

Records cast light on lands at Harris Neck

The will of Margaret Ann Harris, which was written and signed on September 2, 1865, is the centerpiece for the stance that the Harris Neck Land Trust is using in an effort to have the 2,687 acres of the Harris Neck Wildlife Refuge returned to its former owners and descendants.

For the last several years, the will has been the basis of the land dispute between the government and former landowners. The story has been covered in the *New York Times*, in the halls of Congress and in a television report from WSB in Atlanta, besides receiving coverage in *The Darien News*.

Wilson Moran, a long-time community leader in McIntosh County, and a board member of the Harris Neck Land Trust and resident of Harris Neck, testified in December 2011 before at a Congressional hearing concerning the matter, of his ancestor inheriting the land from Margaret Harris. Moran's great-grandfather, Mustapha D. Shaw, ended up at Harris Neck on Shaw's grandfather's old plantation. Moran identified Shaw's father as Edward Delegal, a white land owner. (See "*The Will of Margaret Ann Harris*" adjacent to this story.)

The four tracts of land in the Harris will were identified as Harris Neck, Dunham, Belvedere and Dillon.

The McIntosh County Courthouse was burned in 1863 and 1873, making it most difficult to obtain a clear chain of title of the lands at Harris Neck.

After learning of the land dispute, Jim McMahan of McIntosh County researched Margaret Ann Harris' will and the subsequent disposal of the properties stated in the will and has provided that information to *The Darien News*.

In the McIntosh County Superior Court, deeds were recorded concerning three of the four tracts designated in Margaret Ann Harris' will as being sold by the Harris family estate in 1875, after being advertised in the *Darien*

Timber Gazette.

For a will to be legal, it must be probated through the courts. Probate courts in 1865 were called the Court of the Ordinary.

These probate records indicate that Margaret Harris' lands passed in 1866 to her son, Bright Baker Harris, the legal heir.

On page 135 the records show that William J. Wallace was the administrator of the estate of Bright Baker Harris and he managed the estate until Sept. 4, 1876, as stated in Book 1, page 177.

On July 17, 1867, it was recorded on page 135 that the Probate Court received from Wallace \$16 for advertising for leave to sell the real estate and notice to debtors and creditors in the estate of Bright Baker Harris. On Nov. 13, 1867, it was recorded that Wallace paid \$10 for the court fee for sale of real estate, but it did not name the real estate.

Three tracts, the old Harris Plantation on Harris Neck, Dunham Plantation and Belvedere Plantation were advertised by Wallace in the *Darien Timber Gazette*, Aug. 20, 1875, as an "Administrator's Sale" to resolve the estate after the death of Bright Baker Harris. The sale was advertised in subsequent editions until the sale was held on the first Tuesday in October 1875 at the Courthouse door. (See copy of wording in the ad on page 11 that was published in the *Darien Timber Gazette*)

Recorded in McIntosh County Superior Court (page 536) on Oct. 5, 1875, was the sale of Dunham Plantation, 250 acres for \$375 to Lachlan McIntosh.

On Oct. 6, 1875, recorded in for \$375 to Lachlan McIntosh.

On Oct. 26, 1875, recorded in McIntosh County Superior Court (page 538) was the sale of Harris Plantation on Harris Neck to Margaret Bresman of Chatham County. The property included 350 acres and sold for \$350.

Belvedere Plantation, containing 1,200

acres was sold to Charles O. Fulton for \$410 and was recorded in the McIntosh County Superior Court (page 39) on Oct. 15, 1875.

The Darien News is in possession of copies of these records.

Courthouse records and research by historians has shown the majority of lands of the Harris Neck Wildlife Refuge were owned by the Thomas, Gould and William J. King families. Peru Plantation, owned by the Thomas family, comprised most of the refuge.

The total acreage of the Margaret Ann Harris lands sold to Lachlan McIntosh, Margaret Bresman and Charles O. Fulton was 1,800 acres and the court records that have been found do not indictate Robert Delegal owned the land.

The total acreage of the Harris Neck Refuge is 2,687 acres. The U.S. Fish and Wildlife reported that Jonathan Thomas bought the 3,000 acre tract called Peru Plantation from the Demetre-Harris holdings in the 1830s, and after the Civil War, the plantation was subdivided into many small tracts and sold to former slaves and their descendants. Between 1870 and 1930, the land was primarily in the ownership of African Americans, who raised their crops and fished the rivers. By 1940, there were 171 tracts that existed in the area owned by blacks and whites that is now managed by U.S. Fish and Wildlife.

In 1942, those 171 tracts were condemned and taken over by the Department of Defense to build an Army Airfield for pilot training and coastal surveillance.

The former Harris Neck residents were given two weeks to move off the land and say they were told that after the war, they could reclaim their land and be fairly compensated.

That never happened. The land was turned over to McIntosh County in 1947 for usage as an airport, which did not occur, and the government subsequently turned the land into a wildlife refuge in 1962.

The efforts to have the land returned to its former owners stopped in federal court when the judge declared that it would take an act of Congress to return the land to its former owners.

Last Will and Testament of Mrs. Margaret Ann Harris of McIntosh County Georgia. Year of our Lord 1865. This is to certify to all whom it may concern that I Margaret Ann Harris of my own free will do by this present my last Will and Testament bequeath and convey to Robert Dellegal formerly my slave now a freedman on Saint Catharines Island Liberty County Georgia and to his heirs Executors administrators and assigns forever to have and to hold possess and convey all rights or titles vested in me to four several tracts of Land lying and being in the County of McIntosh State of Georgia. Namely, Harris Neck, Dunham, Belvedere, and Dillon tracts, with all rights titles hereditaments & claims in Equity or in law to me or my heirs Executors administrators or assigns appertaining. Now hereunto and forever to be executed by the aforesaid Robert Dellegal his heirs Executors administrators and assigns, on condition that the aforesaid Robert Dellegal and his heirs Executors administrators and assigns shall be and from the date hereof provide or cause to be provided for the support and maintenance of the said Robert Dellegal and his heirs and assigns that may or shall be necessary to make me and my heirs and assigns namely Bright Harris comfortable while we live and to provide for the clothing food and such Medical attendances as may be necessary for me and my heirs and assigns.

Administrator's Sale.
 STATE OF GEORGIA, McIntosh County,
 Daried, Ga., August 17th 1875.
 BY VIRTUE OF AN ORDER OF THE COURT of Ordinary of said county, will be sold on the first Tuesday in October next, between the lawful hours of sale, at the Court House door of said county, the following Property, to wit: Harris plantation on Harris Neck, containing 300 acres more or less, with one two story house and out houses, bounded on the north by lands of the estate of W. J. King and Thomas, east by salt marsh, south by land of the estate of W. J. King, and west by land of the estate of Thomas. One tract of land on Eagle Neck, containing 250 acres more or less, with dwelling house bounded on the north by lands of the estate of Thomas, east by a creek, south by North Sapelo Creek and west by the lands of the estate of W. J. King, and one other tract containing 1200 acres more or less, known as Belvedeer, on Eagle Neck, bounded north by South Newport river, east by lands of the estate of Thomas, south by lands of the estate of King and Thomas, west by lands originally estate of Thomas. Terms of sale cash. Purchaser paying for titles.
 W. J. WALLACE,
 Adm'r on the estate of Bright Baker Harris.

The larger document, above, is a copy of the handwritten will of Margaret Ann Harris conveying her land, Harris Neck, Dunham, Belvedere and Dillon tracks to Robert Dellegal, her former slave. The will was written by Tunis Campbell. Small document, at right, is a copy of the advertisement that ran in the Darien Timber Gazette in 1875 concerning the sale of the Harris Neck Plantation.

Administrator's Sale.

STATE OF GEORGIA, McIntosh County.

Daried(sic), GA., August 17th, 1875

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W. J. Wallace
 Adm'r on the estate of Bright Baker Harris
 Aug30tds

State of Georgia. 3
County of McIntosh. 3
This Indenture made this
the twenty sixth day of October Eighteen Hundred
and seventy five between William J Wallace
of the State and county, aforesaid, duly constituted
Administrator of the Estate of Bright B Harris
late of said county, deceased of the one part
and Margaret Bresnan of Chatham County,
and State aforesaid of the other part WITNESSETH

that whereas by virtue of an order granted by the
Ordinary previous notice of application having been
given in the state press newspaper published in the
city of Savannah according to law, in such case
made and provided) to said Wm J Wallace Administrator
as aforesaid to sell a tract of land belonging to the
Estate of said deceased situate lying and being in
the county aforesaid and 24th District known as
the Harris plantation containing three Hundred
and fifty acres more or less: bounded on the East
by Goulds river: on the South by lands of the Estate
of King: West by Estate of Thomas: and North by
Thomas and King - After said land was duly advertised
in conformity to law, the same was put up and
exposed to sale to the highest and best bidder at the
Court House at Darien in said County, within the
time of sale on the first Tuesday in October instant
by said Wm J Wallace Administrator as aforesaid
when said tract of land was knocked off to said Mar-
-garet Bresnan at the price and sum of Three Hun-

Copy of the deed recorded in McIntosh County Superior Court concerning the sale of Harris
Plantation from the Bright B. Harris estate to Margaret Bresnan of Chatham County.

The Will of Margaret Ann Harris

(The will was handwritten and signed by Tunis Campbell, a Freedmen's Bureau agent on the south end of Saint Catherine's Island on Sept. 2, 1865. Campbell was a controversial leader of the black community in McIntosh County and was elected as state senator in 1868 and in 1874 was elected to the state house of representatives, according to *Early Days on the Georgia Tidewater* by Buddy Sullivan. All spellings are as they were written.)

"Last Will and Testament of Mrs. Margret Ann Harris of McIntosh County Georgia, year of our Lord 1865. This is to certify to all whom it may concern that I Margret Ann Harris of my own free will do by this present my last Will and Testament bequeath and convey to Robert Dellegall Formerly my slave now a freedman on Saint Catharines Island Liberty County Georgia and to his heirs Executors Administrators and assigns forever to have and to hold possess and convey all rights or titles vested in me to four several tracts of Land lying and being in the County of McIntosh State of Georgia. Namely, Harris Neck, Dunham, Belvedere, and Dillon Tracts, with all rights titles ___ & claims in Equity or in law to me or my heirs Executors administrators or assigns appertaining. Now henceforth and forever to be vested in the aforesaid Robert DELlegall his heirs Executors administrators and assignees. On condition that the aforesaid Robert Dellegal on and from the date hereof provide on cause to be provided all that may or shall be necessary to make me and my son Namely Bright Harris comfortable while we live in dwelling clothing food and such medical attendance as either of us or both may require. I have tried white men and they have cheated me, abused and driven of my people. I now chuse Robert who I have raised to take care of me and my son and agree by this very last Will and Testament that all rights and titles vested in me to the aforesaid four tracts of Land are on the above conditions vested in the aforesaid notwithstanding, and in witness of my desire of the faithful performance of this my last Will & Testament ___ hereby appoint as my Executors T.G. Campbell general superintendent of Saint Catharines & Ausabaw Islands Georgia & T.G. Campbell Jr. assistant superintendant of Saint Catharines Island and Ausabaw Island Georgia.

"I also hereby convey all right and title to Building, Tenaments Houses to the aforesaid Robert DELlegall as aforesaid & his heirs forever, and I hereby Empower these my two Executors to act for me and carry out this my last Will and Testament. September 2 1865. Witnes my hand and seal. Signed Margret Ann (X) Harris (seal)

*T. G. Campbell
Hamilton (X) Dellegall
Samuel (X) Graham*

*By request of the testat – signed before me this
2nd day of September 1865. South End of Saint Catharines Island Georgia
Liberty County signed T.G.Campbell*

*General Superintendent
Saint Catharine Island &
Ausabaw Georgia"*