building of the Tamiami Trail and the founding of Everglades National Park have already been mentioned. Presented here is a brief comparison in recent times of continuity and change regarding Seminole land use.

We have the statement of Hudson (1976:483) that, "As late as 1930, only three or four Seminole camps were on reservation land." It seems that the Seminoles and Miccosukees were in no hurry to occupy the reservations. The 1934 field visits of newspaper reporter Cecil Warren show the basic subsistence pattern: scattered camps with hunting and hammock horticulture (Warren 1934). The 1941, Federal Florida Writers' Project (1941:28) identifies most of the Seminole camps as being located in the Big Cypress Swamp. But by 1959 many Seminoles and Miccosukees had moved to reservation land (Blassingame 1959:6). The others were along the Tamiami Trail or still deep in the Everglades or Big Cypress.

The Federal Florida Writers' Project (1941:28) compares Seminole subsistence patterns before the Seminole Wars and after, circa 1941. Before the wars, as previously noted, in addition to hunting, gathering, and fishing, the Seminoles maintained cattle, hogs, and horses, and raised corn, sweet potatoes, melons, pumpkins, bananas, oranges, and some sugarcane. In 1941, the Seminoles provided guide service for White sport hunting and fishing, and they hunted and fished for their own subsistence. They also engaged in the sale to tourists of hides, crafts, and Seminole-made clothing such as blouses or shirts for adults and children.

By 1959, an appreciable amount of wage-labor job opportunities had become available for Seminoles and especially for the Trail Miccosukees, on vegetable farms and in certain light industries on the outskirts of Miami (Blassingame 1959:3). Nonetheless, hunting, gathering, fishing, and commercial frogging for restaurants constituted the primary means of Miccosukee livelihood along the Tamiami Trail. Blassingame (1959) cites reservation lands as good for grazing, meaning that the land could be leased to non-Seminoles for cattle grazing. He also refers to individual garden plots as common, but notes the absence of any large-scale agriculture.

Hudson, circa 1976, in commenting on Seminole wage labor, notes their working on commercial vegetable farms and on cattle ranches, more so in the winter than in the summer on account of seasonal labor needs

(1976:487). Hudson cites the continuity of small-scale hammock horticulture and subsistence hunting, saying that the Seminoles "still rely on hunting to a surprisingly large extent" (1976:487)--deer, turtle, and water fowl being common game.

From the observations of Warren in 1934, the Federal Florida Writers in 1941, Blassingame in 1959, and Hudson in 1976, we see the continuity of Seminole hunting and gathering and horticulture as basic subsistence patterns, with a marked increase in 1941 in small enterprises related to tourism--guide services and handicraft production. By 1959, we note a greater concentration of camps and settlements on reservation lands, and the continuity of traditional subsistence patterns that persisted through 1976.

At present, the Seminole and Miccosukee economies are a combination of individual and collective tribal enterprises for such operations as air boat rides, handicrafts, demonstration Indian villages, cattle raising, and bingo. The strictly collective tribal enterprise is land leasing to non-Indians for such purposes as farming, cattle grazing, and oil and gas exploration (Waggoner 1981:39-40, 94). The trend represents progress towards the goal of self-sufficiency through incorporated tribal enterprises--whether they be programs for community or economic development like oil leasing or businesses such as the bingo operation on the Hollywood (Dania) Reservation (Wassaja 1980:21-22). The next two sections discuss oil exploration in the Big Cypress and Indian aspects, respectively.

G. Oil and Gas Exploration

Present oil and gas development in the Big Cypress dates to 1928, the time when the swamp was opened up to exploration by the construction of the Tamiami Trail. The first surveys, however, showed little promise, but encouraging results were obtained in 1939 by drilling deeper than usual in the Pinecrest area. This effort was followed by the first commercially successful well at Sunniland in 1943. An outburst of exploration then occurred in the Big Cypress that became a contributing factor

in the exclusion of this area from Everglades National Park. Oil exploration continued sporadically throughout the 1950s and 1960s with the main focus being on the expansion of the Sunniland complex.

In 1969, Florida Governor Claude Kirk declared a moratorium on oil and gas exploration in the Big Cypress Swamp because of fears that the wetland ecology was being irreparably damaged. Subsequent studies and recommendations culminated in the lifting of the moratorium and the creation of the Big Cypress Advisory Committee to oversee further oil and gas exploration and avoid environmental damage. The legislation establishing the Big Cypress National Preserve allows for oil and gas development within the guidelines of park officials and the Big Cypress Advisory Committee. The following paragraphs tell the story of oil and gas drilling in the Big Cypress.

The search for oil in Florida began circa 1900, but interest in oil exploration in Collier County did not start until the mid-1930s. The Gulf Oil Corporation at that time reached an agreement with the Collier interests for a joint seismic survey for oil; some shallow wells were drilled. Nothing was found to justify further drilling, and in 1938 Gulf ceased operations.

Interest in Big Cypress oil did not cease. The Peninsular Oil and Refining Company in 1939 began to drill on Section 6, Township 55 South, Range 34 East near Pinecrest. For this well the company built a plank road into the swamp to reach the site. As strange as it may seem, the chief difficulty facing oil drillers in the Big Cypress was the lack of mud suitable to lubricate the drilling rig. This difficulty occurred in the limestone bedrock beneath the marshland. Since only certain types of mud are suitable for oil drilling, and the Big Cypress muck was not one of these, the much needed mud had to be brought in. Drilling proceeded to a depth of 10,006 feet, but did not strike oil. Work was stopped, and the well abandoned. Even though a dry well, this marked the first time in Florida that a well of such depth had been drilled (Campbell 1939:1713-1714; Gunter 1948:27).

The Pinecrest effort drew the attention of major oil companies to the possibility of deep drilling in the Everglades. The Humble Oil and Refining Company entered the field at Sunniland in 1943. On September 23, 1943, they struck oil at a depth of 11,626 feet. The State of Florida had offered a prize of $50,000 to the company bringing in the first commercial oil well in the state, and the Humble Oil and Refining Company won the prize. The well produced until May 14, 1946 when it was plugged. It was converted to a brine disposal outlet for other deep drillings that had struck salt water intrusions. The Sunniland oil field complex in the northeastern section of the Big Cypress Swamp remains an area of production to the present day.

Prior to the discovery of the Sunniland field, other test wells had been drilled elsewhere in the Everglades. William G. Blanchard and Associates had drilled two such wells in Section 31, Township 53 South, Range 35 East in 1941 to a depth of 1,280 feet, which turned out to be dry holes. Also at about this time, an oil well had been put down in Township 54 South, Range 34 East known as the Drake well. It was abandoned after reaching the 5,000 foot level (Warren 1944:15; Gunter 1948:44).

Oil exploration was undertaken throughout the Big Cypress Swamp after the Sunniland discovery. Efforts were being made at this time to establish boundaries for Everglades National Park, which had been authorized in 1934. In 1944, the area now comprising Big Cypress National Preserve was excluded from the boundaries of Everglades National Park because of its oil-bearing potential. Thus, the issue was not joined on the question of allowing oil exploration in a national park (Gunter 1949:45; Carter 1974:112), which better served the integrity of the new park.

In 1945, on Section 24, Township 54 South, Range 36 East, the Consumer Gas and Fuel Company started to drill in an area that by 1954 had become known as the Forty Mile Bend Fields. Wells drilled in this area, some 48 miles southeast of the Sunniland Fields, included one of the McCord Oil Company on Section 31, Township 53 South, Range 35 East,

completed in 1951; one of the Commonwealth Oil Company on Section 11, Township 54 South, Range 35 East and others in Townships 53 and 54 East, Ranges 35 and 36 East also completed in 1951; one by the Humble Oil and Refining Company on Section 30, Township 55 South, Range 36 East, completed in 1954; and two of the Gulf Oil Corporation on Section 19, Township 54 South, Range 36 East, also completed in 1954.

Despite an acceptable grade of oil, the wells mentioned above with few exceptions had all been abandoned by September 1955. They were short-lived because of difficulties separating the water that came out of the well intermixed with the oil, and other technical problems in removing the oil (Babcock 1962:2, 29, 32; Babcock 1966:7).

Oil removal continued in the Sunniland area with new wells being drilled on lands outside what subsequently became Big Cypress National Preserve. Exceptions were Numbers 1 and 2 of Miles Collier on Section 18, Township 49 South, Range 31 East, completed in 1961. These two wells were also soon abandoned because the oil was intermixed with too much water to be commercially profitable (Babcock 1962:2, 13, 31, 58-59).

During the 1960s, conservation groups voiced growing concerns over the possible side effects of oil and gas exploration in the Big Cypress Swamp. They feared that site development and air, ground, and water pollution could irreparably harm the natural environment--swamp, marsh, and watershed. Responding to these concerns, Governor Claude Kirk in 1961 declared a temporary moratorium on additional oil ventures in the Big Cypress. A task force was formed that included members of oil companies, environmental groups, and the Florida Department of Natural Resources. A study was to be conducted to determine what effects nearly 30 years of oil exploration and development had had on the ecology of the Everglades and Big Cypress.

Shortly before the moratorium, seismic survey work had been concluded on oil exploration around Forty Mile Bend and Pinecrest. A site near Pinecrest owned by the University of Miami and leased to the Triton Oil and Gas Corporation of Dallas created a controversy on campus when

clearing the site to drill. At issue was the propriety of the university's involvement in the project. Student groups proclaimed that the oil company was despoiling the Everglades. Opposition mounted, and in April 1970 Triton announced that the company was indefinitely postponing its drilling.

Meanwhile, findings of the task force on the ecological impact of oil development in the Everglades and Big Cypress Swamp indicated that adverse effects of oil extraction could be minimal if managed properly. After receiving this report, Governor Reubin Askew in 1971, along with the Florida Cabinet, lifted the ban on oil exploration, and established the Big Cypress Swamp Advisory Committee to monitor and evaluate the potential damage to the ecology that any future oil or gas project might have on the Big Cypress. This board was given the responsibility to grant or deny oil or gas permits throughout the Big Cypress area. The committee consists of oil-industry representatives, state officials, and conservationists as well as a hydrologist and a botanist. Its regulations require all companies to restore the natural vegetation after the termination of drilling operations.

Concurrently during the 1970s, drilling continued elsewhere in the Big Cypress. In 1972, drilling occurred in the following areas: Section 14, Township 54 South, Range 33 East; Section 16, Township 49 South, Range 31 East; Section 31, Township 49 South, Range 33 East; and Section 28, Township 48 South, Range 33 East. In 1973, a well was drilled on Section 24, Township 50 South, Range 30 East--an immediate precursor to further discoveries known as the Baxter Island and Raccoon Point Fields (Wimberly 1974:5-22).

The accompanying chart and map show the oil and gas fields of southern Florida. The Sunniland Field, producing oil and natural gas since 1943, is just outside the northwest corner of Big Cypress National Preserve. Within the park's boundaries are the above mentioned Baxter Island and Raccoon Point Fields as well as the Bear Island Field. The Baxter Island Field produced only 1,859 barrels of oil in three years of operation, an average of 620 barrels a year, so was abandoned in January

of 1980. Baxter Island production was quite low compared to the annual average of 637,430 barrels for Bear Island, the proven oil field in Big Cypress National Preserve, also producing natural gas.

The Raccoon Point discovery within the park is still an unknown quantity, but with promise:

> (Regarding) the Exxon operation at Raccoon Point. . . In 1976, the 11-mile access road was constructed, and by 1979, three wells had been drilled with two wells showing hydrocarbons. Exxon missed the 1980 drilling season (the dry season) because they were producing a newly required plan of operation for the field. However, in 1981, Exxon intends to drill two new wells. Their plan of operation, assuming full development, indicates that they will construct two new pads with 14 wells and as many as ten new wells from the existing three pads. This probably represents a ten-year plan extending into the production phase of operations (Waggoner 1981:45).

To complete the oil picture, mention is made below of oil and gas leasing on Florida Indian lands.

H. Indian Oil Leasing

Both the Seminole and Miccosukee Tribes as corporate entities are in the process of permitting oil exploration on their lands. Following the letting of bids and the reviewing of proposals for compliance with all pertinent natural- and cultural-resource protection laws, seismic surveying is about to begin on the Brighton and Big Cypress Seminole Reservations.

The Miccosukee Tribe let bids on April 13, 1981, and the legal compliance procedures were met on March 29, 1982 so seismic surveying can begin any time now on the Miccosukee State Indian Reservation north of the Tamiami Trail. On April 28, 1981, the Miccosukee Tribe accepted the bid of the N-A-T Consortium composed of the Natural Resources Management Corporation of Midland, Texas; the American Quasar Petroleum Company, also of Midland, Texas; and the Tesoro Petroleum Corporation of Houston with Natural Resources Management, Incorporated,

as the onsite operator. Leases run for five years with an option to renew for another five-year term any lease whose tracts are not producing oil or natural gas in paying quantities. Leases with paying wells can be renewed indefinitely just as long as they are producing (Waggoner 1981:5, 76).

Quoted below are passages from an environmental assessment for the oil and gas leasing program on the Miccosukee State Indian Reservation (Waggoner 1981). These passages focus on the need to preserve the habitat of the much endangered Florida panther or mountain lion, and are cited as an example of the precautions now being taken to preserve the natural environment.

> Information concerning the abundance, distribution, and biology of the Florida panther is extremely limited. The Florida Game and Fresh Water Fish Commission is presently engaged in the early phases of a radiotelemetry study of the panther. . . Documented evidence of the panther's existence occurs only in the Fakahatchee Strand and surrounding area, an area consisting of the eastern portion of Big Cypress National Preserve and the southwestern portion of [Florida] Conservation Area 3A, and the Hole-in-the-Donut area of Everglades National Park. While the precise distribution is not known, these three areas are believed to be population activity centers and may serve as reservoirs of additional animals for populating or repopulating unoccupied habitats. Maintenance of suitable habitat[s] within each of the activity centers and the unimpeded exchange--corridors--between these centers are probably one of the minimum requirements necessary for the continued existence of the Florida panther.
>
> Direct habitat destruction could result from building roads, other structures, and drilling pads in area that are especially important to the panther. Hardwood hammocks and mixed hardwood swamps appear to be particularly important to this animal in the area of the Fakahatchee Strand. The eastern areas of Big Cypress National Preserve and the southwestern portion of Conservation Area 3A have historically supported Florida panthers. It is theorized that this area is important in part because it is a highly diverse ecozone between the Big Cypress Swamp and the deeper freshwater saw grass communities to the east. . .
>
> It is imperative, therefore, that the (Miccosukee State Indian) reservation be surveyed for panthers prior to full scale oil and gas exploration. . .

> In order to protect the panther with respect to oil and gas exploration activities in the Miccosukee [State] Indian Reservation. . . (1) All seismic work should be limited to existing roads or performed with vehicles that do not require roads to be constructed. (2) All access roads, well pads, and storage areas should be confined to within a quarter of a mile of existing roads--built up or filled roads and levees--until completion of the panther survey; at which time this recommendation will be reconsidered. (3) All access roads, well pads and storage areas should be restored to their former natural condition. . . as determined by consultation with the United States Fish and Wildlife Service and the Florida Game and Fresh Water Fish Commission, following unsuccessful exploratory activity. (4) All hardwood hammocks and mixed hardwood swamps occurring in the reservation should not be disturbed. . . (Stieglitz 1981 in Waggoner 1981:100).

Of note is the Miccosukee Tribe's stated concern that the habitat of the Florida panther is preserved. The tribe is on record that its police department will be used "to enforce such restrictions as may be necessary to protect the Florida panther and the other endangered species mentioned in the. . . [environmental] assessment" (Dean 1981 in Waggoner 1981:158).

The Miccosukees want the best of two worlds in this land-use venture seeking oil--the financial returns of a modern business arrangement for land-lease sales and royalties and the intrinsic returns of a preserved wilderness habitat for traditional lifeways. The Miccosukees also want from this enterprise a bridge to some additional skills of the larger society. The leases provide for the employment of members of the Miccosukee Tribe on reservation land in oil and gas operations. A clause in the leasing agreement requires the oil company, the N-A-T Consortium, to make reasonable efforts "to train members of the Miccosukee Tribe in the skills and abilities required in such operations to the end that they may be employed in such skilled positions as they become qualified therefor" (Waggoner 1981:77). Attention should be paid to possible future economic and social changes that could be induced by oil leasing on the life of the Trail Miccosukees and the Miccosukees and Seminoles on the Big Cypress and Brighton Reservations.

We now proceed to farming, cattle raising, and land development in the Big Cypress area. Mention is made at the end of the next section to

Indian cattle raising on the Big Cypress Reservation and other Indian enterprises.

I. Farming, Cattle Raising, and Land Development

An important part of the rationale for draining the Big Cypress Swamp was the idea that once the land was "reclaimed," cash crops of all sorts could easily be grown there. Before the Tamiami Trail was built, it was argued that the marshland soil was rich and once drained would grow bumper crops of fruits, vegetables, grains, and exotic tropical delicacies. The coming of the Trail did open up the Big Cypress to farming. The most extensive agricultural enterprise took place at Ochopee, and, though these tomato-raising attempts ultimately failed, other, smaller farms gradually appeared in the Big Cypress along the Tamiami Trail. By the 1960s, the commercial crops were tomatoes, cucumbers, peppers, mangoes, squash, wheat, potatoes, okra, and watermelon--produced on many truck farms. At its peak, over 150,000 acres were under cultivation (McCoy 1962:5). Today, only about 20,000 acres are being farmed in the Big Cypress. There have been no active farms in what is now Big Cypress National Preserve since its inception in 1974.

Concerning cattle raising, the first cattle were brought into the Big Cypress area circa 1914. For the most part, these early operations were family efforts, small farms and ranches. A common practice at the time was to construct a split rail fence around an area that the farmer wanted fertilized. Cattle would be driven into the designated compound in the evening and released during the day. The calves would be kept in pens to assure the return of the mothers in the evening (Akerman 1976:249).

The Florida open-range cattle industry as it grew was plagued by cattle ticks of two varieties, both devastating to cattle herds. A state law was passed in 1923 requiring owners "to dip their cattle in an insecticide solution to eradicate the cattle tick" (Tebeau 1971:382). This law proved so unpopular--because of the difficulties inherent in rounding up the widely scattered, semi-wild animals--that the leaders of the cattle

industry convinced state officials to initiate a massive slaughter of deer. Deer did carry the worrisome ticks, but so did other mammals and even some reptiles--a fact overlooked by the stock growers. So in 1936, a state program was instituted and hunters were hired to shoot deer. Some 8,874 deer were eventually killed (Tebeau 1971:382).

The Seminoles and many others protested the wholesale slaughter of deer. Though the Seminoles raised cattle, they had no desire to have their deer herds destroyed. They forbade the White hunters to enter reservation lands, and Secretary of the Interior Harold Ickes in 1941 supported the Seminole position. However, a Congressional measure was passed in 1942 that allowed hunters to enter Indian lands in Collier and Hendry Counties. Later, deer were restocked in these swamplands from herds in northern states, but they have not rebounded to their former numbers (Mealor and Prunty 1976:371).

The cattle-tick problem was solved when fencing was required by the state. Many counties had already taken this step independently. It became statewide in 1949 when the Florida State Legislature "passed a law to keep cattle behind fences, putting an end to the open-range cattle industry, and making control of the animals and improvement of herds possible" (Tebeau 1971:382).

From the 1940s on, ranching increased in the Big Cypress Swamp, centered in the northern section of what is now Big Cypress National Preserve above Alligator Alley. The varieties of cattle in this area included Brahman, Santa Gertrudis, and Beefmaster. In 1960, the ranchers of Collier Country formed their own association with 50 members, and withdrew from the Hendry County Cattlemen's Association. In the early 1970s, approximately 40,000 acres were being leased for grazing land in the Big Cypress Swamp. The bulk again was north of Alligator Alley. In 1974, when Big Cypress National Preserve was established, these 40,000 acres became part of the preserve. The National Park Service honored the leases, and most continued under special use permits (Mealor and Prunty 1976:375).

We now turn to land promotion in the Big Cypress, which was fraudulent at times. A time-tested ploy used by swamp salesmen was to promise the investor that once the land was drained it would increase in value almost immediately and thus return huge profits on minimal investment. Portions of the Big Cypress were sold during the real estate booms of the 1910s and the 1920s. It should be emphasized that the inspiration and motivation for the construction of the Tamiami Trail came in part from developers who viewed the Trail as an access route to their landholdings. Both J.F. Jaudon and B.G. Collier hoped that the new highway across the Everglades would make properties more attractive and accessible to prospective buyers.

Ida May Tarbell writing in 1928, the year that the Tamiami Trail was opened, commented on what she saw on the east coast Dixie Highway driving north out of Miami to Palm Beach: "'lot staking, tearing down of old towns, laying out of new. . . Never had I seen so continuous a stretch of benevolent devastation'" (quoted in Kay 1981:36). According to Kay, "Tarbell was witnessing the rape of the virgin Florida landscape as the land boom chopped every acre of soil into town lots" (1981:36).

Tebeau (1971:383) sums up the Florida land-sales boom of the 1920s as follows:

> Students of the runaway inflation in land sales in the middle twenties are by no means in agreement as to the causes. Such phenomena are by no means unique in the United States, but explanations of why they occurred in Florida at that particular time should be noted. The increased use of the automobile and the roadbuilding program are given high place in the explanations. They made the boom possible if they did not cause it. A revolt against urbanization and industrialization, intensified by the strains of the war period [World War I], helped to drive people to new and less developed places. The material prosperity of the country provided new means for travel and speculative enterprise, and the confidence in Coolidge prosperity put a high premium upon business enterprise of a bold sort that promised sudden wealth (Tebeau 1971:383).

Of course, wealth did not necessarily materialize. Over the years, lands in the Big Cypress have been sold throughout the United States and overseas, often under questionable circumstances. In many instances,

the sales were legitimate, but at other times the transactions were outright frauds, or the lands were misrepresented. For example, Cuban refugees and northern retirees in recent years have been sold overpriced wetland tracts.

The so-called process of development in the Big Cypress as mentioned above worked as follows: Large sections of swampland would be cheaply purchased, then subdivided into small two and one-half and five acre lots, which were resold to individuals often for prices higher than the true market value of the properties. And lots would be sold at times by the more unscrupulous companies to more than one buyer. Such were the prevailing laissez-faire attitudes that when hearings began on the proposal to establish Big Cypress National Preserve, many landowners and speculators sought to prevent the passage of any statute that would restrict land use in the Big Cypress. To add insult to injury, some lots were sold at inflated prices on the claim that the creation of a national preserve would greatly increase Big Cypress land values. In 1971, it was estimated that some 20,000 lots had been sold by mail-order outfits, literally all over the world. Brisk land selling flourished until the establishment of Big Cypress National Preserve in 1974. It continues today outside the preserve, but in a much diminished form (Carter 1974:108-109). We have been concerned thus far with non-Indian aspects of agriculture, cattle husbandry, and land promotion. In the following paragraphs, we discuss these topics as they relate to the Miccosukees and Seminoles.

J. Indian Aspects of Farming, Cattle Raising, and Land Development

Concerning Miccosukee farming, the phrase "limited agricultural application" is employed by Waggoner (1981:18) in referring to the northwestern corner of the Miccosukee State Reservation where leased cattle ranching occurs. This phrase means that the lessee, A. Duda and Sons of Cocoa Beach, Florida is entrusted by the Miccosukee Tribe to improve the land by first planting a more nutritious species of grass than what naturally occurs, and then to monitor it as it is used for cattle grazing.

This lease from the Miccosukees was granted on June 1, 1971 to run for 15 years. It was originally let as an agricultural lease to C. and G. Farms and Goodno Farms as a consorted effort for 1,536 acres on the Miccosukee State Reservation. However, the acreage was expanded a few years ago to encompass 19,513 acres with a change in lessee to the ranching firm mentioned above, A. Duda and Sons. Thus far, improvements have been made to 10,710 acres (Waggoner 1981:39). The rationale for switching to grazing is stated by the Miccosukee Planning Department as follows:

> By allowing the ranching firm to graze cattle on reservation land, the Tribe obtains not only a source of income, but also improved pasture land that will be of great value as far as agricultural development goes in the future (Miccosukee Planning Department 1980a:73).

The Miccosukee Tribe has established an agriculture committee, the Miccosukee Department of Agriculture, to ultimately bring about large-scale agricultural production as a major component of the tribal economy (Waggoner 1981:40). This goal may be accomplished through the outside help of an industrial management corporation like the Ball Corporation, which is known in the agribusiness world for working successfully with the Navajo people in the Four Corners Area of the American Southwest in their large-scale farming efforts. The Ball Corporation is also on record for noting the potential of an agribusiness on Seminole lands (Business Week 1981:44F).

Both the Miccosukee and Seminole Tribes see the potential themselves of eventually using reservation lands to raise cash crops and become part of mainstream American agriculture. Mention has already been made of the current experimental hydroponic gardening or aquaculture of the Miccosukees (Maus 1980:46). This endeavor, in which individual families are participating primarily, is considered by the Miccosukee leadership to be "only the first step towards establishing some form of (commercial) agriculture as a viable economic undertaking" (Miccosukee Planning Department 1980a:74, 1980b:39).

As concerns the cattle business, the Seminoles as political entities on the Brighton and Big Cypress Reservations have been part of cattle raising in Florida almost since the inception of their present-day reservations--1938 for Brighton and 1947 for Big Cypress (McBride and Page 1978:6; Wright 1981:180-181). Garbarino (1966 and 1972) discusses in detail the economic organization of cattle raising on the Big Cypress Reservation as a consorted enterprise of individuals and the tribe. For the Miccosukees, there has not been cattle ranching per se, only range leasing for grazing. And as mentioned above, this more than anything else is viewed by the Miccosukee Tribe as land preparation for agriculture, for some yet unspecified venture for commercial agriculture in the future.

Twentieth century Seminole cattle ranching in southern Florida may be seen as a partial return to the eighteenth century pastoralism of the Seminoles when they were living in northern Florida--a pastoralism interrupted by the Seminole Wars and subsequent southern migration of the Seminoles in the nineteenth century. The Brighton Reservation is just west of Lake Okeechobee, and Seminole livestock raising there especially illustrates the point. After the Seminole Wars when the Seminoles were forced out, White cattlemen moved into the Lake Okeechobee area and parts west of it, forming a new sector of the rapidly expanding open-range cattle industry that stretched in a north-to-south direction from Fort Meade to Fort Myers (Tebeau 1971:195).

Seminole cattle raising on the Brighton and Big Cypress Reservation combines a traditional let-nature-rule attitude towards managing grazing lands and breeding stock, with modern accounting methods to determine an individual's share in the group enterprise. Thus, Indian values survive, making this cattle effort by no means a mere copy of modern White methods.

Regarding land development on the Indian reservations, lots, of course, are not being subdivided and sold in the White manner. However, in addition to the previously discussed bingo operation on the Hollywood (Dania) Reservation, plans consistent with modern land develop-

ment are in progress to erect tourist facilities on Interstate 75 at a point where it traverses the Miccosukee State Reservation. These plans call for a service station, a general store, a restaurant, a gift shop, and a rest area. As noted earlier, Interstate 75 is to follow the same course of what is now Alligator Alley. Completion is expected by 1990. Outdoor recreation facilities are also possibilities, at the intersection of Alligator Alley and Snake Road (newly named Josie Billie Road). These could include a picnic area, a nature trail, and campgrounds (Miccosukee Planning Department 1980a:73-74; Waggoner 1981:40).

The compelling theme in Miccosukee history, according to Maus (1980:49), is their search for a place to stand, that is, their struggle for a secure land base. We talk about Indian land titles in a later section. We discuss below the establishment of Big Cypress National Preserve as the most significant land-use event affecting the Big Cypress Swamp and the Everglades in recent times.

K. The Establishment of Big Cypress National Preserve

At the turn of the century, many individuals and groups concerned with the preservation of nature came to believe that a wetland park could and should be created in the lower Florida Peninsula. The area delineated at that time as a potential national park included the Big Cypress Swamp. Thus, the legislative history of Big Cypress National Preserve is intertwined with that of Everglades National Park, although its establishment as a preserve did not come until many years after that of the park (Dovell 1947:380, 566; Carter 1974:108-109).

The first victory for conservationists in this matter came in 1916 with the designation of Royal Palm State Park, which later became part of Everglades National Park. The United States Congress then saw an intensification of efforts for a national park led by the Florida delegation. Eventually, in 1929, Congress authorized the Department of the Interior to study the feasibility of establishing a subtropical park in lower Florida. Following the recommendations of the on-site study team,

Secretary of the Interior Ray L. Wilbur in December 1930 presented a report strongly supporting the creation of a national park from portions of Dade, Monroe, and Collier Counties (Tebeau and Carson 1965:30; Carter 1974:109).

Bills introduced in 1930 and 1932 for an Everglades National Park in due course passed both houses of Congress in 1934. This legislation authorized maximum boundaries of over 2,000,000 acres that included 300,000 acres north of the Tamiami Trail. The latter contained much of the Big Cypress watershed (Carter 1974:110).

Maximum boundaries are only a delineation of the outer limits within which a national park is eventually drawn. In the Everglades case, Collier County land interests were lobbying soon after May 30, 1934, when the park was authorized, to have the Big Cypress Swamp removed from Everglades National Park. Oil drilling at Pinecrest created more controversy on park boundaries as Florida officials wanted all oil or gas royalties to go to the state. After the discovery of oil at Sunniland in 1943, large tracts of the Big Cypress were leased by oil companies, as mentioned earlier. This became another obstacle to land acquisition by the National Park Service, but a solution came about in 1944 when park boundaries were drawn that excluded the Big Cypress watershed.

Even as Everglades National Park was being dedicated in 1947, park officials were still expressing the hope that the Big Cypress area could be acquired at some future date to better protect the park's natural environment. Their prophetic concerns were confirmed in the 1960s when a drought dried up large sections of the park, and the importance of the Big Cypress watershed became readily apparent. Representatives of the National Parks Association and the National Audubon Society then charged that the United States Army Corps of Engineers and the Central Florida Flood Control District had detrimentally altered the natural water flow into the Everglades. In the discussions that followed on the drainage-canal system, all concerned acknowledged that Big Cypress Swamp is a crucial watershed for the Everglades (Smith 1967:239).

The primary threat to the Big Cypress itself was encroaching land development. The development-versus-protection debate reached a climax in the 1960s when it was decided to place a jetport in the Big Cypress. The jetport controversy began in 1952 when a Dade County study group recommended that crew-training flights be moved from Miami International Airport to somewhere in the Everglades. Implementation, however, was not undertaken until 1965. Then the Dade County Port Authority, the Federal Aviation Administration, and several of the airlines decided to search for sites. They believed that a flight-training facility could be established in the Everglades, which could later be expanded to accommodate a new regional jetport serving lower Florida (Bedwell 1970:19-20; Carter 1974:187-188; Duever 1979:766).

By the winter of 1967-1968, 17 sites had been examined as jetport possibilities; five were in the Everglades. Of these five, one was quite close to the northern boundary of Everglades National Park--close enough to justify objections on the grounds that the noise and visual intrusion of low flying aircraft would cause major disruptions to park wildlife and disturb visitors. In the end, a site was selected farther north, in Townships 52 and 53 North, Range 34 East (Bedwell 1970:20; Duever 1979:766-768).

At first, the jetport was to function as a training facility for commercial aircraft, and when fully developed, it was to serve as a regional airport covering 39 square miles. Its anticipated magnitude called for a parking area for 30,000 cars plus a huge complement of support structures--terminals, hangers, administrative buildings, warehouses, and so forth. Enough jobs were to be generated to require the design and construction of an adjacent community to house over one-half million people. New highways to connect the jetport with Miami and the Gulf Coast were also projected along with the possibility of other transportation corridors such as rail links and vacuum tubes and a 50-mile long canal to bring commercial shipping to the jetport. The first phase of this project required the construction of one runway, a taxiway, and a control tower for the jet training operation (United States Department of the Interior 1969:37, 41, 45-48; Bedwell 1970:20; Duever 1979:768).

Approval for the selected site was obtained from several state agencies and the National Park Service. Ground breaking took place on September 18, 1968. The event was highlighted by a proclamation of Florida Governor Claude Kirk, complimenting the Dade County Port Authority on its fine planning. Three square miles of wetland were soon cleared, and four months later the first runway had been rough graded. As work progressed, Robert W. Padrick, Chair of the Central and Southern Florida Flood Control District, became concerned that the jetport facility would affect the marshland and swampland environment to a far greater extent than originally predicted by the Dade County Port Authority. Consequently, he wrote to the presidents of the major conservation groups in this country, expressing his reservations. As a result, Padrick and Nathaniel P. Reed, Governor Kirk's conservation aide, organized a meeting held on February 1969 with the Dade County Port Authority, airline representatives, local politicians, scientists, conservationists, and various government officials (George 1970:4; Gibbs 1972a:1-11, Carter 1974:194-195). Over 150 concerned individuals and group representatives participated.

Discussion at the meeting revealed that the Dade County Port Authority had not undertaken any extensive studies of the Big Cypress Swamp to determine what impact a fully developed jetport would have on the ecosystem. The concerns of environmentalists were ridiculed by the Dade County Port Authority in the meeting and later on television. This offensive approach triggered a strong public reaction in favor of the environmentalists. Thousands of letters from around the world poured into offices of United States Secretary of the Interior Walter Hickel and Florida Governor Claude Kirk demanding the protection of the Everglades and Big Cypress Swamp (George 1970:4; Carter 1974:196).

Two labor unions and 21 conservation groups united in April 1969 to form the Everglades Coalition in an effort to halt work on the jetport. That spring, Secretary Hickel visited Florida on other departmental business, and was briefed on the problems with the jetport. He decided to begin efforts to halt the project. Concurrently, the Senate Committee on Interior and Insular Affairs announced that hearings would be held on the

jetport and other issues related to the Everglades (George 1970:4; Carter 1974:196), and the Departments of Interior and Transportation announced that they would issue a joint environmental impact statement on the jetport.

Dr. Luna Leopold, a senior research hydrologist with the United States Geological Survey, was appointed project director of the Interior/Transportation environmental impact study. As it turned out, this became one of three independent studies on the Everglades environment. The second study was done by the National Academy of Sciences, and the third by the consulting firm of former Secretary of the Interior Stewart Udall. The National Academy of Sciences fielded its own team, focusing on the Big Cypress. The Udall firm was hired by the Dade County Port Authority to study the overall environmental impact of the jetport (Gibbs 1972b:3).

The Udall report confirmed the possibility of ecological damage to the Everglades, but concluded that the delicate wetlands could be adequately protected by a clean-enclave concept for the jetport. That is, the jetport would have no hangers, parking areas, fuel storage tanks, or long-term repair areas. All ground transportation would be provided by a rapid transit system linked to Miami International Airport. The overwhelming reaction of conservationists to this innovative concept of a clean-enclaved jetport was that it would be difficult if not impossible to carry out in practice (Gibbs 1972b:3).

The report of the National Academy of Sciences found that potential ecological damage could only be controlled if the construction were to be limited to one runway to be used only as a pilot-training strip. In other words, no jetport.

The Leopold Report of the Geological Survey for the Departments of Interior and Transportation went beyond the other two reports in that it was in favor of no air facilities at all. It condemned even the use of one training airstrip. Leopold's group believed that any construction would generate additional urban development, ultimately destroying the fragile

ecosystem of the Everglades. While these reports range on a continuum of lesser to greater predicted ecological damage, their combined impact served to reinforce fears that the building of a jetport would seriously alter the environment (Gibbs 1972b:4).

In August 1969, Secretary of the Interior Walter Hickel, Secretary of Transportation John Volpe, and Governor Claude Kirk called for the cessation of jetport work until further environmental studies were done. After a series of conferences, an agreement was reached to find a new site. Known as the Jetport Pact, it was signed on January 16, 1970 by the three men above and Miami Mayor Chuck Hall on behalf of the Dade County Port Authority. Tebeau sums it up (1971:360):

> When a two-mile landing strip for training purposes was about completed, the [jetport] project was ordered stopped and the use limited to training. In April 1970, guidelines for the location of a new commercial airport emphasized [environmental] attention to the complex of service and satellite activities that would develop around such a facility.

The Jetport Pact committed the Department of the Interior to a series of actions. First, an environmental monitoring program for the training strip area would be formulated and put into effect. This step was accomplished in May of 1970. Second, a set of criteria would be established for the selection of a new jetport site. The criteria were determined in July 1970, and the process of selecting a new site continues to the present time. Third, a study was commissioned of land control needs in the Big Cypress watershed that would be part of the fourth step, an overall ecological study of southern Florida. This overall study included hydrology and preservation recommendations for the ecosystem of Everglades National Park, the water supplies of affected communities, and the marine resources of the estuaries (Gibbs 1972b:4-5). It was finished in 1973.

In June of 1970, Secretary Hickel had appointed Robert F. Gibbs as coordinator of the South Florida Environmental Study Project, representing several bureaus of the Department of the Interior including the Bureau of Indian Affairs, the Federal Water Quality Administration, and the National Park Service. Gibbs, as he says (1972b:2-7), was autho-

rized to act in matters related to the jetport and the protection of the Big Cypress watershed.

A progress report of the South Florida Environmental Project was submitted in December of 1970, and made public in January of 1971. It recommended the creation of a trust, the South Florida Environmental Trust to make land-use decisions in a seven county area. Membership in the trust would be drawn from three levels of government--county, state, and federal. This report also suggested that portions of the Big Cypress watershed be studied for possible designation as a national forest or conservation area. Alternatives ranged from doing nothing to building a national parkway. The latter item would have created the Tamiami Trail National Parkway on the existing Tamiami Trail, on a 60-mile stretch of United States 41 between State Routes 27 and 29 (Gibbs 1972b:1-7). A national parkway would have had some positive conservation effects by providing a greenbelt devoid of development.

At this time, legislation was being introduced in both houses of Congress by the Florida delegations. Additional support was given in the Senate by Senator Henry Jackson of the State of Washington, who held hearings in Miami on November 30, 1971, with Senator Lawton Chiles of Florida. The hearings were part of a gathering momentum for on November 23, 1971, President Richard M. Nixon had announced that his administration was backing legislation for the protection of one-half million acres in the Big Cypress watershed (United States Congress, Senate 1971:4; Miami Herald 1971).

On January 5, 1972, Julie Nixon Eisenhower, daughter of President Nixon, visited the Big Cypress, accompanied by Secretary of the Interior Rogers Norton and National Park Service Director George Hartzog, to emphasize the administration's commitment to the Big Cypress watershed. National Park Service officials were soon working on the legislation to be submitted to Congress, and on February 8, 1972, President Nixon in a message to Congress announced his proposed legislation for a Big Cypress National Fresh Water Reserve to protect this subtropical marshland, unique to the United States, and to assure an adequate water flow for Everglades National Park (Williams 1972).

At public hearings, opposition surfaced from land owners and speculators who saw federal protection of the Big Cypress as an attempt to take away their land. Consequently, the proposed legislation became entangled at the committee-hearing stage, and was not acted upon during 1972 (United States Congress, House 1972:41-177; Hoyt 1972).

When the new Congress convened in 1973, President Nixon again proclaimed his support for protecting the Big Cypress watershed. Bills were submitted with designations of Everglades-Big Cypress National Recreation Area and Big Cypress National Fresh Water Preserve. While this was taking place in Washington, Governor Reubin Askew in Florida was requesting the state legislature to allocate 40 million dollars to purchase Big Cypress land for conservation purposes. The Florida State Legislature responded positively, by passing the Big Cypress Conservation Act of 1973, and the 40 million dollars were allocated from the 240 million-dollar bond issue that had been authorized by the Florida Land Conservation Act of 1972 (Carter 1974:229).

The action of the Florida State Legislature seemingly encouraged the United States House of Representatives to do likewise because it acted favorably on the establishment of the Big Cypress National Preserve on October 3, 1973. The Senate was unable to consider this bill until the next session of Congress. It passed on October 11, 1974 as Public Law 93-440 (88 Stat. 1258, United States Statutes at Large 88:1258, 1974): AN ACT TO ESTABLISH THE BIG CYPRESS NATIONAL PRESERVE IN THE STATE OF FLORIDA, AND FOR OTHER PURPOSES.

The idea of a national preserve, enacted by Congress, created a new land-use category--nationally significant land or water areas to be environmentally protected but with less strict land-use provisions than in a national park or recreation area. In other words, a national preserve allows a greater variety of land uses than a national park or recreation area. Yet, conservation is still a paramount purpose of a national preserve as stated in the "Big Cypress Act:"

> Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)

> in order to assure the preservation, conservation, and protection of the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress Watershed in the State of Florida and to provide for the enhancement and public enjoyment thereof, the Big Cypress National Preserve is hereby established (Public Law 93-440; 88 Stat. 1258, United States Statutes at Large 88:1258, 1974).

This statute is reprinted in an appendix, and is, of course, the basis for the land-use regulations negotiated between the preserve and the Miccosukee Tribe of Indians, permitting:

> . . . the Miccosukee Tribe of Indians of Florida and members of the Seminole Tribe of Florida. . . to continue their usual and customary use and occupancy of Federal or federally acquired lands and waters within the preserve, including hunting, fishing, and trapping on a subsistence basis and traditional tribal ceremonials (Public Law 93-440; 88 Stat. 1258, United States Statutes at Large 88:1258, 1974).

In the following section, Miccosukee and Seminole land title is discussed as an old but continuing problem.

L. "In Search of a Place to Stand"

For this section on Miccosukee and Seminole land tenure, we borrow the title of Maus' work on the Trail Miccosukees, "In Search of a Place to Stand" (1980). The Creeks who became Seminoles by separating from the Creek Confederacy (Speck 1907:103) and moving into Florida in the eighteenth century (King 1978:171), may be said to be still searching--at least those who were crafty enough to avoid going to Oklahoma, and remained in Florida. Of course, as we have described, the Hitchiti-speaking Miccosukees and the Muskogee-speaking Seminoles did find a place to stand in northern Florida with abundant resources in crops and livestock (King 1978:90). But this idyllic scene proved to be short-lived with the outbreak of the Seminole Wars, and the Seminoles' exodus south. Ever since that time, it seems the Seminoles and Miccosukees in Florida have been searching for a place to stand. "Land was all that they wanted, and they wanted only the land upon which they lived and hunted" (King 1978:142).

Today the Miccosukee Tribe of Indians of Florida has a lawsuit pending against the State of Florida for taking lands granted them and other Seminoles by the United States Government in 1839, 1842, and 1845 (Miccosukee Tribe versus Florida 1979). Big Cypress National Preserve and Everglades National Park lie within the relatively vast territory in southern Florida claimed by the Miccosukee Tribe.

In 1839, during the Second Seminole War (1835-1842), a sizeable Seminole reservation was established through the executive action of President Martin Van Buren. He was responding to "the expressed wishes of Congress. . . (for) propositions for peace" (Van Buren 1840:16). To this end, as part of the "Act making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-nine," Congress on March 3, 1839, appropriated, "For the purpose of holding a treaty with the Seminole Indians, five thousand dollars" (5 Stat. 358, United States Statutes at Large 5:358, 1839).

The reservation or "district of country in Florida" (Macomb 1839) that was set aside for the Seminoles was an integral part of a peace pact between the United States and the Seminoles negotiated and "presented. . . to the Indians as a presumably permanent arrangement" (Sturtevant 1953:44) by General Alexander Macomb by order of President Van Buren. The latter declared the district to be Indian territory reserved exclusively for the Seminoles (Poinsett 1839a). Despite the fact that peace proved ephemeral in 1839 (Covington 1978) and that President Van Buren claimed that it was the Seminoles who "broke the truce" (Van Buren 1840:16), the <u>agreement</u> (Macomb 1839) or <u>arrangement</u> (Poinsett 1839b) was reiterated by two successive Presidents of the United States--John Tyler in 1842 (Cooper 1842) and James Polk in 1845 (Shields 1845a). President Polk even directed that a strip of land 20 miles wide be added to the eastern boundary (Shields 1845b; Barker 1978:1A).

The agreement was delineated in Macomb's general order of May 18, 1839, as follows:

> General Orders. Head-Quarters of the Army of the United States, Fort King, Florida, May 18th, 1839. The major-general

> commanding in chief has the satisfaction of announcing to the army in Florida, to the authorities of the territory, and to the citizens generally, that he has this day terminated the war with the Seminole Indians, by an agreement entered into with Chitto-Tustenugee, principal chief of the Seminoles, and successor to Arpeika, commonly called Sam Jones, brought to this post by Lieutenant-Colonel Harney, 2d dragoons, from the southern part of the peninsula. The terms of the agreement are, that hostilities immediately cease between the parties; that the troops of the United States, and the Seminole and Mickasukie chiefs and warriors, now at a distance, be made acquainted, as soon as possible, with the fact that peace exists, and that all hostilities are forthwith to cease on both sides; the Seminoles and Mickasukies agreeing to retire into a district of country in Florida, below Pease Creek, the boundaries of which are as follows, viz., beginning at the most southern point of land between Charlotte Harbor and the Sanybel or Coloosahatchee river, opposite to Sanybel Island; thence into Charlotte Harbor, by the southern pass between Pine Island and that point, along the eastern shore of said harbor to Taalk-hopko or Pease Creek; thence up said river to Hatchee-Thloko or Big Creek; thence up said creek to its source; thence easterly to the northern point of Lake Istoppoga; thence along the eastern outlet of said lake, called Istokpoga Creek, to the Kissimmee river; thence southerly down the Kissimmee to Lake OkeeChobee; thence south through said lake to Ecahlahatohee or Shark river; thence down said river westwardly to its mouth; thence along the sea-shore northwardly to the place of beginning; that sixty days be allowed the Indians north and east of that boundary to remove their families and effects into said district, where they are to remain until further arrangements are made, under the protection of the troops of the United States, who are to see that they are not molested by intruders, citizens or foreigners, and that the said Indians do not pass the limits assigned them, except to visit the posts which will be hereafter indicated to them. All persons are therefore forbidden to enter the district assigned to said Indians, without written permission of some commanding officer of a military post. [SIGNED] ALEXANDER MACOMB, Major-General Commanding in Chief. By command of the General, EDMUND SCHRIVER, Captain and A.A. General. (quoted in Sprague 1848:228-229).

In 1842 and in 1845, the boundaries were declared to be the same as in 1839, with the addition of the above mentioned twenty-mile strip in 1845 (Cooper 1842; Shields 1845 a and b; Covington 1978:9). The significance of the 1842 affirmation of the 1839 agreement is that it marked the close of the Second Seminole War with the recognition that the Seminoles and Miccosukees were free to remain in Florida. The federal government preferred that they accept removal west of the Mississippi to designated

Indian Territory (Poinsett 1839b). However, according to one non-Indian interpretation at the time, the 1842 agreement gave permission for the Seminoles to choose to "remain in Florida or go to Arkansas [Indian Territory] as they may prefer" (Cooper, Seawell, and Sprague 1842:517-519.

The Miccosukee position in the lawsuit is that the State of Florida gained title and passed it to others unlawfully because the United States Government has never "restored these (1839-1842-1845) lands to the public domain or otherwise taken away or retracted the right of the Miccosukee Tribe to use and occupy such lands" (Miccosukee Tribe versus Florida 1979:9). As the brief states, the 1790 "act to regulate trade and intercourse with the Indian tribes" (1 Stat. 136-138) may apply. This act prohibits the transfer of Indian land "without the approval and participation of the United States and the tribe" (Miccosukee Tribe versus Florida 1979:3). Section 4 says:

> That no sale of lands may by any Indians, or any nation or tribe of Indians within the United States shall be valid to any person or persons, or to any state, whether having the right of pre-emption to such lands or not, unless the same shall be made and duly executed at some public treaty, held under the authority of the United States (1 Stat. 138, United States Statutes at Large 1:138, 1790).

The Swamp Act of 1850, "An Act to Enable the State of Arkansas and other States to Reclaim the 'Swamp Lands' Within Their Limits" (9 Stat. 519), transferred much of the land in dispute to the State of Florida, but without the consent of the Miccosukees and Seminoles. According to Barker (1978:1A-2A) who interviewed Chief Buffalo Tiger on the subject, the Miccosukee Tribe "will use whatever legal leverage they have. . . to win what they view as their ancestral rights to the land."

Behind the lawsuit is the Miccosukee desire for clear land title. A recent position of the State of Florida, which prompted the suit, holds that title to the Miccosukee State Reservation may be rescinded at any time at the sufferance of the state (Barker 1978:1A-2A). And the "Miccosukee Strip" at Forty Mile Bend on the Tamiami Trail is only leased land.

As indicated earlier in the section on "Florida Lands of the Miccosukees and Seminoles," the "Miccosukee Strip" or Forty-Mile-Bend Reservation Area that houses Miccosukee Tribal Headquarters and much of the Trail Miccosukee community is 40 miles west of Miami within the northeast boundary of Everglades National Park. It consists of 333.3 acres, 5.5 miles long, and 500 feet wide. Occupancy is by a 50-year special use permit of the National Park Service through Everglades National Park. It expires in 2014, having been issued in 1964. Development is "limited to administrative, educational, housing, and tourism-oriented commercial facilities" (Miccosukee Planning Department 1980b:31). This arrangement, nevertheless, gives a wide latitude to the tribe for community planning. What is missing is the opportunity for long-term economic development, which is why the Miccosukee State Reservation looms so importantly in the tribe's future plans for such possible ventures as agriculture and aquaculture.

In conclusion, despite their eighteenth-century Creek origins north of Florida, we found in our fieldwork that the Trail Miccosukees very much regard southern Florida and the Everglades as their traditional homeland. And they are committed to the preservation of the Everglades--"to preserve and maintain the Everglades ecosystem that is their homeland" (Miccosukee Planning Department 1980b:29).

SUMMARY

This report has focused on the human activities that have occurred in interaction with the land, and on accompanying social changes, in the region of Big Cypress Swamp, Florida. We have described and analyzed closely connected historical events involving drainage, highway construction, town planning, farming, logging, tourism, and oil and gas exploration as they changed the face of the land and affected the lives of those in the Big Cypress area, in particular, the Miccosukees and Seminoles. We have dealt with intrusions of Western technology, like the proposed jetport, on the delicate ecosystems of Big Cypress Swamp and the Everglades. And we have discussed modern attempts to redress nature's balance by establishing Everglades National Park (1934-1947) and Big Cypress National Preserve (1974).

The enactment of the enabling legislation establishing Big Cypress National Preserve represents the culmination of a philosophical change in regard to modern man's relationship with the Big Cypress Swamp. When the area was first explored, thought was only given to clearing the land to grow commercially productive crops. This led to a long series of reclamation schemes for draining the Everglades and Big Cypress Swamp. The fertility of the soil was overestimated and once drained these areas either became almost desert-like, or the dried peat bogs burned down to the underlying limestone.

At the beginning of the twentieth century, the idea began to be developed that the uniqueness of the flora and fauna found in the Everglades must be preserved from development. The movement achieved success with the passage of a bill creating Everglades National Park in 1934. The proposed maximum boundary encompassed a large portion of the Big Cypress Swamp. However, by 1944, the Big Cypress was deleted from the Park's eventual boundaries.

There were several factors leading to the deletion of the Big Cypress from the original Everglades National Park. While plans for the future Everglades National Park were yet in an embryonic stage, Big Cypress was being opened to development. This change which altered the pristine wilderness was the fullfillment of the dream to connect the

Gulf Coast with the Atlantic Coast by road. The route for this highway, which became known as the Tamiami Trail, was constructed across the Big Cypress. Plans for the undertaking began in 1914 with the first actual work beginning in 1916. The Dade County portion of the roadway was completed despite the difficulty of the terrain and logistical problems arising from the outbreak of World War I. Unfortunately, the Lee County portion of the project became mired down in financial and construction difficulties. At this juncture, Barron Gift Collier arrived in Florida with developmental plans for the Big Cypress. He quickly moved to financially resurrect the Tamiami Trail. Collier supplied his money and organized his own construction crews to complete the highway. The last small section of the roadway was taken over and completed by the Florida Highway Department. Over ten years of construction were required before the Tamiami Trail could be officially opened in April of 1928.

The new road changed traditional lifestyles in the marshland and allowed exploitation of the natural resources. Miccosukee and Seminoles moved from their isolated hammocks and settled along the Tamiami Trail. Also this opened the area up to white settlement which used the road as access to the interior lands. Agricultural enterprises were begun along the roadway. The highway opened the land to oil and gas exploration with an unsuccessful well being dug at Pinecrest in 1939 and a successful well at Sunniland in 1943. This led to a continuing search for oil and gas in the Big Cypress. These events led to the exclusion of the Big Cypress from the Everglades National Park.

Another event which changed the character of the Big Cypress Swamp was the movement of timber companies into the marshland in the 1930s. These logging operations were done on a massive scale and involved the use of an extensive railway development. The companies cut down large stands of cypress and pine with most of the operations being discontinued around 1956 because it was no longer economical to log the area. This timber cutting altered the appearance of the wetland complex.

Concern continued to grow among conservation groups about the deterioration of the environment in Big Cypress Swamp. These organiza-

tions moved into action when the Dade County Port Authority began construction of a jetport on thirty-nine square miles in the heart of the Big Cypress. These groups feared that the resulting urbanization would destroy the wetland complex and cut off a major source of water for the Everglades. Local, state and federal officials became involved in this controversy with the result that work on the jetport was halted and environmental studies were undertaken. The result of these studies indicated that the conservationists were correct in their assumptions and that the jetport should be relocated to another less ecologically fragile site.

This jetport crisis and the resulting environmental studies pushed the idea that the Big Cypress Swamp should be given some type of protection. A variety of legislative alternatives were considered with the Nixon Administration advocating federal control of the valuable watershed. Land owners and land speculators opposed federal ownership of the marshland, which led to several years of legislative maneuvering until October 11, 1974, when the act creating Big Cypress National Preserve was signed into law by President Gerald Ford. This began a new era for the wetland complex in which modern man sought to protect and preserve the fragile watershed rather than exploit and develop it.

APPENDIX: STATUTES AND TREATIES

The following statutes and treaties are all mentioned in the text, and are reprinted here with comments on their importance: An Act to regulate trade and intercourse with the Indian tribes, July 22, 1790; Treaty with the Florida Tribes of Indians, September 18, 1823 (Moultrie Creek); Treaty with the Seminole, May 9, 1832; An Act to enable the State of Arkansas and other States to reclaim the "SwampLands" within their limits; and An Act to establish the Big Cypress National Preserve in the State of Florida, and for other purposes.

The 1790 non-intercourse act with Indian tribes calls for no Indian land cessions without the specific approval of the United States. The crux of the Miccosukees' suit against the State of Florida is that Florida gained possession of lands rightfully theirs without such concurrence.

The 1823 Treaty of Moultrie Creek and the 1832 Treaty of Payne's Landing are the only treaties ever signed in Florida by members of the Florida Seminoles and Miccosukees, with the exception of "Treaties with the Appalachicola Band, 1832, 1833" in northern Florida, which were local modifications of the Moultrie Creek and Payne's Landing Treaties (7 Stat. 377; 7 Stat. 427). The 1823 treaty was rendered ineffective by the failure of the United States to guarantee "peaceable possession" as promised (Maus 1980:16-17). The 1832 treaty was similarly breached in that the bulk of the Seminoles and Miccosukees were forcibly taken to Indian Territory west of the Mississippi River a decade later despite their choice as stated in the treaty to stay in Florida or move, "should they be satisfied with the character of that country. . . west of the Mississippi river." It is interesting to note the 1823 treaty's concern over Seminole aid to runaway slaves, an issue in American eyes discussed in our text. Also of interest is the 1832 treaty's recognition of Seminole cattle raising, similarly discussed in our text.

The 1850 "Swamp Act" gave Florida control it did not have before over the Big Cypress Swamp and the Everglades, and encouraged drainage efforts. The last statute reprinted is the 1974 enabling legislation for Big Cypress National Preserve. Note the traditional-use provisions of the Seminoles and Miccosukees within the preserve.

An Act to regulate trade and intercourse with the Indian tribes. 1 Stat. 136-138, United States Statutes at Large 1:136-138, 1790.

Statute II.

July 22, 1790.

Chap. XXXIII.—*An Act to regulate trade and intercourse with the Indian tribes.*(a)

Licenses to trade with the Indians, by whom to be granted, and how to be obtained.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no person shall be permitted to carry on any trade or intercourse with the Indian tribes, without a license for that purpose under the hand and seal of the superintendent of the department, or of such other person as the President of the United States shall appoint for that purpose; which superintendent, or other person so appointed, shall, on application, issue such license to any proper person, who shall enter into bond with one or more sureties, approved of by the superintendent, or person issuing such license, or by the President of the United States, in the penal sum of one thousand dollars, payable to the President of the United States for the time being, for the use of the United States, conditioned for the true and faithful observance of such rules, regulations and restrictions, as now are, or hereafter shall be made for the government of trade and intercourse with the Indian tribes. The said superintendents, and persons by them licensed as aforesaid, shall be governed in all things touching the said trade and intercourse, by such rules and regulations as the President shall prescribe. And no other person shall be permitted to carry on any trade or intercourse with the Indians without such license as aforesaid. No license shall be granted for a longer term than two years. *Provided nevertheless,* That the President may make such order respecting the tribes surrounded in their settlements by the citizens of the United States, as to secure an intercourse without license, if he may deem it proper.

May be recalled for certain transgressions.

Sec. 2. *And be it further enacted,* That the superintendent, or person issuing such license, shall have full power and authority to recall all such licenses as he may have issued, if the person so licensed shall transgress any of the regulations or restrictions provided for the government of trade and intercourse with the Indian tribes, and shall put in suit such bonds as he may have taken, immediately on the breach of any condition in said bond: *Provided always,* That if it shall appear on trial, that the person from whom such license shall have been recalled, has not offended against any of the provisions of this act, or the regulations prescribed for the trade and intercourse with the Indian tribes, he shall be entitled to receive a new license.

Penalty for trading without license.

Sec. 3 *And be it further enacted,* That every person who shall attempt to trade with the Indian tribes, or be found in the Indian country with such merchandise in his possession as are usually vended to the Indians, without a license first had and obtained, as in this act prescribed, and being thereof convicted in any court proper to try the same, shall forfeit all the merchandise so offered for sale to the Indian tribes, or so found in the Indian country, which forfeiture shall be one half to the benefit of the person prosecuting, and the other half to the benefit of the United States.

Sales of lands by Indians, in what cases valid.

Sec. 4. *And be it enacted and declared,* That no sale of lands made by any Indians, or any nation or tribe of Indians within the United States, shall be valid to any person or persons, or to any state, whether having the right of pre-emption to such lands or not, unless the same shall be made and duly executed at some public treaty, held under the authority of the United States.

Offences committed within the Indian territory, how to be punished.

Sec. 5. *And be it further enacted,* That if any citizen or inhabitant of the United States, or of either of the territorial districts of the United States, shall go into any town, settlement or territory belonging to any nation or tribe of Indians, and shall there commit any crime upon, or trespass against, the person or property of any peaceable and friendly Indian or Indians, which, if committed within the jurisdiction of any state, or within the jurisdiction of either of the said districts, against a citizen or white inhabitant thereof, would be punishable by the laws of such state or district, such offender or offenders shall be subject to the same punishment, and shall be proceeded against in the same manner as if the offence had been committed within the jurisdiction of the state or district to which he or they may belong, against a citizen or white inhabitant thereof.

Proceedings therein.

Sec. 6. *And be it further enacted,* That for any of the crimes or offences aforesaid, the like proceedings shall be had for apprehending, imprisoning or bailing the offender, as the case may be, and for recognizing the witnesses for their appearance to testify in the case, and where the offender shall be committed, or the witnesses shall be in a district other than that in which the offence is to be tried, for the removal of the offender and the witnesses or either of them, as the case may be, to the district in which the trial is to be had, as by the act to establish the judicial courts of the United States, are directed for any crimes or offences against the United States.

Act of Sep. 24, 1789.

Continuance of this act.

Sec. 7. *And be it further enacted,* That this act shall be in force for the term of two years, and from thence to the end of the next session of Congress, and no longer.

Approved, July 22, 1790.

Treaty with the Florida Tribes of Indians (Moultrie Creek). 7 Stat. 224-228, United States Statutes at Large 7:224-228, 1823.

TREATY WITH THE FLORIDA TRIBES OF INDIANS, 1823.

Sept. 18, 1823.

7 Stat., 224. Proclamation, Jan. 2, 1824.

ARTICLE I. THE undersigned chiefs and warriors, for themselves and their tribes, have appealed to the humanity, and thrown themselves on, and have promised to continue under, the protection of the United States, and of no other nation, power, or sovereign; and, in consideration of the promises and stipulations hereinafter made, do cede and relinquish all claim or title which they may have to the whole territory of Florida, with the exception of such district of country as shall herein be allotted to them.

Said Indians to continue under the protection of United States.

ARTICLE II. The Florida tribes of Indians will hereafter be concentrated and confined to the following metes and boundaries: commencing five miles north of Okehumke, running in a direct line to a point five miles west of Setarky's settlement, on the waters of Amazura, (or Withlahuchie river,) leaving said settlement two miles south of the line; from thence, in a direct line, to the south end of the Big Hammock, to include Chickuchate; continuing, in the same direction, for five miles beyond the said Hammock—provided said point does not approach nearer than fifteen miles the sea coast of the Gulf of Mexico; if it does, the said line will terminate at that distance from the sea coast; thence, south, twelve miles; thence in a south 30° east direction, until the same shall strike within five miles of the main branch of Charlotte river; thence, in a due east direction, to within twenty miles of the Atlantic coast; thence, north, fifteen west, for fifty miles and from this last, to the beginning point.

Said Indians to be confined to the following metes and bounds.

ARTICLE III. The United States will take the Florida Indians under their care and patronage, and will afford them protection against all persons whatsoever; provided they conform to the laws of the United States, and refrain from making war, or giving any insult to any foreign nation, without having first obtained the permission and consent of the United States: And, in consideration of the appeal and cession made in the first article of this treaty, by the aforesaid chiefs and warriors, the United States promise to distribute among the tribes, as soon as concentrated, under the direction of their agent, implements of husbandry, and stock of cattle and hogs, to the amount of six thousand dollars, and an annual sum of five thousand dollars a year, for twenty successive years, to be distributed as the President of the United States shall direct, through the Secretary of War, or his Superintendents and Agent of Indian Affairs.

United States to take the Florida Indians under their care, etc.

ARTICLE IV. The United States promise to guaranty to the said tribes the peaceable possession of the district of country herein assigned them, reserving the right of opening through it such roads, as may, from time to time, be deemed necessary; and to restrain and prevent all white persons from hunting, settling, or otherwise intruding upon it. But any citizen of the United States, being lawfully

United States to guaranty peaceable possession of the district assigned them, on certain conditions.

authorized for that purpose, shall be permitted to pass and repass through the said district, and to navigate the waters thereof, without any hindrance, toll, or exaction, from said tribes.

Corn, meat, etc., to be allowed them for twelve months.

ARTICLE V. For the purpose of facilitating the removal of the said tribes to the district of country allotted them, and, as a compensation for the losses sustained, or the inconveniences to which they may be exposed by said removal, the United States will furnish them with rations of corn, meat, and salt, for twelve months, commencing on the first day of February next; and they further agree to compensate those individuals who have been compelled to abandon improvements on lands, not embraced within the limits allotted, to the amount of four thousand five hundred dollars, to be distributed among the sufferers, in a ratio to each, proportional to the value of the improvements abandoned. The United States further agree to furnish a sum, not exceeding two thousand dollars, to be expended by their agent, to facilitate the transportation of the different tribes to the point of concentration designated.

An agent, etc., to be appointed to reside among them.

ARTICLE VI. An agent, sub-agent, and interpreter, shall be appointed, to reside within the Indian boundary aforesaid, to watch over the interests of said tribes; and the United States further stipulate, as an evidence of their humane policy towards said tribes, who have appealed to their liberality, to allow for the establishment of a school at the agency, one thousand dollars per year for twenty successive years; and one thousand dollars per year, for the same period, for the support of a gun and blacksmith, with the expenses incidental to his shop.

Indians to prevent any fugitive slaves from taking shelter among them, etc.

ARTICLE VII. The chiefs and warriors aforesaid, for themselves and tribes, stipulate to be active and vigilant in the preventing the retreating to, or passing through, of the district of country assigned them, of any absconding slaves, or fugitives from justice; and further agree, to use all necessary exertions to apprehend and deliver the same to the agent, who shall receive orders to compensate them agreeably to the trouble and expenses incurred.

A commissioner and surveyor to be appointed.

ARTICLE VIII. A commissioner, or commissioners, with a surveyor, shall be appointed, by the President of the United States, to run and mark, (blazing fore and aft the trees) the line as defined in the second article of this treaty, who shall be attended by a chief or warrior, to be designated by a council of their own tribes, and who shall receive, while so employed, a daily compensation of three dollars.

Grounds on which the objections of said tribes to certain lands are founded.

ARTICLE IX. The undersigned chiefs and warriors, for themselves and tribes, having objected to their concentration within the limits described in the second article of this treaty, under the impression that the said limits did not contain a sufficient quantity of good land to subsist them, and for no other reason: it is, therefore, expressly understood, between the United States and the aforesaid chiefs and warriors, that, should the country embraced in the said limits, upon examination by the Indian agent and the commissioner, or commissioners, to be appointed under the 8th article of this treaty, be by them considered insufficient for the support of the said Indian tribes; then the north line, as defined in the 2d article of this treaty, shall be removed so far north as to embrace a sufficient quantity of good tillable land.

Said Indians request the grant in fee simple of certain lands to Colonel Humphreys and S. Richards.

ARTICLE X. The undersigned chiefs and warriors, for themselves and tribes, have expressed to the commissioners their unlimited confidence in their agent, Col. Gad Humphreys, and their interpreter, Stephen Richards, and, as an evidence of their gratitude for their services and humane treatment, and brotherly attentions to their wants, request that one mile square, embracing the improvements of Enehe Mathla, at Tallahassee (said improvements to be considered as the centre) be conveyed, in fee simple, as a present to Col. Gad Humphreys.—And they further request, that one mile square, at the Ochesee Bluffs, embracing Stephen Richard's field on said Bluffs, be

conveyed in fee simple, as a present to said Stephen Richards. The commissioners accord in sentiment with the undersigned chiefs and warriors, and recommend a compliance with their wishes to the President and Senate of the United States; but the disapproval, on the part of the said authorities, of this article, shall, in no wise, affect the other articles and stipulations concluded on in this treaty.

In testimony whereof, the commissioners, William P. Duval, James Gadsden, and Bernard Segui, and the undersigned chiefs and warriors, have hereunto subscribed their names and affixed their seals. Done at camp on Moultrie creek, in the territory of Florida, this eighteenth day of September, one thousand eight hundred and twenty-three, and of the independence of the United States the forty-eighth.

William P. Duval,	[L. S.]	Wokse Holata, his x mark,	[L. S.]
James Gadsden,	[L. S.]	Amathla Ho, his x mark,	[L. S.]
Bernard Segui,	[L. S.]	Holatefiscico, his x mark,	[L. S.]
Nea Mathla, his x mark,	[L. S.]	Chefiscico Hajo, his x mark,	[L. S.]
Tokose Mathla, his x mark,	[L. S.]	Lathloa Mathla, his x mark,	[L. S.]
Ninnee Homata Tustenuky, his x mark,	[L. S.]	Senufky, his x mark,	[L. S.]
Miconope, his x mark,	[L. S.]	Alak Hajo, his x mark,	[L. S.]
Nocosee Ahola, his x mark,	[L. S.]	Fahelustee Hajo, his x mark,	[L. S.]
John Blunt, his x mark,	[L. S.]	Octahamico, his x mark,	[L. S.]
Otlemata, his x mark,	[L. S.]	Tusteneck Hajo, his x mark,	[L. S.]
Tuskeeneha, his x mark,	[L. S.]	Okoskee Amathla, his x mark,	[L. S.]
Tuski Hajo, his x mark,	[L. S.]	Ocheeny Tustenuky, his x mark,	[L. S.]
Econchatimico, his x mark,	[L. S.]	Phillip, his x mark,	[L. S.]
Emoteley, his x mark,	[L. S.]	Charley Amathla, his x mark,	[L. S.]
Mulatto King, his x mark,	[L. S.]	John Hoponey, his x mark,	[L. S.]
Chocholohano, his x mark,	[L. S.]	Rat Head, his x mark,	[L. S.]
Ematlochee, his x mark,	[L. S.]	Holatta Amathla, his x mark,	[L. S.]
		Foshatchimico, his x mark,	[L. S.]

Signed, sealed, and delivered, in the presence of—

George Murray, secretary to the commission,
G. Humphreys, Indian agent,
Stephen Richards, interpreter,
Isaac N. Cox,
J. Erving, captain, Fourth Artillery,
Harvey Brown, lieutenant, Fourth Artillery,
C. D'Espinville, lieutenant, Fourth Artillery,
Jno. B. Scott, lieutenant, Fourth Artillery,
William Travers,
Horatio S. Dexter.

Additional Article.

Sept. 18, 1823.
7 Stat., 226.
Additional article

Whereas Neo Mathla, John Blunt, Tuski Hajo, Mulatto King, Emathlochee, and Econchatimico, six of the principal Chiefs of the Florida Indians, and parties to the treaty to which this article has been annexed, have warmly appealed to the Commissioners for permission to remain in the district of country now inhabited by them; and, in consideration of their friendly disposition, and past services to the United States, it is, therefore, stipulated, between the United States and the aforesaid Chiefs, that the following reservations shall be surveyed, and marked by the Commissioner, or Commissioners, to be appointed under the 8th article of this Treaty: For the use of Nea Mathla and his connections, two miles square, embracing the Tuphulga village, on the waters of Rocky Comfort Creek. For Blunt and Tuski Hajo, a reservation, commencing on the Apalachicola, one mile below Tuski Hajo's improvements, running up said river four miles; thence, west, two miles; thence, southerly, to a point two miles due west of the beginning; thence, east, to the beginning point. For Mulatto King and Emathlochee, a reservation, commencing on the Apalachicola, at a point to include Yellow Hair's improvements; thence, up said river, for four miles; thence, west, one mile; thence, southerly, to a point one mile west of the beginning; and thence, east, to the beginning point. For Econ-

chatimico, a reservation, commencing on the Chatahoochie, one mile below Econchatimico's house; thence, up said river, for four miles; thence, one mile, west; thence, southerly, to a point one mile west of the beginning; thence, east, to the beginning point. The United States promise to guaranty the peaceable possession of the said reservations, as defined, to the aforesaid chiefs and their descendents *only*, so long as they shall continue to occupy, improve, or cultivate, the same; but in the event of the abandonment of all, or either of the reservations, by the chief or chiefs, to whom they have been allotted, the reservation, or reservations, so abandoned, shall revert to the United States, as included in the cession made in the first article of this treaty. It is further understood, that the names of the individuals remaining on the reservations aforesaid, shall be furnished, by the chiefs in whose favor the reservations have been made, to the Superintendent or agent of Indian Affairs, in the territory of Florida; and that no other individuals shall be received or permitted to remain within said reservations, without the previous consent of the Superintendent or Agent aforesaid; And, as the aforesaid Chiefs are authorized to select the individuals remaining with them, so they shall each be separately held responsible for the peaceable conduct of their towns, or the individuals residing on the reservations allotted them. It is further understood, between the parties, that this agreement is not intended to prohibit the voluntary removal, at any future period, of all or either of the aforesaid Chiefs and their connections, to the district of country south, allotted to the Florida Indians, by the second article of this Treaty, whenever either, or all may think proper to make such an election; the United States reserving the right of ordering, for any outrage or misconduct, the aforesaid Chiefs, or either of them, with their connections, within the district of country south, aforesaid. It is further stipulated, by the United States, that, of the six thousand dollars, appropriated for implements of husbandry, stock, &c. in the third article of this Treaty, eight hundred dollars shall be distributed, in the same manner, among the aforesaid chiefs and their towns; and it is understood, that, of the annual sum of five thousand dollars, to be distributed by the President of the United States, they will receive their proportion. It is further stipulated, that, of the four thousand five hundred dollars, and two thousand dollars, provided for by the 5th article of this Treaty, for the payment for improvements and transportation, five hundred dollars shall be awarded to Neo Mathla, as a compensation for the improvements abandoned by him, as well as to meet the expenses he will unavoidably be exposed to, by his own removal, and that of his connections.

In testimony whereof, the commissioners, William P. Duval, James Gadsden, and Bernard Segui, and the undersigned chiefs and warriors, have hereunto subscribed their names and affixed their seals. Done at camp, on Moultrie creek, in the territory of Florida, this eighteenth day of September, one thousand eight hundred and twenty-three, and of the independence of the United States the forty-eighth.

Wm. P. Duval, his x mark,	[L. S.]
James Gadsden,	[L. S.]
Bernard Segui,	[L. S.]
Nea Mathla, his x mark,	[L. S.]
John Blunt, his x mark,	[L. S.]
Tuski Hajo, his x mark,	[L. S.]
Mulatto King, his x mark,	[L. S.]
Emathlochee, his x mark,	[L. S.]
Econchatimico, his x mark,	[L. S.]

Signed, sealed, delivered, in presence of-

George Murray, secretary to the commission
Ja. W. Ripley,
G. Humphreys, Indian agent,
Stephen Richards, interpreter.

The following statement shows the number of men retained by the Chiefs, who have reservations made them, at their respective villages:

	Number of Men.
Blount	43
Cochran	45
Mulatto King	30
Emathlochee	28
Econchatimico	38
Neo Mathia	30
Total	214

Treaty with the Seminole. 7 Stat. 368-369. United States Statutes at Large 7:368-369, 1832.

May 9, 1832.

7 Stat., 368.
Proclamation, April 12, 1834.

TREATY WITH THE SEMINOLE, 1832.

The Seminole Indians, regarding with just respect, the solicitude manifested by the President of the United States for the improvement of their condition, by recommending a removal to a country more suitable to their habits and wants than the one they at present occupy in the Territory of Florida, are willing that their confidential chiefs, Jumper, Fuck-a-lus-ti-had-jo, Charley Emartla, Coi-had-jo, Holati-Emartla, Ya-hadjo, Sam Jones, accompanied by their agent Major Phagan, and their faithful interpreter Abraham, should be sent at the expense of the United States as early as convenient to examine the country assigned to the Creeks west of the Mississippi river, and should they be satisfied with the character of that country, and of the favorable disposition of the Creeks to reunite with the Seminoles as one people; the articles of the compact and agreement, herein stipulated at Payne's landing on the Ocklewaha river, this ninth day of May, one thousand eight hundred and thirty-two, between James Gadsden, for and in behalf of the Government of the United States, and the undersigned chiefs and head-men for and in behalf of the Seminole Indians, shall be binding on the respective parties.

Cession to the United States of lands in Florida, etc.

ARTICLE I. The Seminole Indians relinquish to the United States, all claim to the lands they at present occupy in the Territory of Florida, and agree to emigrate to the country assigned to the Creeks, west of the Mississippi river; it being understood that an additional extent of territory, proportioned to their numbers, will be added to the Creek country, and that the Seminoles will be received as a constituent part of the Creek nation, and be re-admitted to all the privileges as members of the same.

$15,400 to be paid by United States.

ARTICLE II. For and in consideration of the relinquishment of claim in the first article of this agreement, and in full compensation for all the improvements, which may have been made on the lands thereby ceded; the United States stipulate to pay to the Seminole Indians, fifteen thousand, four hundred (15,400) dollars, to be divided among the chiefs and warriors of the several towns, in a ratio proportioned to their population, the respective proportions of each to be paid on their arrival in the country they consent to remove to; it being understood that their faithful interpreters Abraham and Cudjo shall receive two hundred dollars each of the above sum, in full remuneration for the improvements to be abandoned on the lands now cultivated by them.

Blankets, etc., to be supplied.

ARTICLE III. The United States agree to distribute as they arrive at their new homes in the Creek Territory, west of the Mississippi river, a blanket and a homespun frock, to each of the warriors, women and children of the Seminole tribe of Indians.

Blacksmith.

ARTICLE IV. The United States agree to extend the annuity for the support of a blacksmith, provided for in the sixth article of the treaty at Camp Moultrie for ten (10) years beyond the period therein stipulated, and in addition to the other annuities secured under that treaty: the United States agree to pay the sum of three thousand (3,000) dollars a year for fifteen (15) years, commencing after the removal of the whole tribe; these sums to be added to the Creek annuities, and the whole amount to be so divided, that the chiefs and warriors of the Seminole Indians may receive their equitable proportion of the same as members of the Creek confederation—

Annuity.

Cattle to be valued.

ARTICLE V. The United States will take the cattle belonging to the Seminoles at the valuation of some discreet person to be appointed by the President, and the same shall be paid for in money to the respective owners, after their arrival at their new homes; or other cattle such as may be desired will be furnished them, notice being given through their agent of their wishes upon this subject, before their removal, that time may be afforded to supply the demand.

ARTICLE VI. The Seminoles being anxious to be relieved from repeated vexatious demands for slaves and other property, alleged to have been stolen and destroyed by them, so that they may remove unembarrassed to their new homes; the United States stipulate to have the same property investigated, and to liquidate such as may be satisfactorily established, provided the amount does not exceed seven thousand (7,000) dollars.— Demands for slaves to be settled.

ARTICLE VII. The Seminole Indians will remove within three (3) years after the ratification of this agreement, and the expenses of their removal shall be defrayed by the United States, and such subsistence shall also be furnished them for a term not exceeding twelve (12) months, after their arrival at their new residence; as in the opinion of the President, their numbers and circumstances may require, the emigration to commence as early as practicable in the year eighteen hundred and thirty-three (1833), and with those Indians at present occupying the Big Swamp, and other parts of the country beyond the limits as defined in the second article of the treaty concluded at Camp Moultrie creek, so that the whole of that proportion of the Seminoles may be removed within the year aforesaid, and the remainder of the tribe, in about equal proportions, during the subsequent years of eighteen hundred and thirty-four and five, (1834 and 1835.)— Indians to remove within three years.

In testimony whereof, the commissioner, James Gadsden, and the undersigned chiefs and head men of the Seminole Indians, have hereunto subscribed their names and affixed their seals. Done at camp at Payne's landing, on the Ocklawaha river in the territory of Florida, on this ninth day of May, one thousand eight hundred and thirty-two, and of the independence of the United States of America the fifty-sixth.

James Gadsden, [L. S.]
Holati Emartla, his x mark, [L. S.]
Jumper, his x mark, [L. S.]
Fuch-ta-lus-ta-Hadjo, his x mark, [L. S.]
Charley Emartla, his x mark, [L. S.]
Coa Hadjo, his x mark, [L. S.]
Ar-pi-uck-i, or Sam Jones, his x mark, [L. S.]
Ya-ha Hadjo, his x mark, [L. S.]
Mico-Noha, his x mark, [L. S.]
Tokose-Emartla, or Jno. Hicks, his x mark, [L. S.]
Cat-sha-Tusta-nuck-i, his x mark, [L. S.]
Hola-at-a-Mico, his x mark, [L. S.]
Hitch-it-i-Mico, his x mark, [L. S.]
E-ne-hah, his x mark, [L. S.]
Ya-ha-emartla Chup-ko, his x mark, [L. S.]
Moke-his-she-lar-ni, his x mark, [L. S.]

Witnesses:

Douglas Vass, Secretary to Commissioner,
John Phagan, Agent,
Stephen Richards, Interpreter,
Abraham, Interpreter, his x mark,
Cudjo, Interpreter, his x mark,
Erastus Rogers,
B. Joscan.

An Act to enable the State of Arkansas and other States to reclaim the "Swamp Lands" within their limits. 9 Stat. 518-519. United States Statutes at Large 9:518-519, 1850.

CHAP. LXXXIV.—*An Act to enable the State of Arkansas and other States to reclaim the "Swamp Lands" within their limits.*

Sept. 28, 1850.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the State of Arkansas to construc. the necessary levees and drains to reclaim the swamp and overflo/ed lands therein, the whole of those swamp and overflowed lands, made unfit thereby for cultivation, which shall remain unsold at the passage of this act, shall be, and the same are hereby, granted to said State.

Swamp and overflowed lands unfit for cultivation granted to Arkansas.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Interior, as soon as may be practicable after the passage of this act, to make out an accurate list and plats of the lands described as aforesaid, and transmit the same to the governor of the State of Arkansas, and, at the request of said governor, cause a patent to be issued to the State therefor; and on that patent, the fee simple to said lands shall vest in the said State of Arkansas, subject to the disposal of the legislature thereof: *Provided, however*, That the proceeds of said lands, whether from sale or by direct appropriation in kind, shall be applied, exclusively, as far as necessary, to the purpose of reclaiming said lands by means of the levees and drains aforesaid.

Secretary of the Interior to make out list and plats of said land, and when requested, to grant a patent vesting the same in the State of Arkansas.

Proviso.

SEC. 3. *And be it further enacted*, That in making out a list and plats of the land aforesaid, all legal subdivisions, the greater part of which is "wet and unfit for cultivation," shall be included in said list and plats; but when the greater part of a subdivision is not of that character, the whole of it shall be excluded therefrom.

When the greater part of a subdivision is unfit for cultivation, it shall be included in said plats; if the greater part be not of that character, it shall be excluded.

Provisions of this act extended to other States possessing such lands.

SEC. 4. *And be it further enacted*, That the provisions of this act be extended to, and their benefits be conferred upon, each of the other States of the Union in which such swamp and overflowed lands, known as designated as aforesaid, may be situated.

APPROVED, September 28, 1850.

An Act to establish the Big Cypress National Preserve in the State of Florida, and for other purposes. 88 Stat. 1258-1261; United States Statutes at Large 88:1258-1261, 1974.

Public Law 93-440
93rd Congress, H. R. 10088
October 11, 1974

An Act

To establish the Big Cypress National Preserve in the State of Florida, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to assure the preservation, conservation, and protection of the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress Watershed in the State of Florida and to provide for the enhancement and public enjoyment thereof, the Big Cypress National Preserve is hereby established.

Big Cypress National Preserve, Fla. Establishment. 16 USC 698f.

(b) The Big Cypress National Preserve (hereafter referred to as the "preserve") shall comprise the area generally depicted on the map entitled "Big Cypress National Preserve", dated November 1971 and numbered BC-91,001, which shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and shall be filed with appropriate offices of Collier, Monroe, and Dade Counties in the State of Florida. The Secretary of the Interior (hereafter referred to as the "Secretary") shall, as soon as practicable, publish a detailed description of the boundaries of the preserve in the Federal Register which shall include not more than five hundred and seventy thousand acres of land and water.

Map and description, filing.

Publication in Federal Register.

(c) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, any lands, waters, or interests therein which are located within the boundaries of the preserve: *Provided*, That any lands owned or acquired by the State of Florida, or any of its subdivisions, may be acquired by donation only: *Provided further*, That no Federal funds shall be appropriated until the Governor of Florida executes an agreement on behalf of the State which (i) provides for the transfer to the United States of all lands within the preserve previously owned or acquired by the State and (ii) provides for the donation to the United States of all lands acquired by the State within the preserve pursuant to the provision of "the Big Cypress Conservation Act of 1973" (Chapter 73-131 of the Florida Statutes) or provides for the donation to the United States of any remaining moneys appropriated pursuant to such Act for the purchase of lands within the preserve. No improved property, as defined by this Act, nor oil and gas rights, shall be acquired without the consent of the owner unless the Secretary, in his judgment, determines that such property is subject to, or threatened with, uses which are, or would be, detrimental to the purposes of the preserve. The Secretary may, if he determines that the acquisition of any other subsurface estate is not needed for the purposes of the preserve, exclude such interest in acquiring any lands within the preserve. Notwithstanding the provisions of section 301 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894, 1904) the Secretary (i) may evaluate any offer to sell land within the preserve by any landowner and may, in his discretion, accept any offer not in excess of $10,000 without an appraisal and (ii) may direct an appraisal to be made of any unimproved property within the preserve without notice to the owner or owners thereof. Notwithstanding any other provision of law, any federally owned lands within the preserve shall, with the concurrence of the head of the administering agency, be transferred to the administrative jurisdiction of the Secretary for the purposes of this Act, without transfer of funds.

Lands, waters, acquisition.

42 USC 4651.

16 USC 698g.

SEC. 2. (a) In recognition of the efforts of the State of Florida in the preservation of the area, through the enactment of chapter 73-131 of the Florida statutes, "The Big Cypress Conservation Act of 1973", the Secretary is directed to proceed as expeditiously as possible to acquire the lands and interests in lands necessary to achieve the purposes of this Act.

Land acquisition plan, committal to congressional committees.

(b) Within one year after the date of the enactment of this Act, the Secretary shall submit, in writing, to the Committee on Interior and Insular Affairs and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate:

(i) the lands and areas which he deems essential to the protection and public enjoyment of this preserve,

(ii) the lands which he has previously acquired by purchase, donation, exchange or transfer for administration for the purpose of this preserve, and

(iii) the annual acquisition program (including the level of funding) which he recommends for the ensuing five fiscal years.

Completion date.

(c) It is the express intent of the Congress that the Secretary should substantially complete the land acquisition program contemplated by this Act within six years after the date of its enactment.

Property owners, retention rights. 16 USC 698h.

SEC. 3. (a) The owner of an improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless this property is wholly or partially donated to the United States, the Secretary shall pay the owner the fair market value of the property on the date of acquisition less the fair market value, on that date, of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this Act, which shall include the exercise of such right in violation of any applicable State or local laws and ordinances, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

"Improved property."

(b) As used in this Act, the term "improved property" means:

(i) a detached, one family dwelling, construction of which was begun before November 23, 1971, which is used for noncommercial residential purposes, together with not to exceed three acres of land on which the dwelling is situated and such additional lands as the Secretary deems reasonably necessary for access thereto, such land being in the same ownership as the dwelling, and together with any structures accessory to the dwelling which are situated on such lands and

(ii) any other building, construction of which was begun before November 23, 1971, which was constructed and is used in accordance with all applicable State and local laws and ordinances, together with as much of the land on which the building is situated, such land being in the same ownership as the building, as the Secretary shall designate to be reasonably necessary for the continued enjoyment and use of the building in the same manner and to the same extent as existed in November 23, 1971, together with any structures accessory to the building which are situated on the lands so designated. In making such designation

the Secretary shall take into account the manner of use in which the building, accessory structures, and lands were customarily enjoyed prior to November 23, 1971.

(c) Whenever an owner of property elects to retain a right of use and occupancy as provided in this section, such owner shall be deemed to have waived any benefits or rights accruing under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of such sections such owner shall not be considered a displaced person as defined in section 101(6) of such Act.

Waiver.

42 USC 4623-4626.

42 USC 4601.

SEC. 4. (a) The area within the boundaries depicted on the map referred to in section 1 shall be known as the Big Cypress National Preserve. Such lands shall be administered by the Secretary as a unit of the National Park System in a manner which will assure their natural and ecological integrity in perpetuity in accordance with the provisions of this Act and with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented.

Administration.

16 USC 698i.

(b) In administering the preserve, the Secretary shall develop and publish in the Federal Register such rules and regulations as he deems necessary and appropriate to limit or control the use of Federal lands and waters with respect to:

Rules and regulations; publication in Federal Register.

(1) motorized vehicles,

(2) exploration for and extraction of oil, gas, and other minerals,

(3) grazing,

(4) draining or constructing of works or structures which alter the natural water courses,

(5) agriculture,

(6) hunting, fishing, and trapping,

(7) new construction of any kind, and

(8) such other uses as the Secretary determines must be limited or controlled in order to carry out the purposes of this Act: *Provided*, That the Secretary shall consult and cooperate with the Secretary of Transportation to assure that necessary transportation facilities shall be located within existing or reasonably expanded rights-of-way and constructed within the reserve in a manner consistent with the purposes of this Act.

Transportation facilities.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the preserve in accordance with the applicable laws of the United States and the State of Florida, except that he may designate zones where and periods when no hunting, fishing, trapping, or entry may be permitted for reasons of public safety, administration, floral and faunal protection and management, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting, fishing, or trapping shall be put into effect only after consultation with the appropriate State agency having jurisdiction over hunting, fishing, and trapping activities. Notwithstanding this section or any other provision of this Act, members of the Miccosukee Tribe of Indians of Florida and members of the Seminole Tribe of Florida shall be permitted, subject to reasonable regulations established by the Secretary, to continue their usual and customary use and occupancy of Federal or federally acquired lands and waters within the preserve, including hunting, fishing, and trapping on a subsistence basis and traditional tribal ceremonials.

Hunting and fishing.

16 USC 698j.

Miccosukee and Seminole Indian Tribes, land use, retention rights.

SEC. 6. Notwithstanding any other provision of law, before entering into any contract for the provision of revenue producing visitor services,

Visitor services, contracts.

16 USC 698k.

(i) the Secretary shall offer those members of the Miccosukee and Seminole Indian Tribes who, on January 1, 1972, were engaged in the provision of similar services, a right of first refusal to continue providing such services within the preserve subject to such terms and conditions as he may deem appropriate, and

(ii) before entering into any contract or agreement to provide new revenue-producing visitor services within the preserve, the Secretary shall offer to the Miccosukee Tribe of Indians of Florida and the Seminole Tribe of Florida the right of first refusal to provide such services, the right to be open for a period of ninety days. Should both Tribes respond with proposals that satisfy the terms and conditions established by the Secretary, the Secretary may allow the Tribes an additional period of ninety days in which to enter into an inter-Tribal cooperative agreement to provide such visitor services, but if neither tribe responds with proposals that satisfy the terms and conditions established by the Secretary, then the Secretary shall provide such visitor services in accordance with the Act of October 9, 1965 (79 Stat. 969, 16 U.S.C. 20). No such agreement may be assigned or otherwise transferred without the consent of the Secretary.

Preserve review, report to President. 16 USC 698l.

SEC. 7. Within five years from the date of the enactment of this Act, the Secretary shall review the area within the preserve and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the preserve for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

16 USC 1131 note.

Appropriation. 16 USC 698m.

Funds donated to U.S. by State of Florida, use.

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $116,000,000 for the acquisition of lands and interests in lands and not to exceed $900,000 for development. Any funds donated to the United States by the State of Florida pursuant to chapter 73-131 of the Florida statutes shall be used solely for the acquisition of lands and interests in land within the preserve.

Approved October 11, 1974.

LEGISLATIVE HISTORY:

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Sept. 24, House concurred in Senate amendments with amendments.
Oct. 1, Senate concurred in House amendments to Senate amendments.

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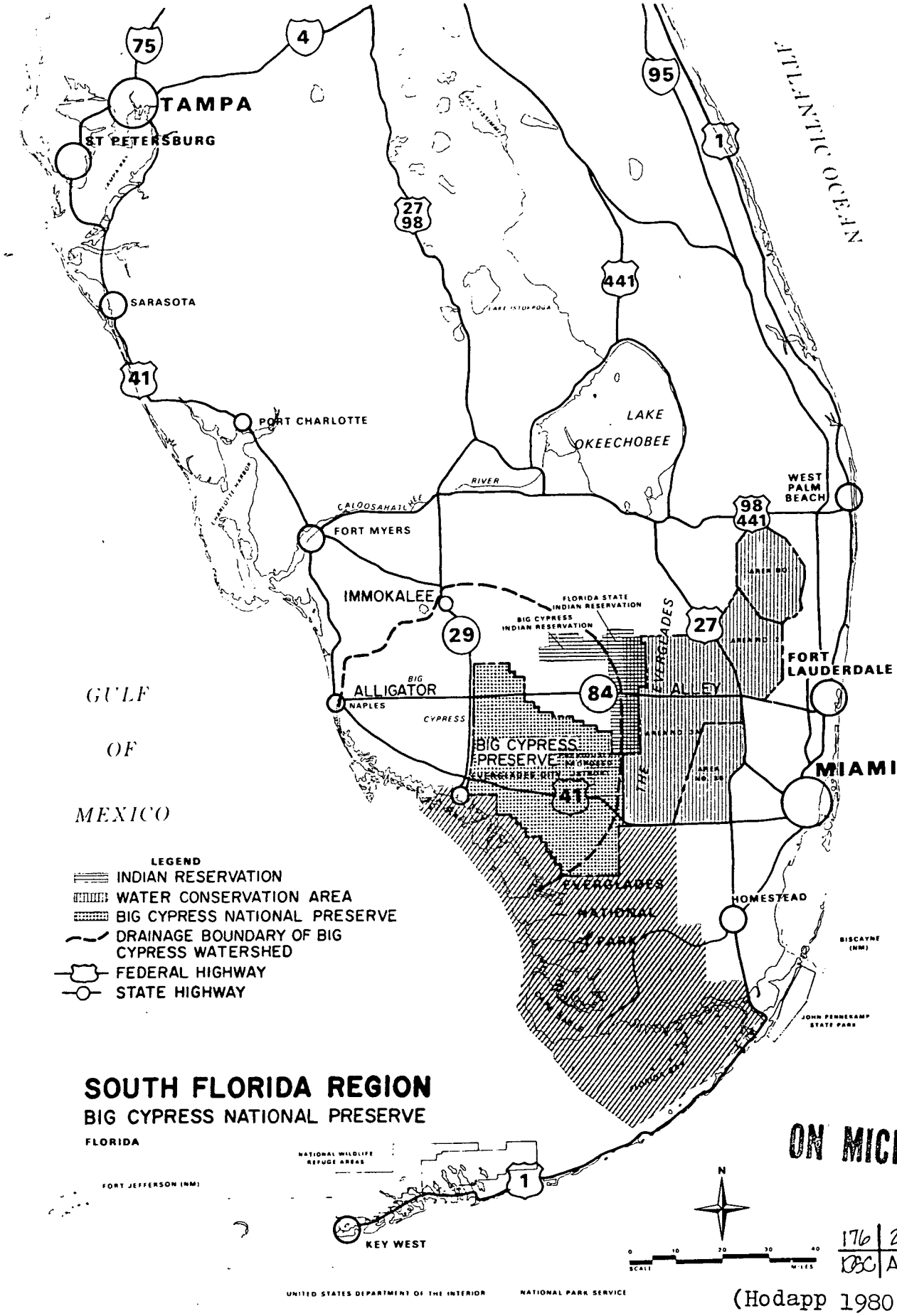
ILLUSTRATIONS AND MAPS

Illustration 1

Map of southern Florida.

Courtesy of the Southeast/Southwest Team, Denver Service Center, National Park Service.



SOUTH FLORIDA REGION

BIG CYPRESS NATIONAL PRESERVE

FLORIDA

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

ON MICROFILM

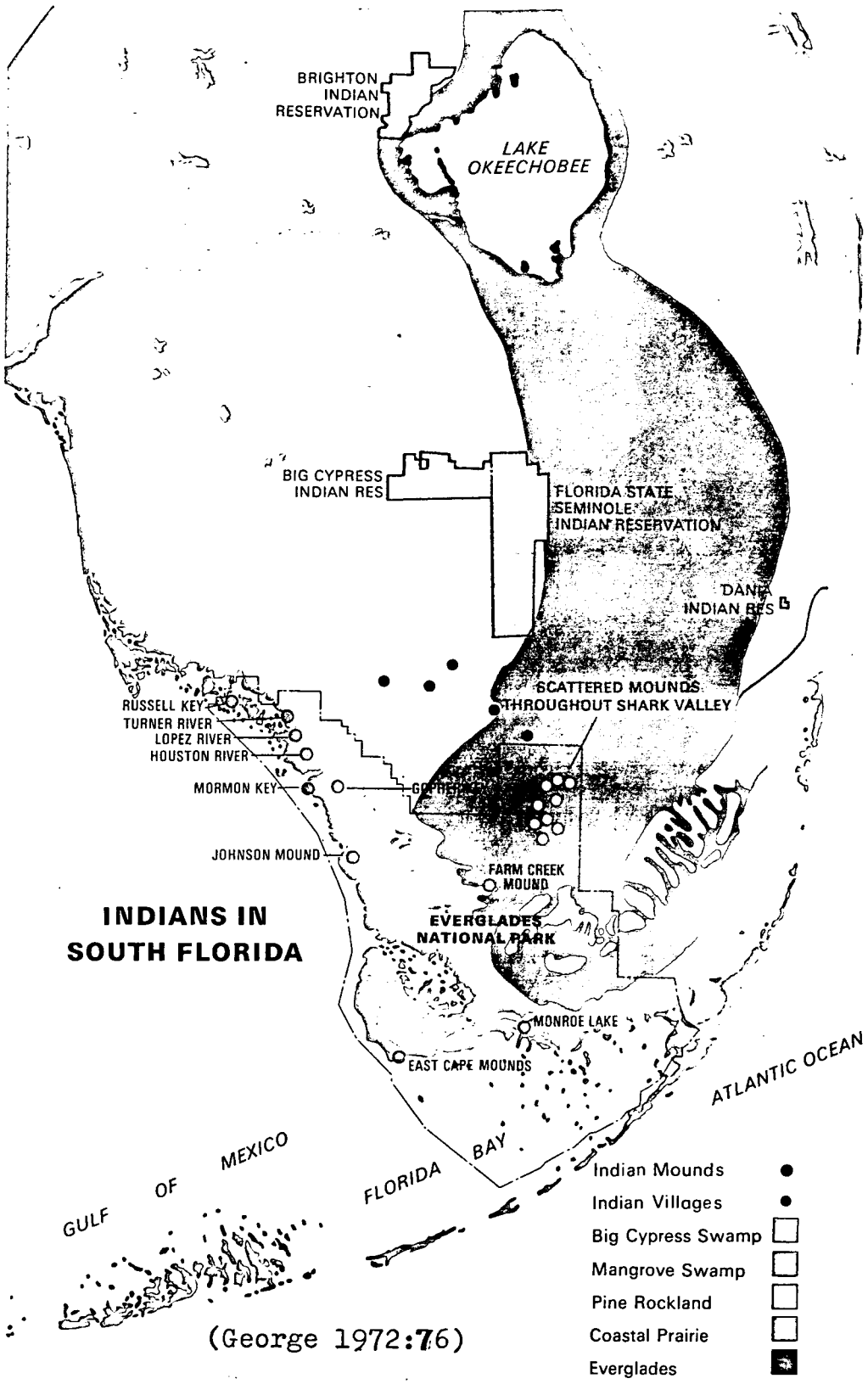
176 | 20,003
DSC | AUG 79

(Hodapp 1980:2)

Illustration 2

Map of Indian Reservations in Florida.

Courtesy of the Southeast/Southwest Team, Denver Service Center, National Park Service.



INDIANS IN SOUTH FLORIDA

(George 1972:76)

ON MICROFILM

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Illustration 3

The Big Cypress Swamp, Turner River area near the Tamiami Trail, Big Cypress National Preserve.

Photograph taken by Lawrence Van Horn, Denver Service Center, National Park Service.

Illustration 4

A cypress slough, Big Cypress National Preserve.

Photograph taken by Steve Hodapp. Courtesy of the Southeast/Southwest Team, Denver Service Center, National Park Service.

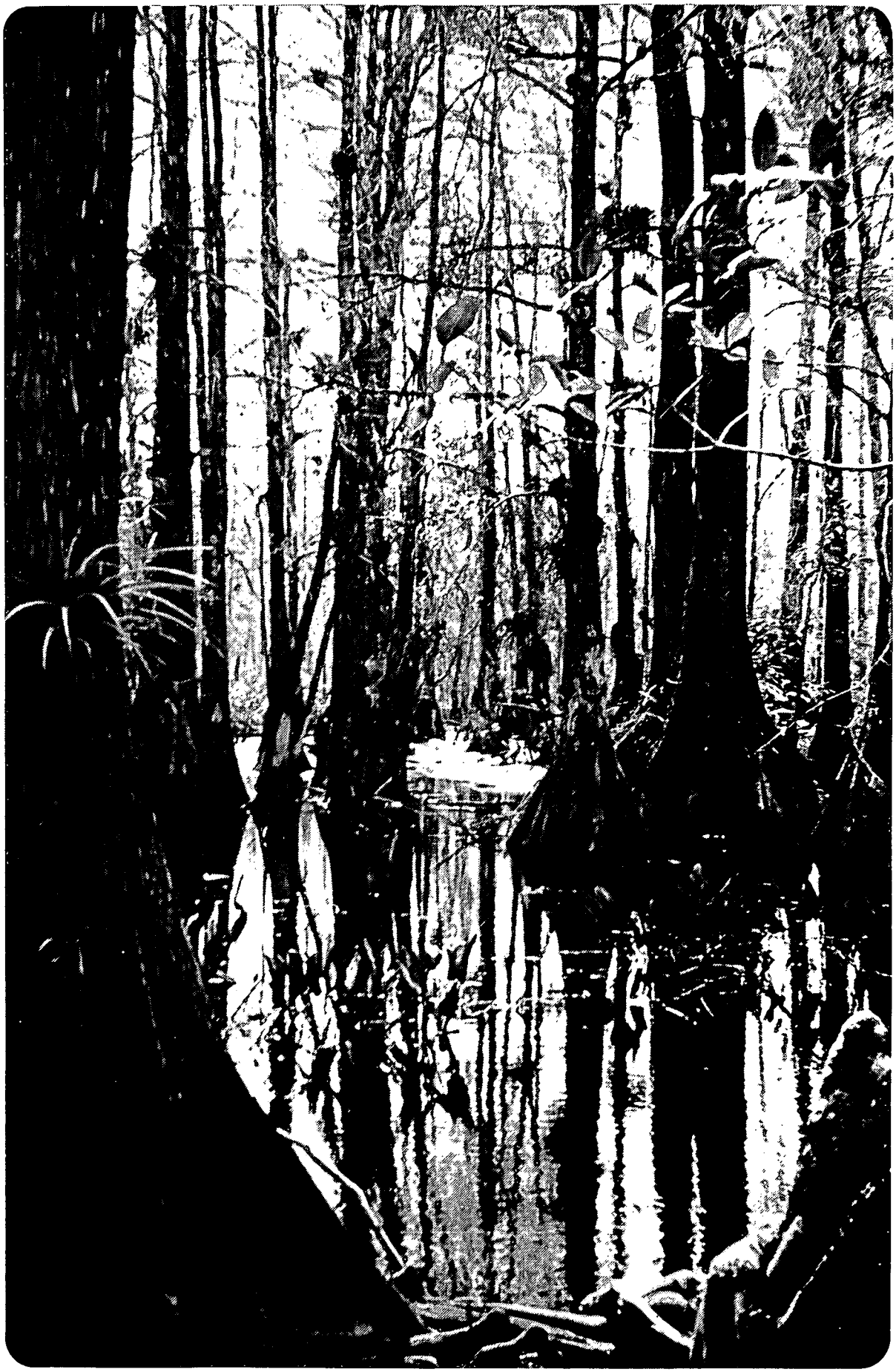


Illustration 5

Wet prairie, Big Cypress National Preserve.

Photograph taken by Steve Hodapp. Courtesy of the Southeast/Southwest Team, Denver Service Center, National Park Service.

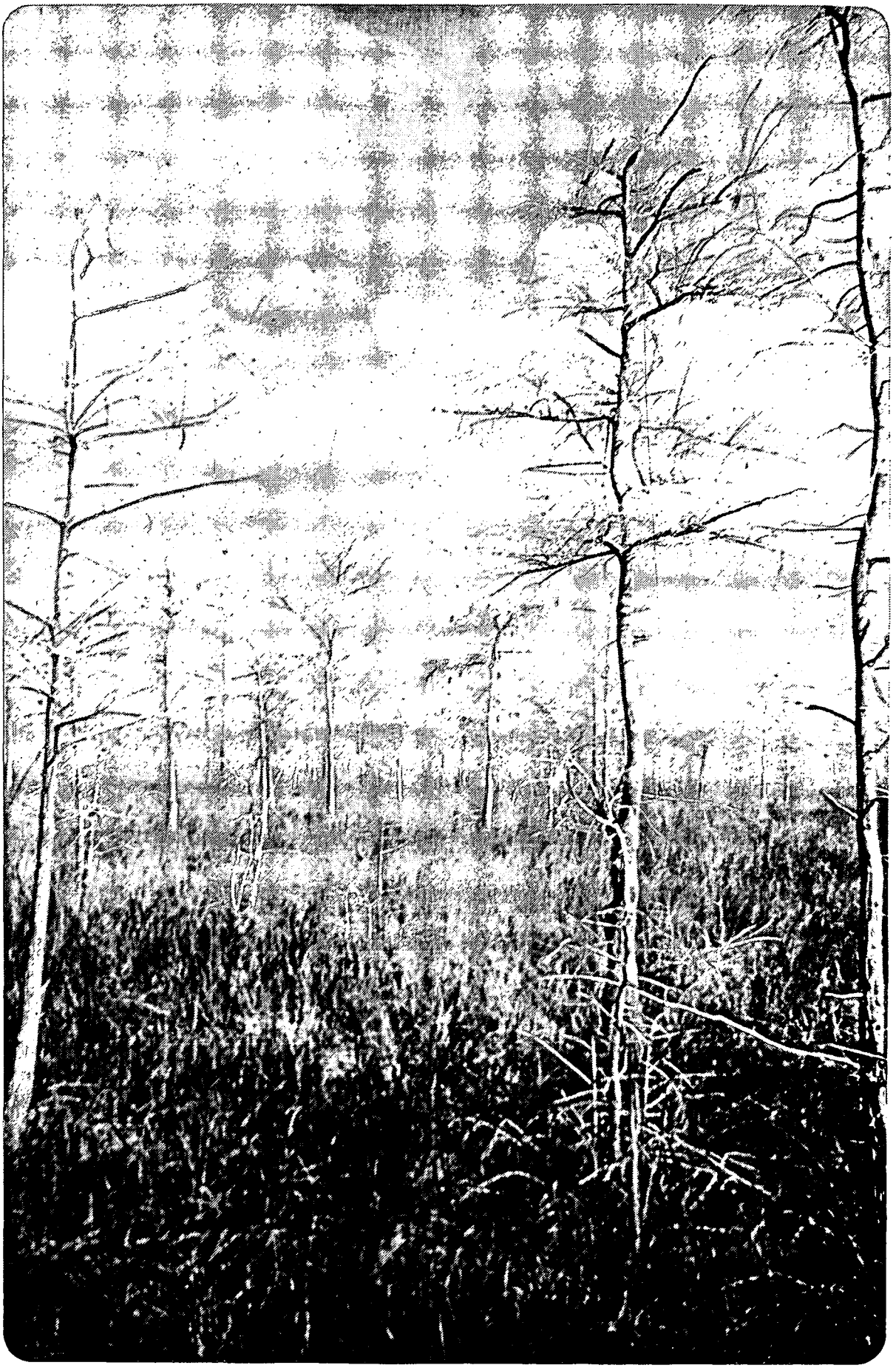


Illustration 6

Dwarf cypress forest, Big Cypress National Preserve.

Photograph taken by Steve Hodapp. Courtesy of the Southeast/Southwest Team, Denver Service Center, National Park Service.

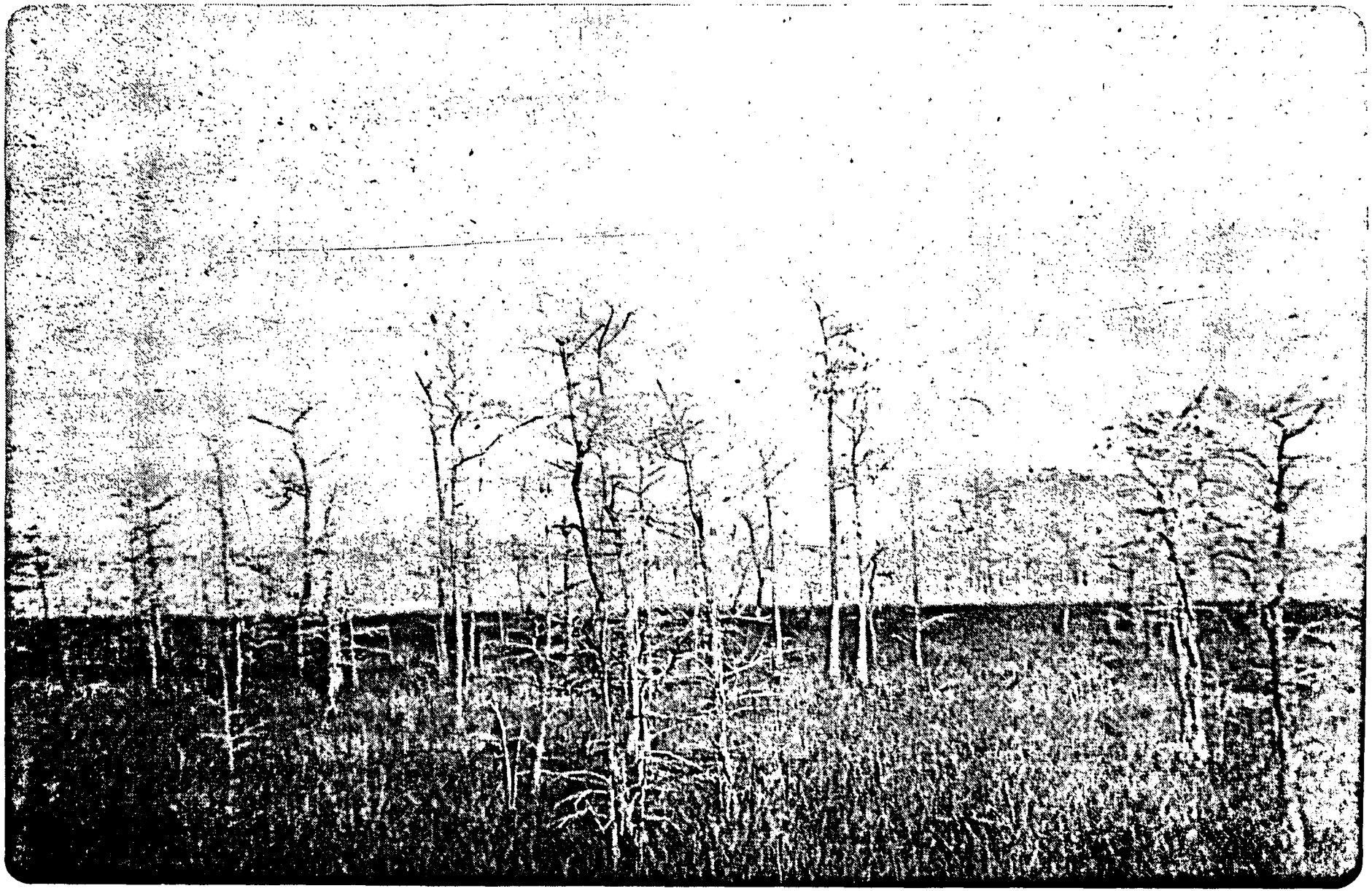


Illustration 7

Green Corn Dance Site, south of the Tamiami Trail, Big Cypress National Preserve.

Top: View of chickee structures, approaching on foot from the Tamiami Trail.

Bottom: Closer view of chickee structures, clustered by clan around open spaces.

Photographs taken by Lawrence Van Horn, Denver Service Center, National Park Service.

Illustration 8

Green Corn Dance Site, south of the Tamiami Trail, Big Cypress National Preserve.

Top: Sleeping chickee on the left; cooking chickee on the right.

Bottom: Inside the cooking chickee, above; note the logs for the fire arranged to mark the four cardinal directions.

Photographs taken by Lawrence Van Horn, Denver Service Center, National Park Service.

Illustration 9

Historical marker on the Tamiami Trail proclaiming the Seminole/Miccosukee "LEAVE-US-ALONE" philosophy.

Photograph taken by Lawrence Van Horn, Denver Service Center, National Park Service.

1936 SEMINOLE CONFERENCE
On February 22, 1936, this pine hammock was the site of a conference attended by about 275 Seminoles and several representatives of state and local governments. Florida's New Deal governor, David W. Sholtz (1933-37), had aided the state's economic recovery from the great depression. Accompanied by members of his cabinet and D. Graham Copeland of the Collier County Board of Commissioners, Sholtz journeyed into the Everglades to discuss with Seminole leaders what the government could do to assist the Indians in those trying times. A ceremonial welcome was followed by conversations in which Gotch Nagoffee (Josie Billie) and Tash Kee Henehe (Corey Osceola) spoke for the Seminoles. The Indians appreciated the offer of aid but, fearing removal from the Everglades, gave the Governor this reply: "Pohoan Checkish" - "Just leave us alone."

Illustration 10

Monroe Station on the Tamiami Trail, Big Cypress National Preserve.

Photograph taken by Steve Hodapp. Courtesy of the Southeast/Southwest Team, Denver Service Center, National Park Service.

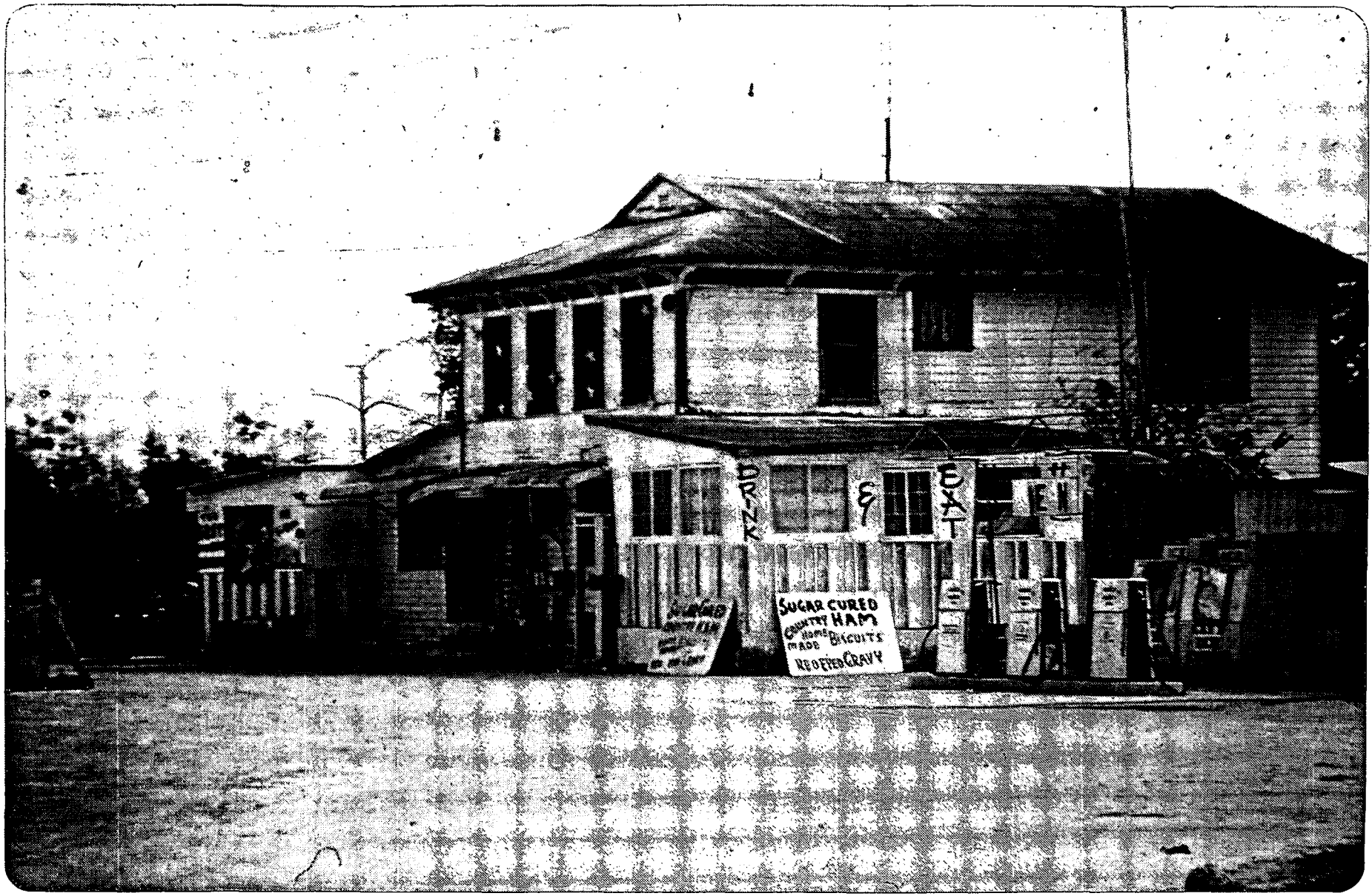

DRINK
EAT
SUGAR CURED
COUNTRY HAM
HOME MADE BISCUITS
REDEYED GRAVY

Illustration 11

William Osceola, Miccosukee gift shop owner and operator on the Tamiami Trail.

Photograph taken by Lawrence Van Horn, Denver Service Center, National Park Service.

Illustration 12

Cypress poles cut and stacked for chickee building, Miccosukee Tribal Headquarters, Tamiami Trail.

Photograph taken by Lawrence Van Horn, Denver Service Center, National Park Service.

Illustration 13

Miccosukee Tribal Chairman Buffalo Tiger, Tribal Headquarters, Tamiami Trail.

Photograph taken by Lawrence Van Horn, Denver Service Center, National Park Service.

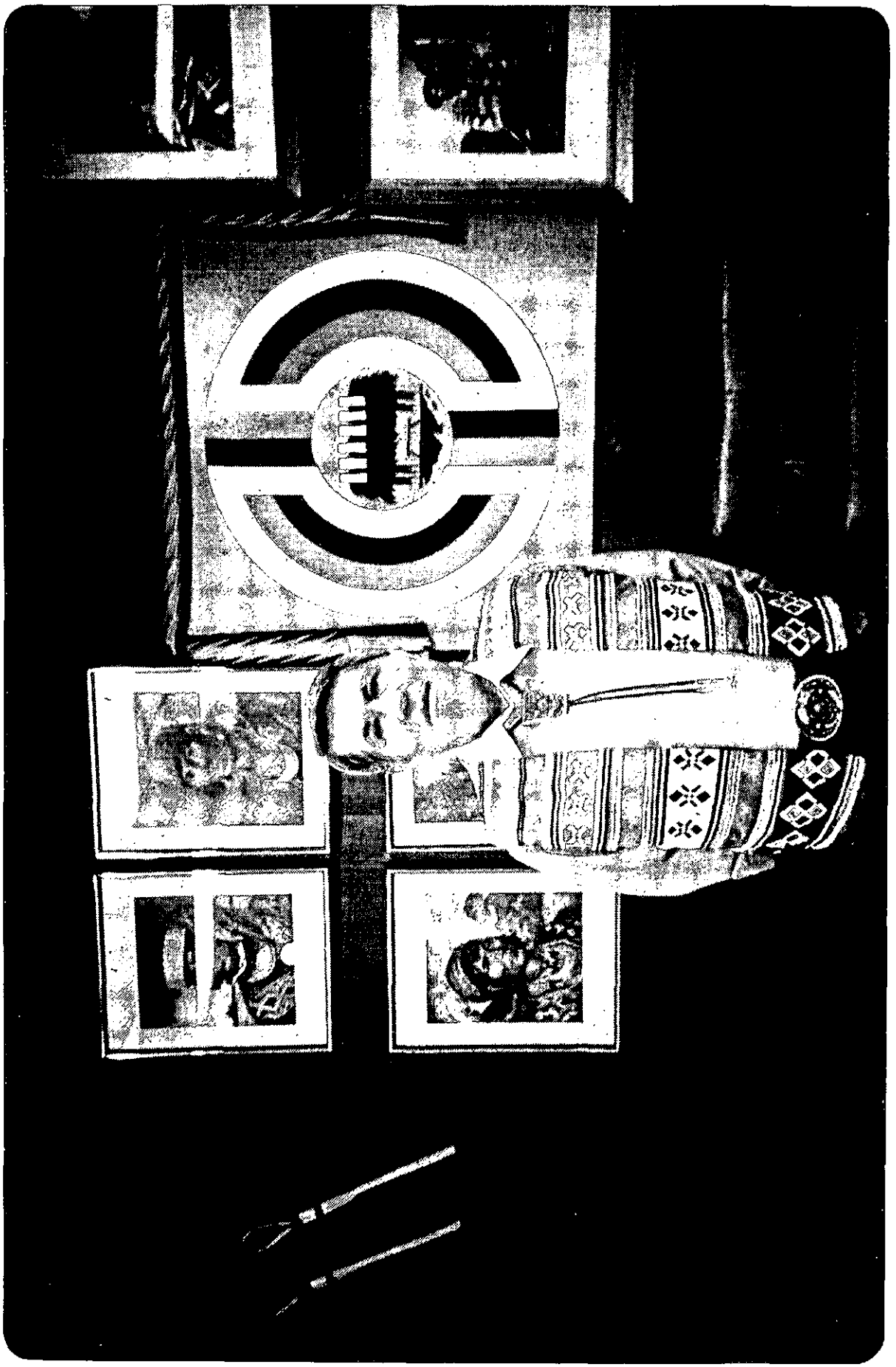
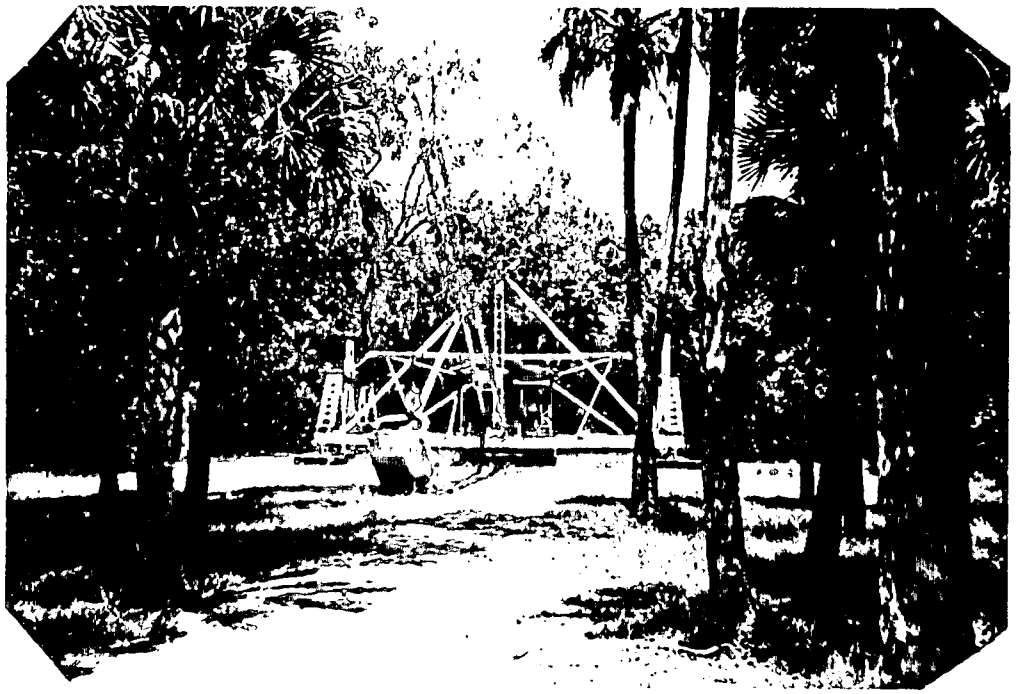


Illustration 14

Top: One of the Bay City Walking Dredges used in building the Tamiami Trail; now on display in Collier-Seminole State Park, western Tamiami Trail.

Bottom: The Everglades, eastern Tamiami Trail, Everglades National Park, not too far from Miccosukee Tribal Headquarters.

Photographs taken by Lawrence Van Horn, Denver Service Center, National Park Service.



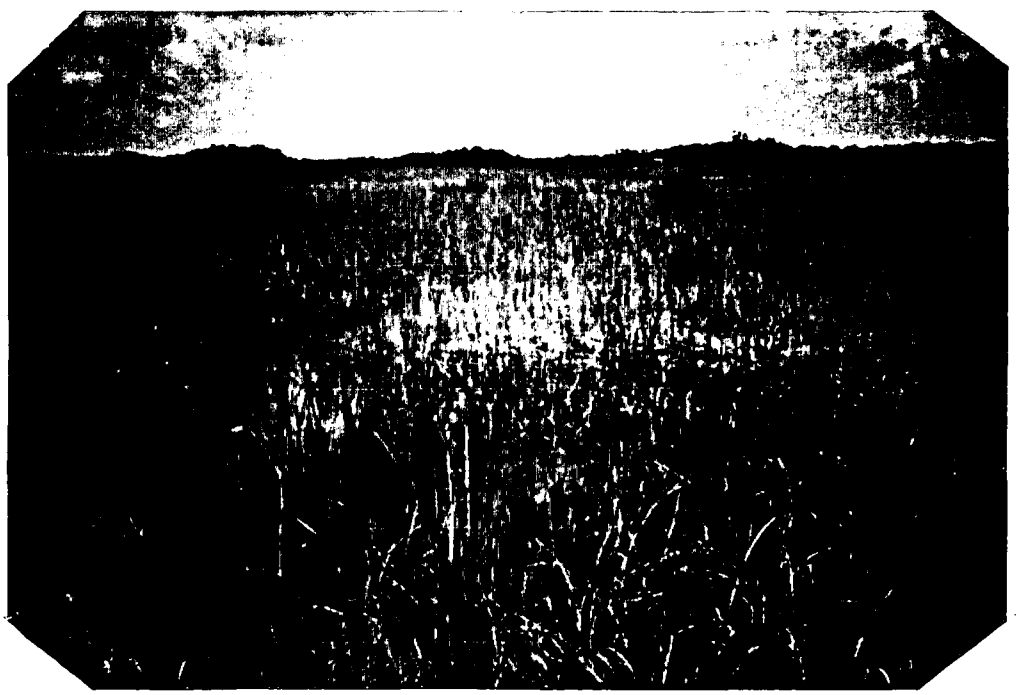
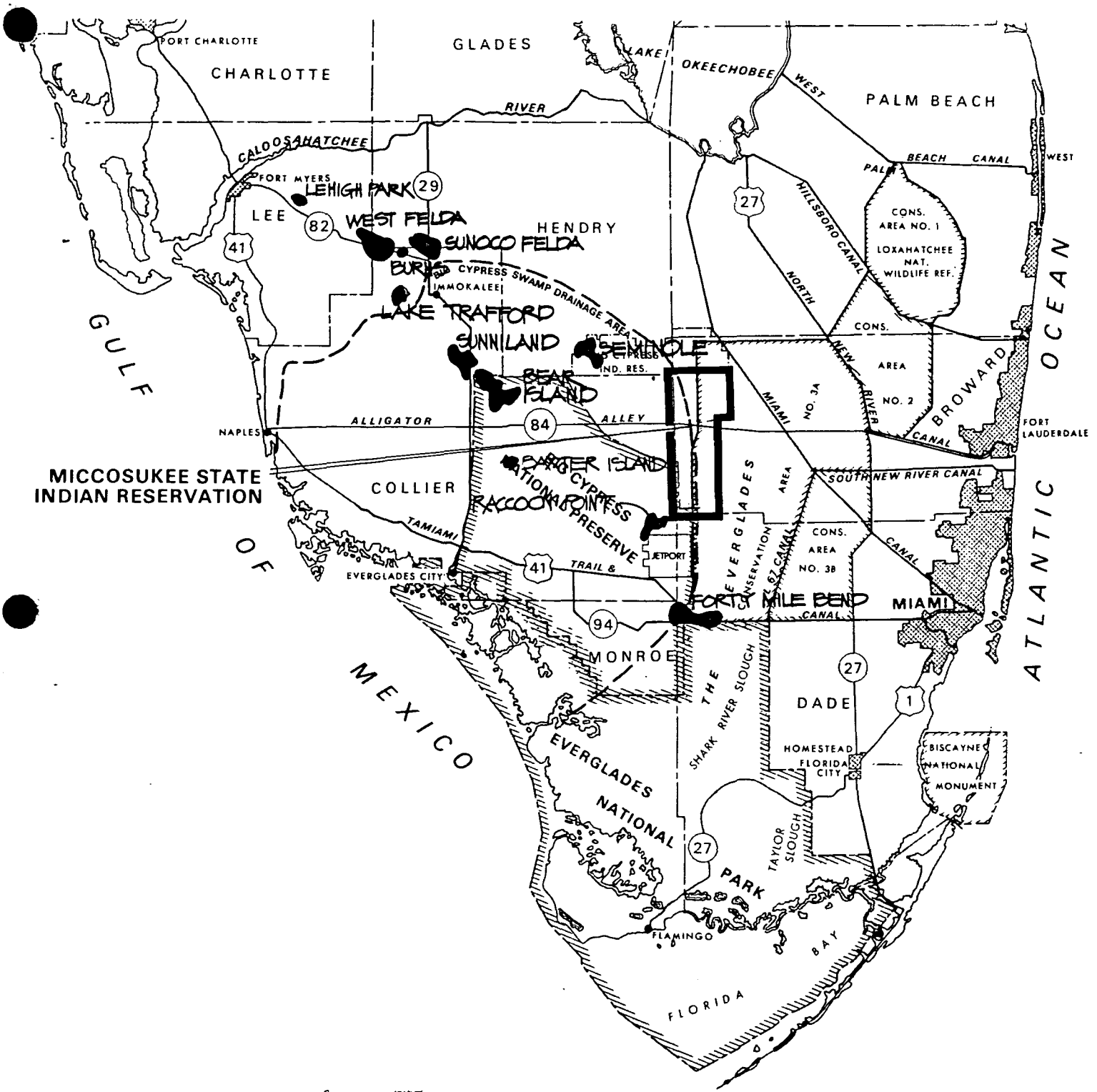


Illustration 15

Map of oil fields in and near Big Cypress National Preserve.

Courtesy of the Special Programs Branch, Professional Support Division, Denver Service Center, National Park Service.



OIL FIELDS

MICCOSUKEE STATE INDIAN RESERVATION/FLORIDA

(Waggoner 1981:15)

ON MICROFILM

Illustration 16

Chart of oil and gas production from the southern Florida fields, 1943-1980.

Courtesy of the Special Programs Branch, Professional Support Division, Denver Service Center, National Park Service.

OIL AND GAS PRODUCTION
SOUTHERN FLORIDA FIELDS, 1943-1980

Field	Year Discovered	Production Area (acres)	Daily Oil Production (STB)* (May 1976)	Total Oil Production (STB)	Remaining Recoverable Oil (STB) (Jan. 1978)	Total Gas Production (MDF)**	Remaining Recoverable Gas (MCF)
Sunniland	1943	2,400	1,332	17,446,599	2,503,154	1,732,498	264,384
Forty Mile Bend	1954	320	Abandoned 1956	32,888	0	1,656	0
Sunoco Felda	1964	4,500	1,588	9,868,000	3,356,838	803,458	180,542
West Felda	1964	6,400	8,527	30,945,000	25,694,982	2,049,360	1,950,640
Lake Trafford	1969	160	Shut in	193,000	29,623	0	0
Bear Island	1972	1,280	967	5,099,440	5,065,481	388,965	423,854
Seminole	1973	320	Abandoned April 1979	84,755	189,892	0	0
LeHigh Park	1974	320	536	2,836,000	658,901	80,307	64,133
Baxter Island	1977	186	Abandoned Jan. 1980	1,859	95,097	0	0
Burns	1977	186		20,728	149,621	574	8,454
Raccoon Point	1978***			6,000	***		***

Source: USDI, BIA 1977; Duever et al. 1979; and FBG 1980.

(Waggoner 1981:16)

* Standard barrel (42 U.S. gallons).
** Thousand cubic feet.
*** Oil and gas known to be present, but information on recoverable amounts is not yet available.

Illustration 17

Oil drilling pad, Big Cypress National Preserve.

Photograph taken by Steve Hodapp. Courtesy of the Southeast/Southwest Team, Denver Service Center, National Park Service.

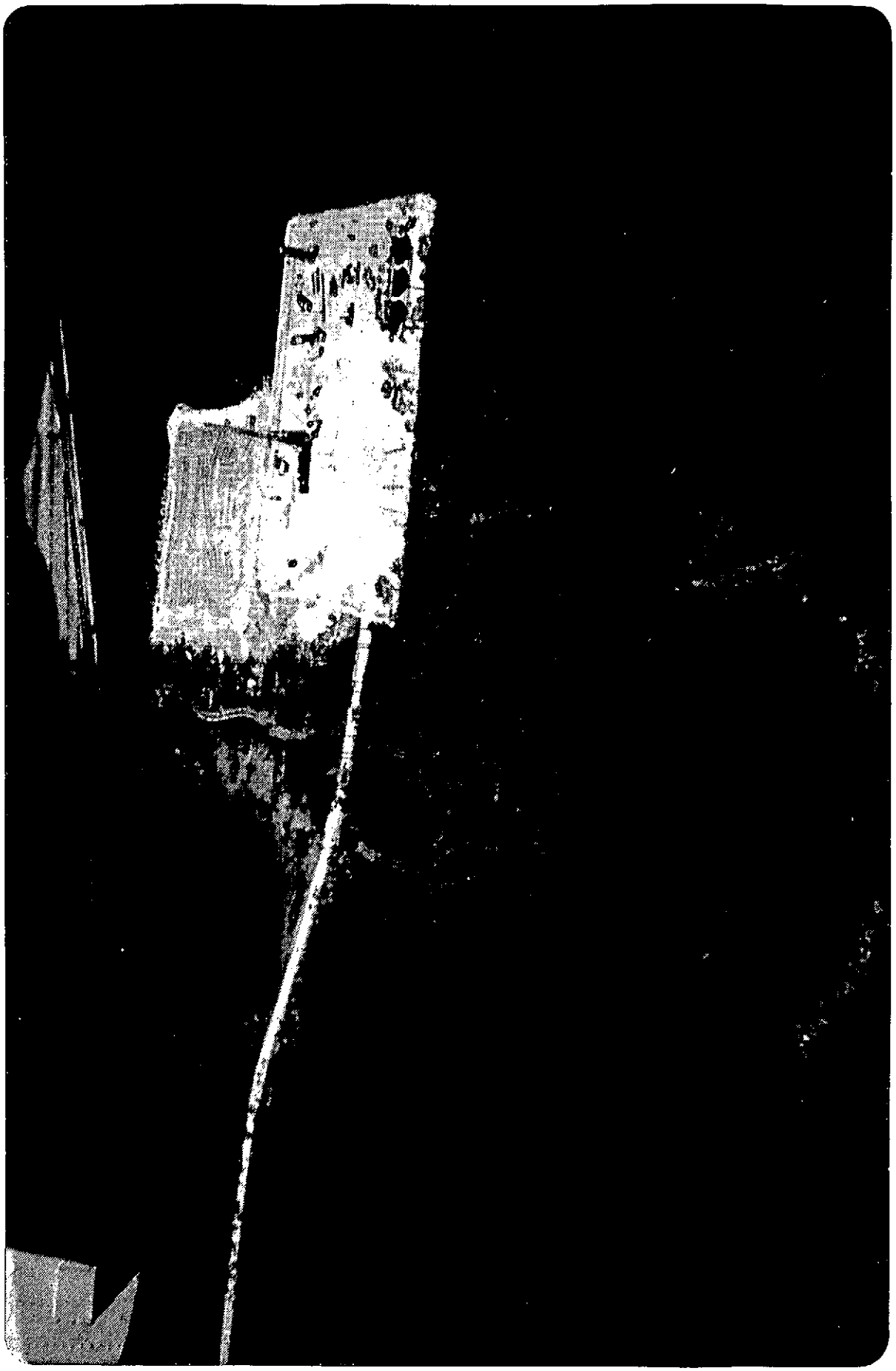
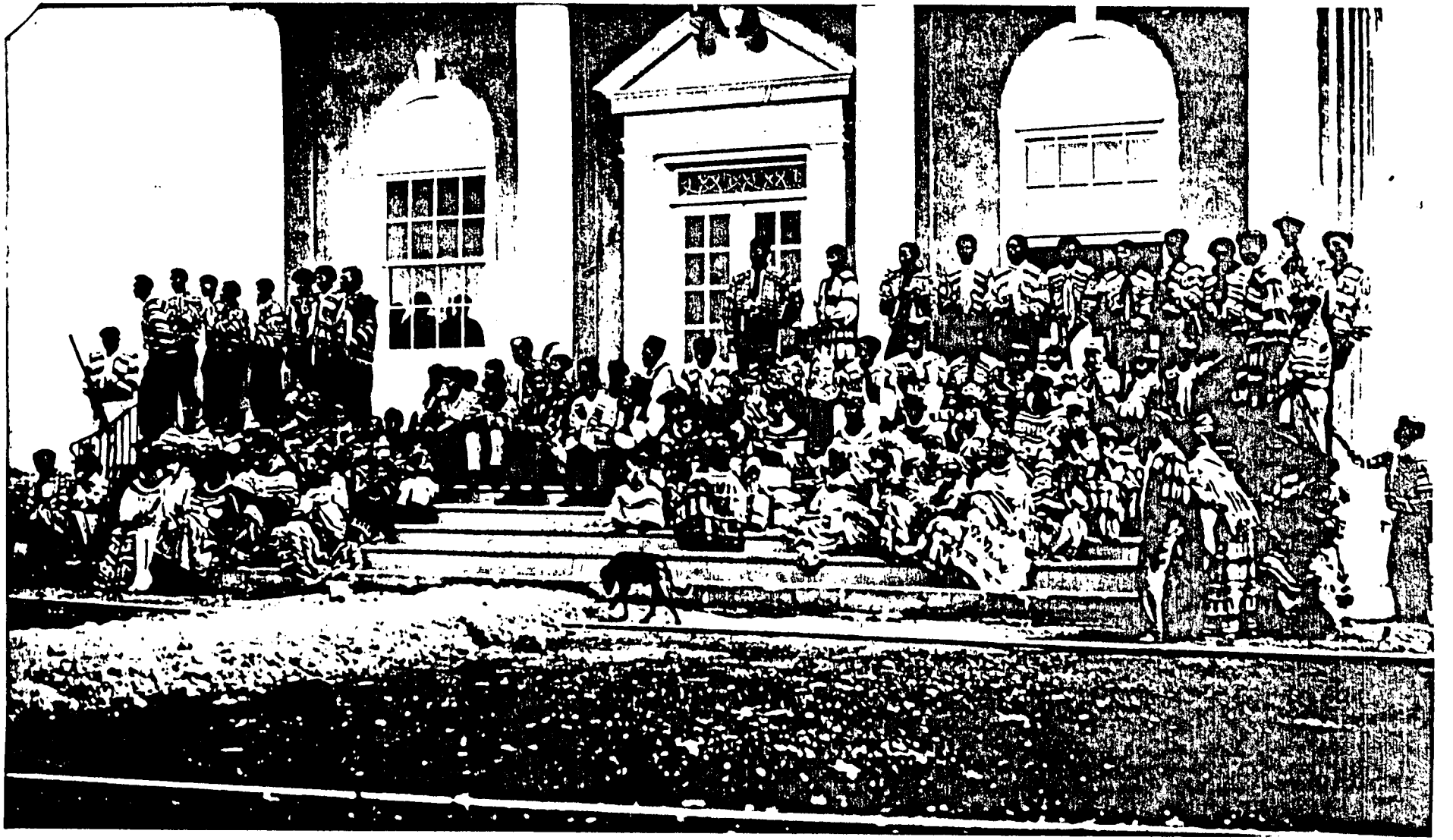


Illustration 18

Miccosukee Indians who participated in the opening of the Tamiami Trail, April 26, 1928, Collier County Courthouse, Everglades City, Florida.

Photographer unidentified. Courtesy of the Collier County Museum, East Naples, Florida.



As the nation's principal conservation agency, the Department of the Interior has basic responsibilities to protect and conserve our land and water, energy and minerals, fish and wildlife, parks and recreation areas, and to ensure the wise use of all these resources. The department also has major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration. NPS 1947