

USS SHARK

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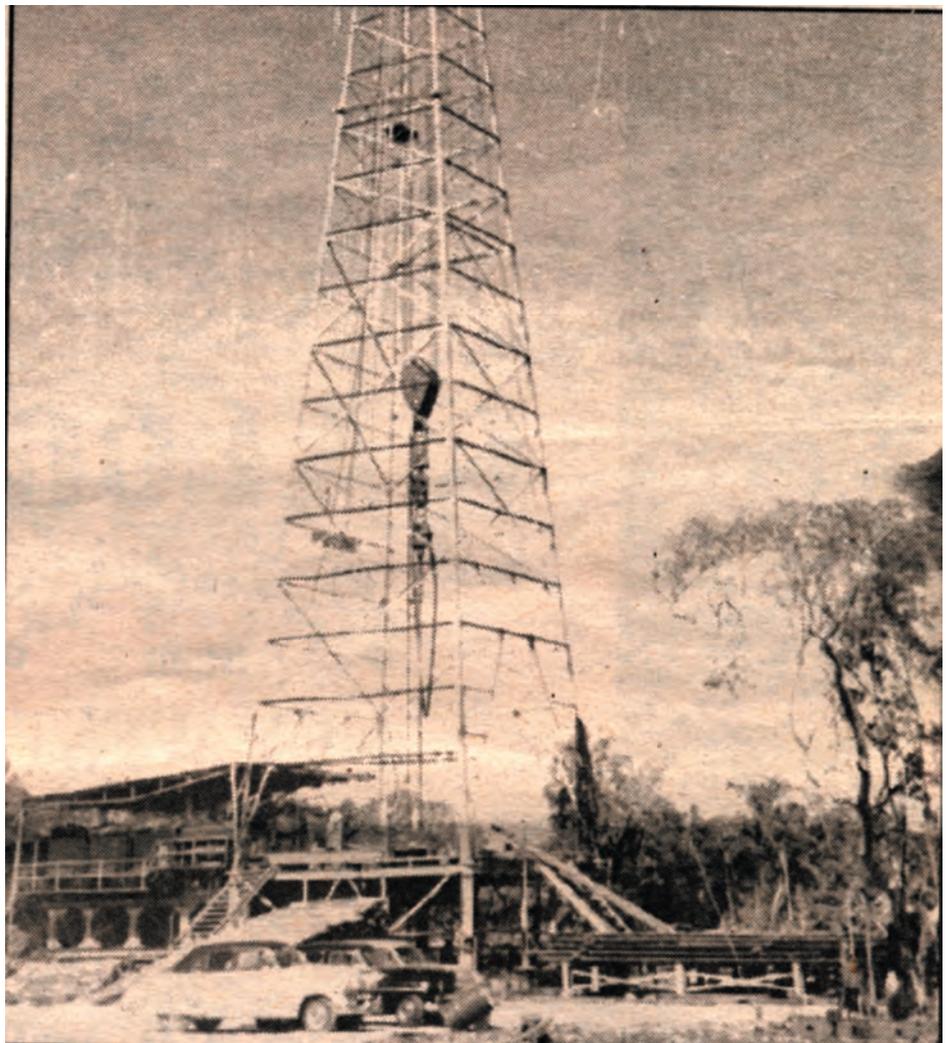
OFFICIAL QUARTERLY PUBLICATION OF THE KEY WEST MARITIME HISTORICAL SOCIETY

Oil and Gas Exploration in the Florida Keys

By J. Gregory Griffin
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In 1938 Thomas Kenny had a contract for bridge and road repair on Bahia Honda Key. In the process of blasting in preparation for leveling the road, a large piece of rock was thrown out of the ground, and the excavation was almost immediately filled with oil. He reported his findings to the Overseas Road and Toll Bridge District Commission on January eighth. An examination of the land was made and compared to the soil found in the oil producing areas in Texas and Louisiana. Extensive surveys, geologists, and seismic tests followed with great expectation. This was the first direct evidence of the possibility of petroleum in the Florida Keys. Subsequently, fourteen exploratory oil wells were drilled in the Keys beginning around the time oil was discovered at the Sunniland Field in 1943 in Collier County.

The Second World War ended in 1945 with the total victory of the Allies over the Axis powers of Germany and Japan. Oil, in all its forms, was an indispensable product to the Allied forces around the world. Refinement of oil yielded tarmac for runways, toluene (the chief component of



Big Pine Key oil well in 1959. Photo credit: Pat Parks.

TNT) for bombs, synthetic rubber for tires, gasoline (particularly at 100-octane levels) for trucks, tanks, jeeps, and airplanes, and lubricant oil for guns and machinery. The

War could not have been won without plentiful quantities of oil. With peace came the desire

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In Memory of Ed J. Little Jr.

By Tom Hambricht



Ed Little with the Department of Commerce Silver Medal Award for Meritorious Federal Service that he was awarded for his work with the Florida Keys fishing industry during the 2005 hurricane season. Photo credit: Tom Hambricht.

Key West Maritime Historical Society President Edward J. Little, Jr. died on August 5, 2011 after a long battle with cancer. He had been president of the Society since December 1992, when he was drafted by the Board of Directors. At the time Ed wrote, "By profession, I am a marine biologist (I know absolutely nothing about helping to run a non-profit historical society such as the KWMHS). Furthermore, I am a rather recent member of the Society and a comparative newcomer to the Keys (I moved here in 1976); hence, much of the historical and cultural heritage that our Society exists to preserve and promote is barely known to me. I've got a lot to learn." He was a good student and became the leader of the Society for the best 12 years in our history. His

death has left a large vacuum in the Society's leadership.

He was a career marine biologist and statistician at the National Marine Fisheries Service. He also worked as a cartographer for treasure salvor Mel Fisher.

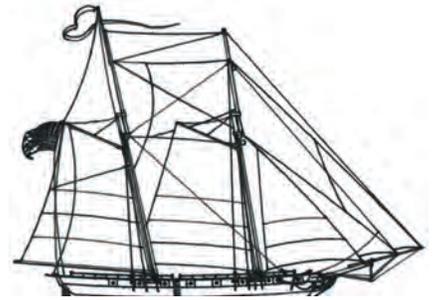
I first met Ed in the 1970s when he was doing the ground breaking study of Florida lobsters for the State. He next did a study of the life cycle of the bonefish in the Keys. He was an active member of the community and everyone knew him, but his real love was the sea and the people who worked on or near the sea. Most of all he loved to fish: when you saw Ed after work or on the weekend he was either going fishing or had just returned and was cooking his catch for dinner.

Ed's untimely death at the age of 65 was a great loss to us all.

New Members

Fayma Callahan, Key West; Marty Crisp, Ephrata, PA; DeWolfe and Wood, Antiquarians, Alfred, ME; Dr. Steven Edmonds, Key West; Diana Gulden, Minneapolis, MN; Jim Latte, Pinedale, WY;

Margert McClintock, Columbus, MS; Jeff Roberts, Plantation, FL; Dave Salay, Key West; James P. Vernon, Key West; Captain Ross M. Weinschenker, Fayetteville, NC; Phil & Donna Wheeler, Key West.



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Editor: Tom Hambricht

Letters and articles are welcome. Please write to: Editor, Florida Keys Sea Heritage Journal, KWMHS, P.O. Box 695, Key West, FL 33041.

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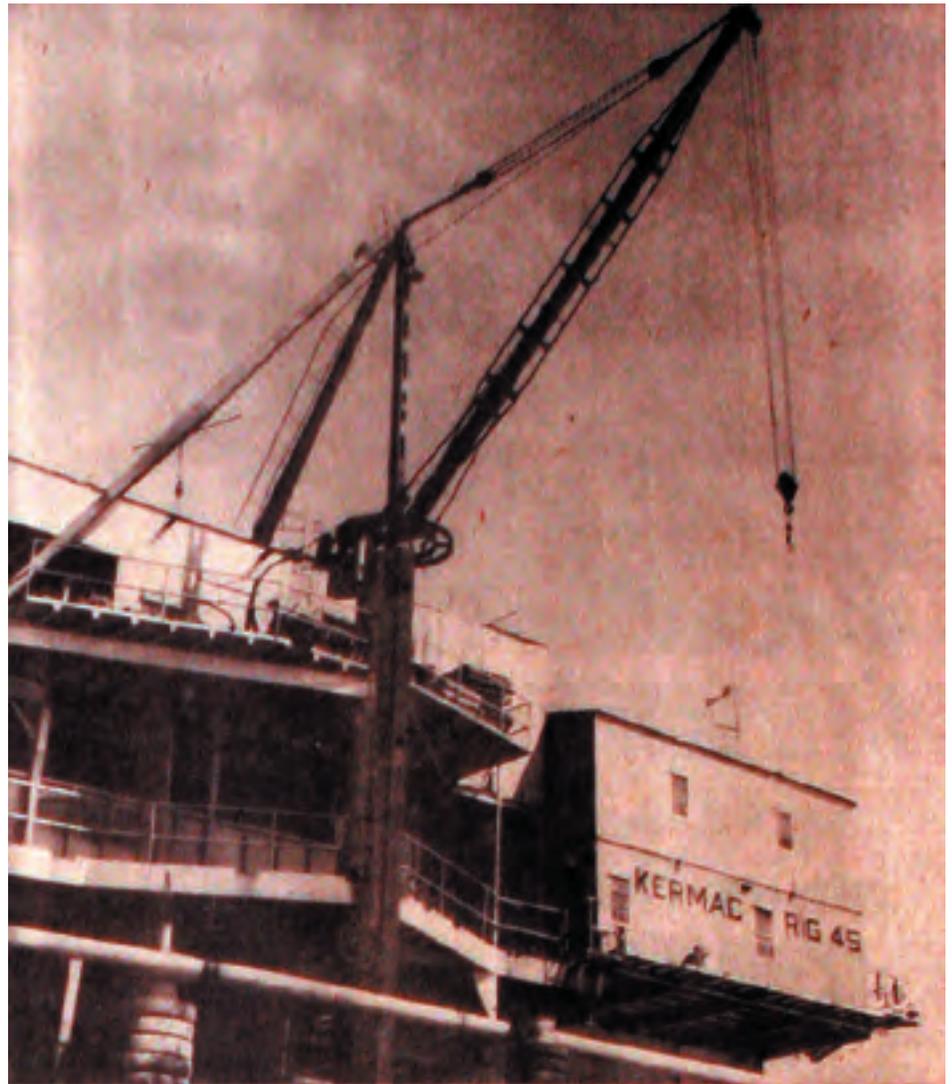
(Oil from page 1)

in the United States to rebuild war-torn Europe and to create an industrialized society according to the tenets of free-market capitalism as defined by Keynesian economic theory combined with democratic government. Oil would play a large part in the conversion from a military economy to a civilian system with the goal of financial prosperity for the citizens of this country. This golden era would be called the Post WW II economic boom and would last from 1950 to 1970.

Before the War ended, the State of Florida was anxious for investors to fund exploration for domestic oil, pay taxes, make lease payments, and bring industry and jobs to the people of the State. Texas and Louisiana, directly across the Gulf of Mexico from Florida, produced and refined millions of barrels of oil per year. It was thought by many geologists that the underground strata that yielded oil in those states were also present under the Keys. Lawmakers passed the Florida Oil Discovery Award Bill in June of 1941, guaranteeing \$50,000 to the first company to strike oil. To that end, companies initiated geological and geophysical surveys and investigations beginning in the 1940s. Humble Oil Company—now ExxonMobil—won the prize on September 26, 1943 when it struck oil in Sunniland No. 1, 12 miles south of Immokalee, near present day Big Cypress Preserve near Naples, Florida.

The 1940s

Political optimism abounded in the early 1940s for the discovery of petroleum in the Florida Keys. J. Tom Watson, Attorney General for the State of Florida, stated, in 1943 “I feel confident that within a



Kerr McGee Rig 45 at the Marquesas Keys. Photo credit: copied from The Key West Citizen of March 1, 1959 by Rob O’Neal.

year there will be producing wells on the Florida Keys.” Oil company representatives in Key West and Tallahassee reported geologists’ opinions that the strata under the Keys were the same as those under Texas and Mexico, where thousands of wells had been brought in. Other geologists declared that the strata, which ran along the Gulf Coast in Mexico and Texas, extended to the Florida Keys, and that probably the greatest oil wells in the world lie under the Gulf Stream where it runs through the Florida Strait.

Drilling for oil began in Barnes Sound off Key Largo in September of 1944. O. D. Robinson, of

Pittsburgh, Pa., made a request to the War Department for a permit to build a causeway as a base for a well. The causeway would be 725 feet long running to the site located at Turkey Point, about 3/8ths of a mile from the bridge. The driller would be the Republic Oil Company, controlled by the Benedum-Trees family of Pittsburgh. By March 5, 1946, the operators had found only asphalt, which is the residue of an oil deposit that had dried up. In spite of the disappointment, the company kept drilling past 10,000 feet.

Oil companies continued to

(Continued on page 4)

(Oil from page 3)

demonstrate great interest in the Florida Keys during 1945. They enjoyed much local political support. The Monroe County Commission, as well as a good many land owners, supported the granting of oil leases in hopes of producing gushers in the Keys. The Commissioners directed Julius Stone, County Attorney, to communicate with Senator James Franklin and Representative Bernard Papy, to enact legislation that would empower the Commissioners to sign oil leases.

Workmen for the Gulf Oil Company began drilling off Big Pine Key in Coupon Bight in October of 1945. (Gulf Oil was controlled by the Mellon family of Pittsburgh; it was later purchased and merged into Standard Oil Company of California, or SOCAL. Both brands were rebranded as Chevron.) W.S. Haywood and Murray L. Johnson stated that a small island had been built in the Bight, a derrick had been erected, and a drilling rig was being installed. To reach the Bight, Gulf Oil constructed a road 2 ½ miles long from the Overseas Highway. The contract with the Trustees of the Internal Revenue Fund of Florida states that Gulf Oil would drill a well at least 10,000 feet deep through the bay bottom. One oil man stated that a local song should be changed from "The shrimp boats are a comin'" to "The Wildcatters are a thumpin'."

In 1946 the local newspaper reported progress on such wells. W. S. Smith of Gulf Oil reported a well depth of 3,164 feet in Coupon Bight and added that the drillers struck dolomite which is as hard as flint. Only a foot or so is drilled through dolomite in several hours. In February Republic Oil, drilling the Barnes Sound well for Gulf Oil,

reported an "oil show" at 10,180 feet, but cautioned that no oil had been found. Drilling continued to a depth of 10,450 feet, but in March of 1946 operations ceased at the direction of the promoters. The official stated that the lime rock reached was not favorable for the discovery of oil.

In March 1946 a third well was drilled. This one was located on Sugarloaf Key. Lyle Cashion, Ltd. Group drilled the well for Gulf Oil. The County Commissioners passed a resolution allowing the drillers to explore for oil and to repair existing roads as well as the Perky and Gandolph bridges. Gulf Oil stated that it had leased considerable lands in Monroe County.

In December 1946 Gulf Oil's Coupon Bight well set a Florida record for the deepest oil drilling. The operators passed the 13,512-foot record depth set earlier at the Sunniland well near Sunnyside, reaching a depth of 13,540 feet. The deepest well in the world in 1946 was 16,600 feet, held by a well in West Texas. James A. Tierney, a geologist from Shreveport, La. said it was doubtful that the drilling would continue past the 14,000 foot mark because of the prohibitive cost. No oil deposits were struck, but some "oil stains" were revealed in material brought up by the drill. Geologists could view oil stains only under a microscope. Drilling continued 24 hours a day, with crews working twelve hour shifts under Robert Tickle, production foreman of Freeport, Texas. Anhydrite, an especially hard substance, appeared at the 8,000 foot level.

Gulf Oil began drilling in July 1949 on the bay side of Plantation Key near Tavernier Creek. The Parker Drilling Company was the operator, with Theodore Parker in charge. He announced that workers

would soon begin spudding the well.

The 1950s

The Sinclair Oil and Gas Company began drilling for oil near Key Largo in January of 1953. Sinclair had tens of thousands of bay bottom acres under lease from the Florida Internal Improvement Fund Board. Headquarters for the new oil exploration were to be in Homestead. A 150-foot oil derrick with test well equipment drilled for "black gold" near the northern tip of Key Largo on the Atlantic side. The driller was the Harry I. Morgan Company out of Shreveport, La. Oil men in charge were reticent about how deep they had drilled, and whether or not they had found oil. Superintendent W. F. Conley said, "Any information of that sort has to come from company headquarters in New York City." He added that when there is no oil production around in the location of the drilling, the well is called "Wildcat." This exploratory well is on a block of 171,500 acres. Sinclair controlled an undivided half interest in the total block; Commonwealth Oil Company controlled a half interest in 55,660 acres and a quarter interest with Coastal Petroleum Company in the remaining 55,660 acres. However, in September 1953, Sinclair and the Commonwealth Oil Co. discontinued their wildcat drilling operation in Key Largo after reaching 11,968 feet. This depth was termed the "Sunniland Zone" since oil was produced at that level in the Sunniland Field, Florida's only producing oil wells, situated in Collier County.

In January of 1959 a small fleet of drilling rigs was underway from Houston, Texas and New Orleans to drill offshore test wells for Gulf Oil in the vicinity of Key West.

The State would have received a one-eighth share of the royalties. Seismic tests had been conducted over the five months. Assurances had been given to the Board of Conservation that blasting would not damage scenic coral reefs. The California Company, a subsidiary of Standard Oil of California, had ordered huge barges into the area where blasting records indicated the presence of oil. The **Gadco Surveyor** and the **Krackle** had been ordered to Key West. The first was a surveying ship; the second was an instrument ship. W. W. Bingham was in charge of the operation for the Gulf Development Corp.

Fourteen miles northwest of Key West was a blinking beacon, 210 feet above the sea bed in the Gulf of Mexico. Kerr McGee Oil Industries, of Tulsa, Oklahoma, owned Rig 45, and was drilling for Gulf Oil. It was a self-sustaining community propped on steel stilts (a jackup rig) approximately 45 feet above the Gulf. It had staterooms and dormitories for 45 oil workers who worked in 12-hour shifts, a huge galley, a mess hall, a lounge, a machine shop, its own power and light plant, its own drilling tower, and derricks to lift pipe and supplies from the two work boats that daily linked this man-made island in the air to the headquarters ashore. Gulf Oil and the California Company were the lone bidders on the 26 tracts totaling 132,480 acres between the Marquesas Keys and the Dry Tortugas.

The California Company paid \$1,106,000 in August 1959 for a State lease block of 458,000 square acres for oil drilling on land and offshore waters, on and around Big Pine Key. The oil rig was to be mounted on land and was possibly visible from U.S. 1 on Big Pine Key as it turns toward Bahia Honda Bridge at the southwesterly corner of the island. The Doris Ballew Company of Natchez, Mississippi

<u>Permit</u>	<u>Operator</u>	<u>Date</u>	<u>Depth</u>	<u>Location</u>
W902	Republic	6/1/46	12051	Key Largo
16	Gulf	1/15/57	6100	Sugarloaf Key
22	Gulf	4/1/47	15455	Big Pine Key
108	Coastal	9/30/49	7559	Plantation Key
117	Coastal		6702	Key Largo
148	Sinclair	8/31/53	11968	Key Largo
232	Gulf	11/14/55	12631	
275	Gulf	8/21/59	15475	
280	California	10/30/59	6030	Big Pine Key
234	Gulf/Calif.	4/27/60	15294	Marquesas
290	Gulf/Calif.	3/15/61	4686	
292	California	2/21/61	7725	
296	Gulf/Calif.	9/15/61	7871	Marquesas
298	California	1/13/62	12852	

Oil wells drilled in the Florida Keys. Photo credit: the Author.

was to perform the drilling.

A few dry holes had not convinced oil companies that no oil and gas were to be found under the waters surrounding Key West. Gulf Oil had applied to the U.S. Army Corps of Engineers for a permit to construct marine drilling equipment in an area west of the Marquesas between latitude 24.50 and Longitude 82.55. The elevation of the rig was to be 220 feet above mean low water, and would be marked with a flashing red light.

By October of 1959, the well sunk by Kerr-McGee Rig 45, working for Gulf Oil, was “capped and abandoned” about 19 miles northwest of Key West after penetrating 16,000 feet under the Gulf. However, it was rumored that a newer and much larger rig might be brought there from New Orleans. The new rig was designed to drill in deeper water, leading to the assumption that new drilling work would be done at a different site. Kerr-McGee 45 was to be towed to Morgan City, La. It was estimated that \$1,250,000 had been spent drilling to a depth of 15,747 feet after 2 years of

seismic exploration and 6 months of work.. As of October 1959, the only active drilling operation in the Keys was the California Company’s on the corner of Big Pine Key.

Federal-State Legal Issues in the 1950s

The Trustees of the Internal Improvement Board granted a lease to the California Company on September 13, 1955 for the purpose of oil exploration within tracts of submerged lands, one of which was 12 miles wide and 50 miles long, stretching east from the Dry Tortugas into the Gulf of Mexico. The Federal Government took the position that the leased lands were outside the three mile limit, so that the State had no right to lease them. This area appeared to be very valuable because in the summer of 1945 on an aerial survey made by George Faraldo Flying Service, an oil seep, on full color aerial photographs, was discovered near the Dry Tortugas. Rich Texas offshore oil fields were detected through seeps such as these. Texas, Louisiana, and Florida claimed

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Deeds and Misdeeds: The Title to Key West 1815-1833

by Mary and Karl Haffenreffer
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In the early nineteenth century Key West's disadvantages were obvious: its waters bristled with unmarked reefs, shifting sands, and pirates; the island itself was primarily visited by fishermen, Cuban turtlers and Bahamian wreckers. A few visitors noted the island's advantages: good soil, two never-failing springs of fresh water, uncultivated salt ponds,¹ abundant wood, fish and fowl, and, most importantly, a deep, protected anchorage for ships of the largest class, commanding the Florida Straits, one of the world's most trafficked bodies of water.

By 1826 the ownership of Key West had become clouded by twice-sold titles and by the United States' claim to own the whole island. Seven years later its ownership was cleared by consolidation of ownership, agreement among the proprietors, Congressional confirmation, and the sale of certain parcels to the United States. A flowchart and this accompanying narrative will explain how these deeds and misdeeds were generated and dispelled.

Estrada's Land Grant

The Territory of East Florida, whose boundaries approximated those of the present State, remained loyal to the British during the American Revolution, but the Treaty of Paris in 1783 returned it to Spain. In 1815 the Spanish Governor of East Florida, Don Juan de Estrada, granted "gratis" to the postmaster of St. Augustine, Juan Pablo Salas, all the tract of land called Cayo Hueso or Key West.²

Salas's Double Sale

Salas held his grant until shortly



John W. Simonton. Photo credit: Monroe County Public Library.

after Spain ceded East Florida to the United States in 1821. That year he sold the whole island to John B. Strong, Esq., "a man of notorious bad character" who had migrated from New York to St. Augustine.³ Three months later, in Havana, Salas and his wife, Margarita, sold the whole island a second time, to John W. Simonton, a businessman from New Jersey and Mobile with powerful connections in Washington, D.C. Salas realized \$5,000 from the first sale, and \$2,000 from the second sale, of an island he'd been granted "gratis".

Murray's Double Cross and Strong's Double Sale

Five months after purchasing the

island for \$5,000, Strong himself sold the whole island twice: first, in St. Augustine to George Murray, a judge and lawyer, and second, two weeks later in Charleston, to John Geddes, a former Governor of South Carolina. Strong realized \$16,000 from the first sale and \$20,000 from the second, which included a large tract of land on Cape Florida.

One month after Strong's sale to Geddes, the office of Secretary of State John Quincy Adams received an anonymous letter, accusing Judge Murray of "profound ignorance" of the law and incompetence in his judicial duties. The letter claimed that, while presiding over several lawsuits against Strong,

Murray agreed to purchase from the defendant a large tract of land at Cape Florida and the island of Key West, so as to “cover” such property against seizure by Strong’s creditors. Murray was to return the property after the lawsuits were decided. However, once the court had dismissed the suits, Murray reneged on the deal, keeping title to the properties. When Geddes heard of Strong’s prior sale to Murray, he demanded an explanation and learned of the “cover” scheme and double cross.⁴

Possession

Late in 1821 Simonton sent a glowing report of Key West’s advantages to President James Monroe, extolling the island’s proximity to Cuba,⁵ its possible revenues as a port of entry and as a depot for shipwrecked property, and, of special interest to the President, its potential as a naval station. As a result, Lt. Com. Matthew C. Perry⁶ was ordered to Key West, to take control of the island in the name of the United States if his observations confirmed Simonton’s report.⁷

Simonton, by his own account, “peaceably took possession” of Key West on 19 January 1822 “when no living persons were on said island.”⁸ Two months later Lt. Com. Perry arrived with John Warner, U.S. Commercial Agent in Havana. Soon followed two Mobile business associates of Simonton: John William Charles Fleeming,⁹ who brought a number of workmen;¹⁰ and John Whitehead,¹¹ who had stopped in Key West in 1819 after being shipwrecked in the Bahamas.¹² Confirming Simonton’s report to the President, Perry planted the standard and took formal possession of the island¹³ on 25 March 1822 in the presence of Warner, Fleeming, and Whitehead. Afterwards “the company partook of a handsome entertainment, prepared for the



First of exchange, from J. W. C. Fleeming to John W. Simonton for \$250.00 dated January 8, 1829. Photo credit: Monroe County Public Library.

First of exchange. Where a set of bills of exchange is drawn in duplicate or triplicate, for greater safety in their transmission, all being of the same tenor, and the intention being that the acceptance and payment of one of them (the first to arrive safely) shall cancel the others of the set, they are called individually the ‘first of exchange’, ‘second of exchange’, etc. -- Henry Campbell Black, *A Law Dictionary* (1891).

occasion, at which thirteen regular toasts were drank, &c.”¹⁴

Meanwhile, Geddes, anxious about his title’s validity, sent from Charleston to Key West his brother George Washington Geddes, Esq., and his brother-in-law, Rev. Dr. Benjamin Montgomery. Accompanying them were two carpenters, three slaves, provisions, farming tools, and materials to erect temporary buildings. They bore a letter from the commanding naval officer at the Charleston station, directing “the commanding officers of any Vessel of the U.S. near Key West” to help Geddes’ agents “take peaceable possession of the Island of Key West, claimed by him.” On 4 April 1822, Lt. George W. Hamersley, commanding Gun Vessel No. 158, which lay at anchor off Key West, took the party ashore. There they were met by Fleeming “then in possession of the island,” according to Hamersley’s reply to a stern inquiry regarding the incident from Secretary of the Navy Smith Thompson. Geddes’ agents showed

“their title to the island” and “peaceably” took possession: “no force was used and no altercation of any kind ensued.” Hamersley’s peaceable account to Secretary Thompson is belied by the fact that it attached an after-the-fact protest by Fleeming.¹⁵

Murray’s Dubious Sales

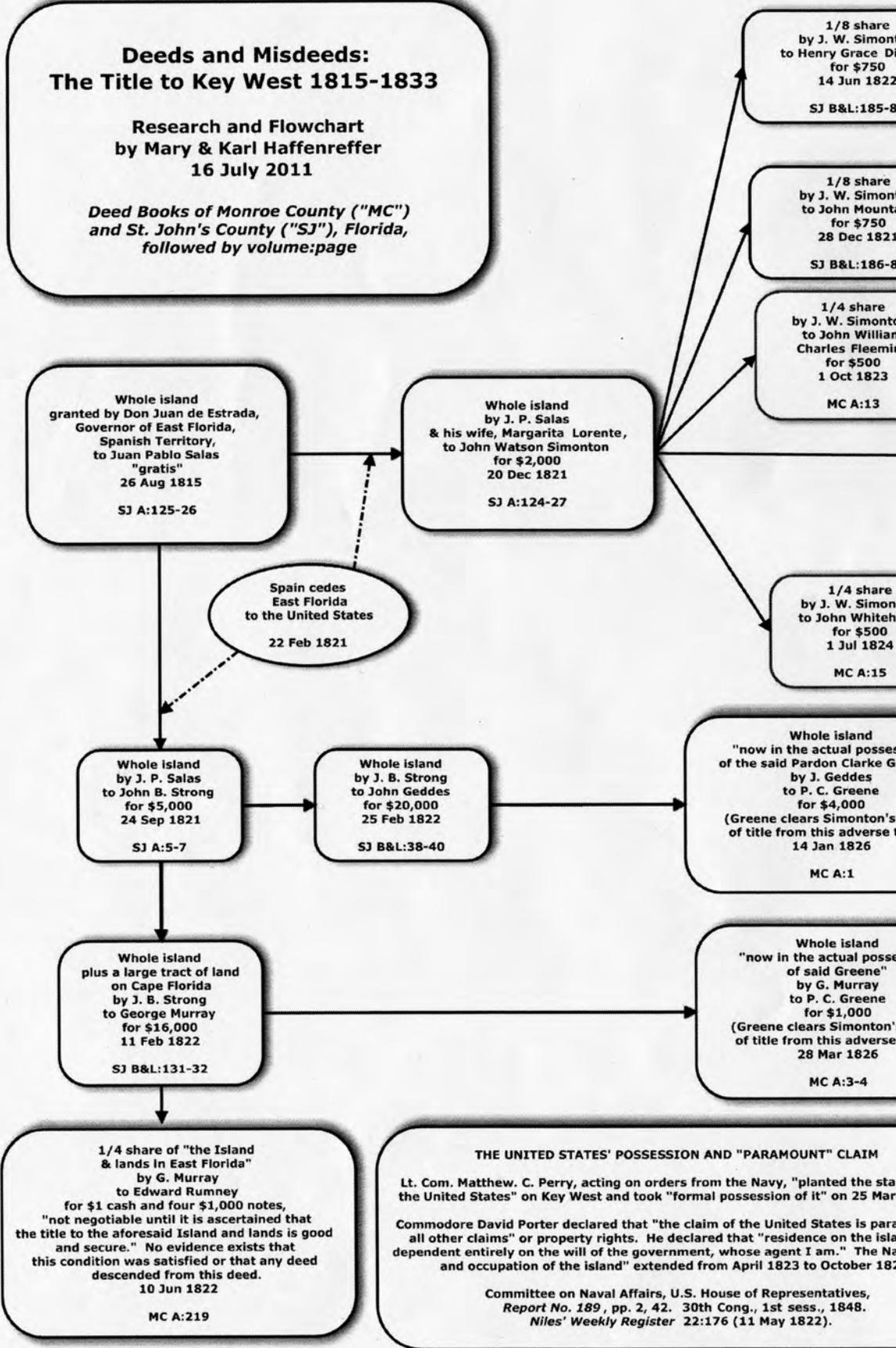
In June 1822 Murray sold “one undivided fourth part of the whole of the Island and lands in East Florida” for \$1 cash and four \$1,000 notes to Edward Rumney, whose identity remains a mystery. The deed provides that the notes were “not negotiable until it is ascertained that the title to the aforesaid Island and lands is good and secure.” No evidence exists that the condition was satisfied or that any deed descended from this deed. Four years later Murray sold the whole island a second time for \$1,000 to Pardon C. Greene, a self-made slaver from Newport, R.I. – wily, daring, intemperate,

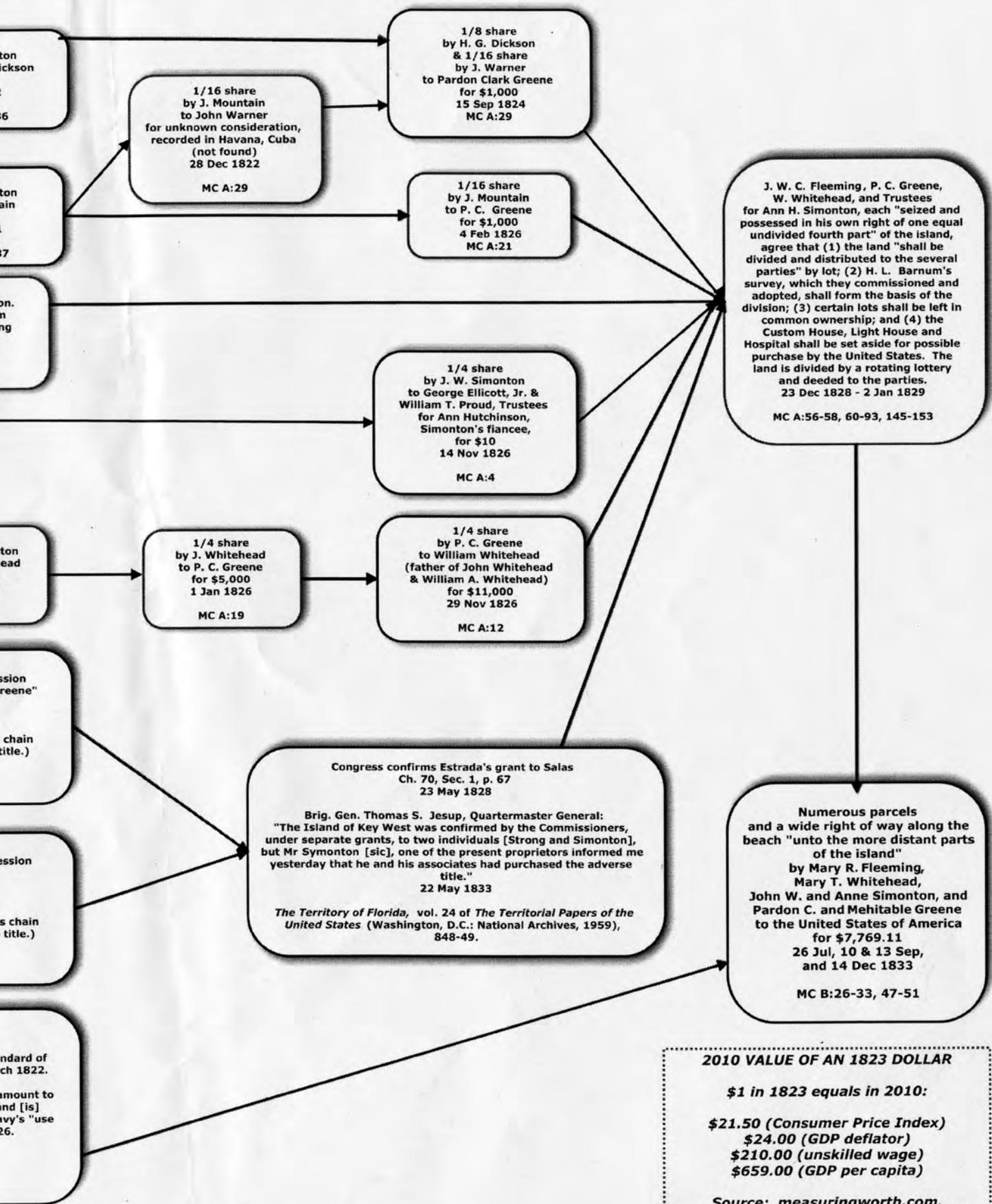
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Deeds and Misdeeds: The Title to Key West 1815-1833

Research and Flowchart
by Mary & Karl Haffenreffer
16 July 2011

*Deed Books of Monroe County ("MC")
and St. John's County ("SJ"), Florida,
followed by volume:page*





2010 VALUE OF AN 1823 DOLLAR

\$1 in 1823 equals in 2010:

- \$21.50 (Consumer Price Index)**
- \$24.00 (GDP deflator)**
- \$210.00 (unskilled wage)**
- \$659.00 (GDP per capita)**

Source: measuringworth.com.

(Deeds from page 7)

unpardonably abusive in his private life, and very rich.

The Chain of Title from Simonton

In marked contrast to Salas's, Strong's and Murray's double-dealings, Simonton sold only fractional common shares of Key West that never equaled more than the whole.

While in Havana in late 1821, Simonton sold a one-eighth share to John Mountain, the U.S. Vice Commercial Agent, and, six months later, a one-fourth share to Henry Grace Dickson, whose identity remains obscure. From each sale Simonton realized \$750. One year to the day after purchasing a one-eighth share, Mountain conveyed a one-sixteenth share to his superior, John Warner, for an unknown consideration.

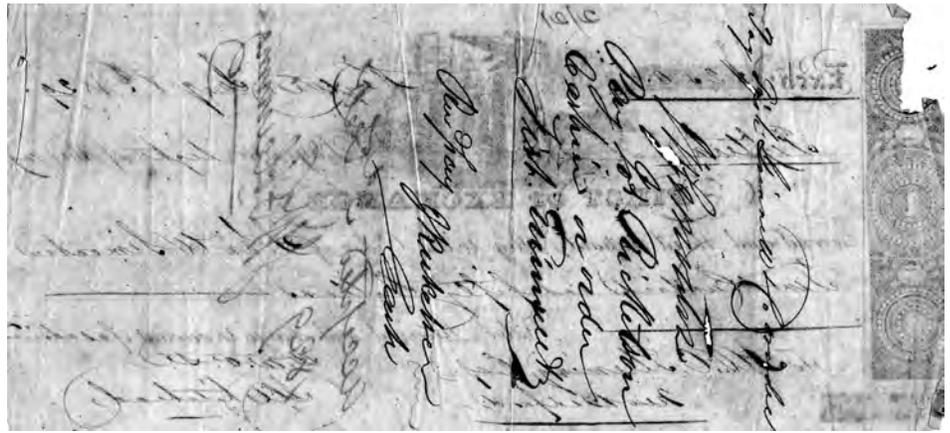
Fleeming purchased a one-fourth share from Simonton more than a year after he witnessed the planting of the standard, while John Whitehead purchased a one-fourth share more than two years after he witnessed the same event. Each paid Simonton \$500.

In sum, Simonton sold for \$2,500 three-fourths of the island he had bought for \$2,000.

The exact date of Greene's arrival in Key West is unknown, but in Havana, in September 1824, he purchased a three-sixteenths share of the island from Dickson and Warner for \$1,000. In early 1826 he purchased a one-fourth share from Whitehead for \$5,000, and a one-sixteenth share from Mountain for \$1,000. With these purchases Greene accumulated a one-half share of the Simonton chain of title for \$7,000.

The United States' "Paramount" Claim

"On the 1st of February,



Back of First of Exchange. Photo credit: Monroe County Public Library.

1823, the Secretary of the Navy ordered Commodore David Porter, commanding the squadron of the West India station [of shallow-draft schooners assigned to eradicating piracy in the Caribbean, better known as 'the Mosquito Fleet'], 'to establish at Thompson's island, usually called Key West, a depot, and to land the ordnance and marines to protect the stores and provisions.' On the 23d April following, Commodore Porter reported to the Navy Department that 'he had built storehouses on Thompson's island, landed stores.'¹⁶

Where Perry had claimed only the *sovereignty* of the United States over Key West, which the Navy had authorized and which respected the property rights flowing from Estrada's land grant, Porter claimed *exclusive ownership* of the island by the United States: "I consider the island as in the hands or occupancy of the United States, and the claim of the United States as paramount to all other claims, until there shall be a decision in the courts in favor of one or the other of the parties claiming the island [namely, Simonton or Geddes]. I also consider their residence on the island as dependent entirely on the will of the government, whose agent I am, and their right to improve entirely dependent on my

ideas of the good or injury which may result therefrom to the United States. I considered them in fact, as merely tolerated on the island. . . . [T]he withdrawal of the claim of Governor Geddes does not, in my opinion, strengthen the claims of the other party. It is the United States, and the United States alone, to whom the territory belongs by purchase, and in whose name it has been taken possession of by order of the government, that I recognize as proprietors."¹⁷

The settlers resisted Porter's autocratic rule as best they could. Though Simonton and Greene were his main antagonists, what ultimately drove the Commodore of the Mosquito Fleet from Key West were neither its proprietors nor its pirates, but its mosquitoes.

Yellow fever – recognized only years later as mosquito-borne – killed many of Porter's officers and men, sickening the Commodore himself. Though he survived, the outbreak vitiated the West India Squadron's mission against piracy. Samuel L. Southard, in his first month as Secretary of the Navy, dispatched doctors and new personnel to Key West, salvaging the mission. However, plans were initiated to move the Naval depot to a more salubrious port. Federal

occupation and claims to Key West, which commenced in April 1823, largely ended with the depot's removal to Pensacola in October 1826.

Twenty-five years after the fact, the Committee on Naval Affairs of the U.S. House of Representatives condemned Porter's tyranny over the island "as arbitrary, unjust and tyrannical" in preventing the proprietors from fully using and improving their property; in disregarding "the plan of their buildings and the arrangement of their town lots;" in denying them the disposal or occupation "of their own lands . . . except by *toleration* and favor of the commanding officer of the United States naval forces;" in seizing their "cord wood, cut and prepared for sale;" and in ordering destruction of "their stock of sheep and hogs. . . . The absolute occupation of the *whole* island by the United States extended for more than three years, and part of it for a much longer time."¹⁸

Greene's Consolidation of Titles

The chain of title from Simonton linked three well-born, well-educated, ambitious men with powerful connections in politics, banking, insurance, whale oil and shipping: Simonton, Whitehead and Fleeming. Joining them in the chain of title was Greene, the outsider.

In 1826 Greene bought up Strong's duplicated adverse title to the whole island, first from Geddes for \$4,000 and again from Murray for \$1,000. Each deed declares that the island is "now in the actual possession of said Pardon Clarke Greene."¹⁹ With his purchases from Dickson, Warner, Mountain, Whitehead, Geddes and Murray, Greene possessed *two and a half whole shares* of Key West. Greene, the outsider, had taken control.

Resolution

William Whitehead, the father

of John Whitehead, purchased from Greene in late 1826 "one equal undivided fourth part" of the island for \$11,000. This one-fourth share was much more valuable than what John Whitehead had sold to Greene for \$5,000, because it represented a one-fourth common share of the consolidated chains of title.

Congress confirmed Estrada's land grant to Salas in May 1828,²⁰ thereby quashing Porter's claim that Spain's cession of East Florida to the United States constituted the original proprietary right to Key West.

Following Congress's action, the four proprietors of Key West – Greene, Fleeming, William Whitehead, and Trustees for Ann H. Simonton – executed agreements declaring that each was "seized of and possessed in his own right of one equal undivided fourth part" of the island. Such a declaration cleared all their titles from the clouds created by the double sales. The agreements provided: that (1) the land "shall be divided and distributed to the several parties by lot"; (2) the basis for such division was to be a survey by H. L. Barnum²¹ that the proprietors had commissioned and adopted; (3) the proprietors would leave certain parcels in common ownership; and (4) the proprietors would set aside the Customs House, Light House and Hospital for possible purchase by the United States. The land was divided by a rotating lottery and deeded to the parties.

The United States purchased from Mary R. Fleeming,²² Mary T. Whitehead,²³ John W. and Anne [sic] Simonton, and Pardon C. Greene and his wife, Mehitable, certain lots and a wide right of way along the beach "to more distant parts of the island." These sales realized for the grantors \$7,769.11. By these purchases the United

States implicitly recognized the proprietors' titles to the rest of the island. Title to Key West had been cleared.

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(Endnotes)

¹ In the early 19th century salt was the world's major means of food preservation. Salt produced in the United States would enjoy a significant price advantage, because it would avoid a severe import tariff.

² Citations and dates of execution for all deeds are given in the flowchart included in this article.

³ *The Territory of Florida*, vol. 22 of *The Territorial Papers of the United States* (Washington, D.C.: National Archives, 1956.), 461.

⁴ *Ibid*, p.462.

⁵ Cuba was the center of finance and commerce for the New World.

⁶ Perry was to become "The Father of the Steam Navy" and the

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Commodore of the “Black Ships,” which in 1852-54 forced Japan to open trade with the United States.

⁷ Report of Committee on Naval Affairs, U.S. House of Representatives, *Report No. 189* (9 February 1848), pp. 1-2, 12-15. 30th Cong., 1st sess., 1848

⁸ “Memorial of John W. Simonton,” 25 November 1822, confirmed by Committee on Naval Affairs, *ibid.*, pp. 1, 8.

⁹ Fleeming was the English-born stepson of a member of the Rotch whaling and shipping family of Nantucket and New Bedford, Mass.

¹⁰ *Niles' Weekly Register*, 11 May 1822.

¹¹ John Whitehead, who resided in New York City, was a son of William Whitehead, a New Jersey banker, and the half-brother of William A. Whitehead.

¹² W.A. Whitehead, *Childhood and Youth of W. A. Whitehead 1810-1830*, typescript in the Florida Keys History Room, Monroe County Public Library, Key West, pp. 20-21.

¹³ “Memorial of John W. Simonton, John Whitehead, and the heirs and legal representatives of Prudon [sic] C. Greene and J. W. Fleming, deceased,” 14 December 1847, confirmed by Committee on Naval Affairs in *Report No. 189*, pp. 1-2, 4-5.

¹⁴ *Ibid.*, pp. 2, 15-18. *Niles' Weekly Register* 22:176 (11 May 1822).

¹⁵ The narrative and quotations about the landing of the Geddes party are contained in a letter from Lt. George W. Hamersley to Secretary of the Navy Smith Thompson, 1 March 1823, in *Letters Received by the Secretary of the Navy From Commissioned Officers Below the Rank of Commander*

and From Warrant Officers, 1802-1884, vols. 1-3, RG 45, M148, Roll 30. A few details of the narrative are taken from typed copies of two documents kept in the Florida Keys History Room, Monroe County Public Library, Key West: Letter from John Cassin, Commanding Naval Officer, Charleston, S.C., to “The Commanding Officer or Officers of any vessel of the U.S near Key West[,] East Florida,” 19 March 1822; and Certification of the Schooner *Emeline*, by Lt. Com. George W. Hamersley, 5 April 1822.

¹⁶ *Report No. 189*, p. 2.

¹⁷ David Porter, Letter to Lt. James M. McIntosh, 18 August 1824, *ibid.*, pp. 2-3, 61-62.

¹⁸ *Ibid.*, p. 2 (emphasis in original).

¹⁹ Brig. Gen. Thomas S. Jesup, Quartermaster General of the United States, recognized the value of Greene’s acquisition of Murray’s and Geddes’ adverse titles, though Simonton apparently didn’t credit Greene for the purchases. Jesup wrote: “The Island of Key West was confirmed by the Commissioners, under separate grants, to two individuals [Strong and Simonton], but Mr Symonton [sic], one of the present proprietors informed me yesterday that he and his associates had purchased the adverse title.” Thomas S. Jesup, letter to Lt. E. Trenor, Acting Asst. Quarter Master, Key West, 22 May 1833, in *The Territory of Florida*, vol. 24 of *The Territorial Papers of the United States* (Washington, D.C.: National Archives, 1959), 848-49.

²⁰ Ch. 70, Sec. 1, p. 67 (23 May 1828). 20th Cong., 1st sess., 1828.

²¹ Barnum’s survey has not been found. A copy of William A. Whitehead’s survey, dated February 1829, is kept in the History Room of the Monroe County Library. None of its four originals has been found.

Whitehead’s memoirs indicate that the date on the map was not the month in which it was drawn, but the last full month of its survey’s field work: “I was qualified, he [his half-brother, John] thought, to run out the dividing lines between the respective lots and positions of the four proprietors of the island; as they had had it surveyed and a division of lots made according to a map, by one Barnum (a connection of the showman of that name). On inquiry, however, I found that the map, so-called, was a very crude affair, giving no information as to courses and distances, and unaccompanied by any returns from which the necessary data could be derived. A new survey was therefore found to be necessary before the proprietors could identify their respective lots. . . . I set about the task with some misgivings, but my want of experiences made me more careful and exact probably than a more competent surveyor would have been. . . . [T]he correctness of my survey or of my maps – one being furnished to each proprietor – I never heard questioned. For the work I received \$400, but how much of that sum I gave to my assistant I do not remember. . . . Our work in the field was finished on the 4th March 1829. . . . I remember that the sedentary work of drawing the maps, following the continued service in the field upon my feet, led to the swelling of my limbs to a very serious extent.” William A. Whitehead, *ibid.*, pp. 24-25.

²² Widow of John W. C. Fleeming, who died at Key West on 18 December 1832 and was buried on the grounds of St. Paul’s Episcopal Church. Fleeming was the only one of the four founding proprietors who lies buried in Key West.

²³ Wife of John Whitehead.

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boundaries of three leagues (10 1/3 miles) into the Gulf of Mexico from their respective shorelines. The United States Supreme Court decided in favor of Florida in *United States of America v. State of Florida*, 363 U.S. 121 (1960), granting Florida title to submerged lands three leagues seaward of its shoreline out into the Gulf of Mexico. This boundary to Florida's jurisdiction was clearly described in Florida's 1868 Constitution which was ratified by Congress when Florida was readmitted to representation in Congress after the Civil War.

Oil Exploration in the 1960s

The **Gayle Storm** arrived in Key West with drilling equipment aboard on January 10, 1960 for use in the upcoming efforts at finding "black gold" in the Dry Tortugas area. Gulf Oil conducted the drilling operation on the submerged lands leased from the State of Florida. A helicopter was used to transport the crew between Key West and the drilling site.

According to Charles Lass, Gulf Oil Company drilling engineer, Rig 52 had reached a depth of 12,832 feet. The Rig belonged to Offshore Drilling Inc. and was located 25 miles south of the Marquesas Keys in 50 to 60 feet of water. The exact location according to the lease was No. 1 Marquesas OCS Block 46 about 44 miles west-southwest of Key West. There were two previous drilling tests in the Key West area with no discovery of oil. The first was located about 30 miles from the Marquesas; the other was 10 miles west of the Marquesas near Rebecca Shoals.

In the early 1960s Standard Oil of California was drilling two exploratory wells near the

Marquesas. They operated from docks on Stock Island. Many men worked there including Jerry Semler, C.J. Carey, Cheo Santana, and "Dingo" Nathan Miles. Miles, who operated the crane, was one of the best equipment operators in the Keys. Despite his nickname of "Cockeye," he was always cautious and safe. The workers unloaded truckload after truckload of pallets of cement, sand bags, and drill pipe. These items were unloaded from the trucks onto open flat decks of several work boats that would speed out to the Marquesas and return the next day. Miles of drill pipe were unloaded, two lengths at a time, from the flat beds onto the decks. If not properly hooked up, they could come loose and fall.

One morning one of the big supply boats came back from the rigs. It had hit the reef, and one of the huge brass propellers was damaged. The crane was brought over to the edge of the sea wall, and a company diver went down to attach a cable to the propeller. He then attached explosive wire around the shaft behind the propeller. The diver surfaced and came up on the dock with both ends of the explosive wire, and touched both ends to a car battery. There was a strong explosion underwater causing the prop to swing free from the propeller shaft. The huge prop was pulled from the water. During the last days of work, several pallets of very heavy bags came off the boats and were loaded onto the trucks. Geologists were watching the process. The bags contained soil samples from the rigs which were being sent to California for study.

In March 1961 two oil drilling events were reported. The Zapata Offshore Drilling Company's (Zapata Oil was founded in 1953

by future U.S. President George H. W. Bush and partners) owned a floating rig, which had been drilling near the Marquesas for the past few months. When work was abandoned there, it proceeded to Big Pine Key's shallower and more protected waters. Also, 65 miles from Key West and within the sight of the Dry Tortugas, two holes were drilled by a rig mounted on a barge to an estimated depth of 6,000 feet. But high winds and high seas tossed the rig with its 180 foot tower around like a cork, preventing further drilling.

During May 1961, the roughnecks and roustabouts, who worked on the California Company's drilling rig in the futile search for oil, until hazardous weather conditions compelled a work-stoppage and evacuation, returned to Key West in preparation for another attempt to locate oil at a different and closer location. The Offshore Drilling Company out of Houston, Texas had the contract to drill for the California Company and Gulf Oil. The office for the operation was at the head of Duval Street, which had been used as a terminal for the defunct Havana ferry line. Rig 52, mounted on steel stilts when in place, was towed to Key West from Morgan City, Louisiana. Charles Lass was the engineer in charge.

In August 1961 the 17 leases on 2 million acres held by the Commonwealth Oil Company were due to expire. J. L. McCord of Commonwealth asked the State for a 2- to 5-year extension, although he said interest in oil exploration in the Keys was dying fast. That fall, Hurricane Carla ended the drilling operations 42 miles west of Key West. The riggers were flown

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to Morgan City, La. The drilling depth was 7,071 feet. The halt order came from the directors of Gulf Oil in Pittsburgh, Pa. This could lead to the total abandonment by Gulf Oil of offshore drilling exploration in the area. This was bad news for those who had hoped for the economic boost an oil discovery would provide to the Keys.

A 1990 Scientific Study

Twenty-nine years after the wells were abandoned, Philip Dustan, Barbara H. Lidz, and Eugene A. Shinn published a study of the environmental effects of the six wells drilled offshore between 1959 and 1962. The study notes that each well was a one-time perturbation to the ecosystem which lasted for a maximum of one to three months. By contrast, production wells can remain in place for decades.

Each of the drilling sites demonstrated different environmental impacts. The negative effects found at these sites were mechanical in nature, such as: the crushing of reef substratum by a jack-up rig's 14 legs, leaving 4.5 meter depressions or "footprints,"; scarring caused by anchors dropped by support vessels; and, at some sites, making the bottom unsuitable for coral and gorgonian growth due to deposits of pea gravel, grout, and cement bags. In addition, many marine communities were initially smothered by grout, or pea-gravel and cement bags after drilling ceased. Several drilling sites contained metal debris, such as cables, welding rods, corrugated steel roofing, angle iron, drill bits, casings, and discarded rock core. On the positive side, the metal debris and cement bags, at some sites, harbored a reef-fish



Kerr McGee Rig 45 at the Marquesas Keys. Photo credit: copied from the Key West Citizen of March 1, 1959 by Rob O'Neal.

community typical of that found on shipwrecks and artificial reefs in the area. Many well areas had diverse, well-developed coral and sponge species. At one site 25 species of corals were found on debris together with 18 species of gorgonians. The debris left by drillers has not posed a long-term toxic effect to corals, gorgonians, sponges, or fish. None of the sites exhibited evidence of coral, gorgonian, or algae having been killed by drilling fluids (mud) or cuttings which were not found at any of the drilling

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sites examined. Strong storms and hurricanes could have dispersed the cuttings over the years.

Oil Company Initiative in the Late 1980s

In May of 1988 Unocal Corporation of California filed a plan with the U.S. Department of the Interior to explore Federal waters about 40 miles northwest of the Dry Tortugas. The company named 23 possible sites, but stated that it expected to drill only up to 7. Nine oil companies own 73 leases in the area, and two have applied to the Department of the Interior to gain drilling rights. Congressman Dante Fascell said, "We don't want to take a chance with tourism or fishing by permitting oil exploration as close as 100 miles northwest of the Florida Keys in the Gulf of Mexico." The oil company actions drew opposition from Congress as well as from environmentalists.

Florida and Federal Legislative Action

Responding to the pressures of the environmental movement, Congress in 1983 banned oil exploration in Federal waters off the Coast of Florida through an annual Interior Department spending bill. In 2006, Congress again banned oil drilling in Federal waters within 125 miles of Florida's shoreline. On June 27, 1990 George H. W. Bush declared an executive ban on oil drilling on the Outer Continental Shelf for ten years. In the wake of the Exxon-Valdez oil spill in July of 1990, the Florida Legislature passed a sweeping ban on offshore oil drilling on all submerged lands controlled by the State. There have been many political movements over the years to nullify or amend these restrictions on offshore oil exploration in Monroe County

and throughout other areas in Florida at all governmental levels.

Neighboring Current Events

The Cuban Government is building a multimillion dollar port development project that President Raul Castro hopes will create a major base for industry and offshore oil exploration and production. Repsol, the Spanish oil giant, has a one year contract for a semi-submersible rig which is to be built in China by an Italian oil company, ENI Spa, and is likely to be placed into service off Cuba. Cuba estimates there are 20 billion barrels of oil offshore. Drilling in the Bahamas could also begin soon. Paul Crevello, chief executive officer of the Bahamas Petroleum Company (BPC), has stated that seismic experts are surveying the prospective wells which span about 1,155 square miles of sea floor of the southern Bahamas. He also said drilling is "imminent." He went on to say the geological structures identified are similar to super giant structures of the Mexican fields in the southern Gulf of Mexico and the Middle East. Some of the Bahamian fields could have yields as high as 500 million barrels of oil. BPC has an agreement with Norway's StatOilHydro to be the operator of three of BPC's offshore licenses in the Cay Sal area of the Bahamas about 120 miles east of where Repsol plans to start drilling off Cuba in September. With Florida's neighbors drilling around us, how long will it be before there is political change at the Federal, State, and Local levels allowing hydrocarbon exploration and development once again?

The author, J. Gregory Griffin, moved to Key West in 1996 from Cambridge, Massachusetts.

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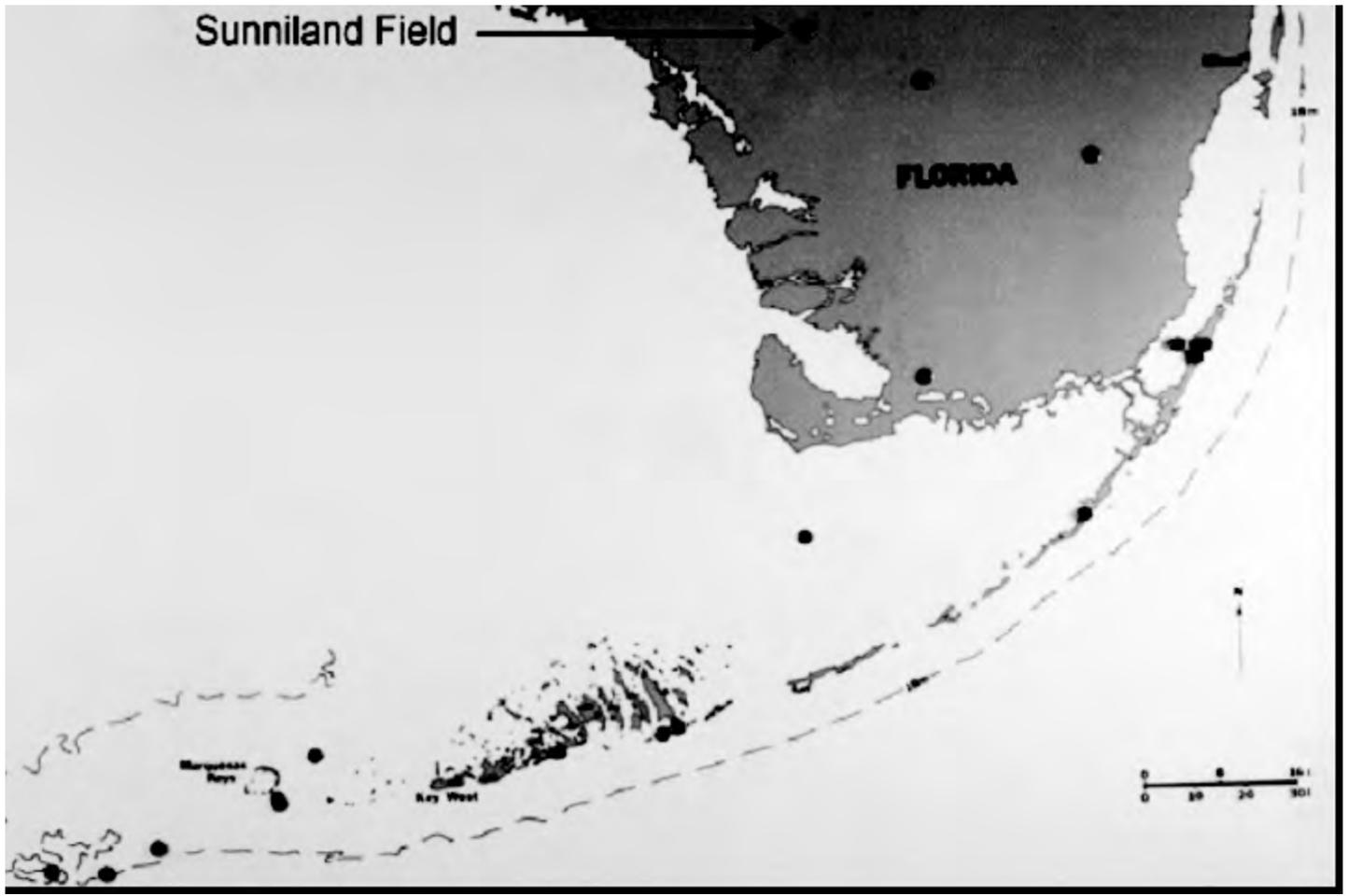
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The locations of oil wells in the Keys. Photo credit: the Author.

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