

Harris Neck NWR and the Harris Neck Land Trust Talking Points/ Fact Sheet

Service's view on key topics of discussion stated by Harris Neck Land Trust (HNLT)

Geographic Land Area of Concern –

Harris Neck is a geographic designation that includes more than just the Refuge, i.e. Julienton and Delta Plantations.

- *What equals Refuge lands* - The Refuge is named Harris Neck which creates confusion about historic ties to specific tracts. The Refuge lands encompass all or part of the former Peru, Gould, and William J. King Plantations. The Refuge current acreage is 2,762; in 1962, the FWS acquired fee title to 2,686.94 acres. The Refuge is not bounded on the east by the Atlantic Ocean, but extensive expanses of marsh, uplands, and tidal creeks.
- *HNLT area of concern* - The African American community at Harris Neck located on Peru Plantation, was owned by the Thomas family since at least 1816. The Thomases began to divide the plantation in lots beginning in late 1870s-1880s. One of the earliest recorded deeds is 1879 for the First African Baptist Church.

HNLT claims that, no whites ever lived on Harris Neck except two white women who never had heirs; only black people. Descendants of former white owners are not part of the HNLT, nor are they entitled to receiving any parcel on the reclaimed land because they did not live there.

- *Service Area of Concern* – All landowners within the boundary of the acquired fee title land (2686.94 acres) that were forced to sale. The additional Refuge lands acquired since 1962 are not a part of the HNLT issue.

Margaret Ann Harris' 1865 will, transferring property to Robert Delegal, is irrelevant – she did not own the land now making up the Refuge. Her tract was located south and west of the Peru Plantation and the Refuge.

Reason for Return of Land –

- *HNLT justification* - “original taking was illegal, and each and every transfer of title has also been illegal and therefore invalid”.

Sherman's 1865 Article 15 called for the reservation of sea islands from Charleston, South Carolina to the St. Johns River in Florida, as well as the abandoned rice plantations up the rivers for 30 miles to be reserved for recently freed blacks. Freed blacks would be entitled to 40 acres of land.

- *The facts* - His order was rescinded in 1866 by U.S. military authorities and the sea islands were restored to their pre-Civil War owners. Also, Harris Neck is not a sea island; none of the 19th century plantations on the Neck ever engaged in rice agriculture. These plantations' agricultural operations centered around sea island cotton, small grains, and livestock [pigs, cattle].

According to the Solicitor's Office the condemnation proceeding was carried out in accordance with proper procedures. Also the claim of disparity in payments has been studied and rejected.

Historic Ownership of Refuge Lands –

- *Statistics of white/black ownership* - Over half of the Refuge lands were owned by white families in 1942. (Black families owned 1,021.59 acres on the Neck; white families owned 1,477.58 acres. Approximately 4.92 acres were owned by the Community or the County.) (Based upon the GAO report, the total number of black landowners in 1942 was 59.)

- *The HNLNT claimed* - that 70-75 black families were uprooted from Harris Neck in 1942.
- *Gould Landing Cemetery* - is not & never has been owned by the Department of War, the FWS, or McIntosh County. Care & maintenance are solely the responsibility of the Harris Neck African American Community/HNLNT.
- *HNLNT claimed* - that the Army Air Corps damaged or destroyed a cemetery around First African Baptist Church is not borne out by available documents, such as contemporary maps or oral interviews. Elder McIntosh related to Bessie Lewis, McIntosh County historian that no cemetery or burying ground at Church, but deceased members of the community were always buried at Gould Landing Cemetery.

Land Sale Prices of the Early 1940's -

- *HNLNT claims* - Black owners received 40% less than white owners.
- *White versus Black Price Per Acre* - The average price that white owners were paid is skewed by the price paid for the 55.89-acre, Tract 143, owned by Lily Livingston. Miss Livingston received \$24,764 for this parcel. Tract 143 is located on the high bluff overlooking the South Newport River. Present on the tract were a 2-story Shingle style country house, an indoor pool, outbuildings (stables, sheds, reflecting pool, etc.), ornamental garden with a fountain, and a dock with deepwater access. This amount reflects approximately half or 46% of what was paid to all of the white land owners.

If one recalculates the average cost/acre paid to white owners minus Tract 143, the average becomes \$20.39/acre and not \$36.37/acre (GAO's average was \$37.30/acre). Based upon an examination of the purchase price paid to individual landowners, it becomes clear that black owners were compensated for improvements, such as houses, outbuildings, and businesses. The 1986 GAO report indicated that the 59 black owners received \$29,653 or \$26.90/acre.

- *Fair Market Values* - The GAO's examination of records dealing with military acquisition of land for Hunter Air Field and Fort Stewart shows that the former owners were paid \$16.72 and \$16.86/acre respectively. GAO used Fort Stewart as a comparative property as it contained "marsh-type terrain" similar to that present at Harris Neck.

Landownership and Habitat Types—

- *Deep water Access versus Marsh/Wetland* - In 1942, family members of the HNLNT did not own any deep water access; this access was owned by whites (Miss Livingston [tract 143], Miss Clapp [Tract 170], E.M. Thorpe [Tract 140], Maggioni & Company [Tract 58]). Black owned tracts on the east side of the Neck, on which a number of the commercial oyster/fishing operations were centered, overlooked marsh.

HNLNT and Additional Documents for Review –

- Documents provided by HNLNT to the FWS following the March 2010 meeting were not new – most, if not all, were on file at Savannah Coastal Refuges Complex, the National Archives, the Georgia Historical Society, and the published literature. Alleged 15 boxes of new information referred to U.S. Army Air Corps records for Harris Neck in the National Archives. Claims of racial animus, fraud, non-payment, promises that military would return lands to the Harris Neck Community, etc. are based upon anecdotes and no document, etc. has surfaced to back these HNLNT's statements. None were included in the documents provided to FWS & the DOI's Solicitor Office by the HNLNT.

Military Land Selection Decision and Purpose-

- The Civil Aeronautics Authority (CAA) established an emergency airfield at Harris Neck (Tract 140 – E.M. Thorpe) between 1929 -1932 along the Jacksonville-Richmond airway. The 1935 U.S. Navy Aviation Chart showed this field as two airstrips. The Department of War's selection of the northern portion of Harris Neck was based upon existing airstrip, aviation & training needs of the Army Air Corps, etc.
- The Army Air Corps built the airfield, not to patrol the waters for German U-boats, but as a training base for replacement fighter pilots for the European Theater of Operations (List of units stationed at the base can be provided).

Refuge View of the Land -

- Harris Neck is a valuable & integral component of Savannah Coastal Refuges Complex and the FWS's conservation mission. It provides critical habitat for T&E species, such as wood stork, LeConte & Henslow's sparrows, painted buntings, etc. Initial mission dealt with migratory waterfowl, but since has expanded to include a broad spectrum of species and habitats that supports them. Coastal upland habitat is becoming increasingly rare on the Georgia coast.
- Refuge also plays a vital role for the management of Blackbeard Island NWR, serves as a mainland base of operations and staging area for conservation actions.

Timeline for Harris Neck Events

1979 – 40 members of the descendants of the former Harris Neck African American Community erected a squatter camp on the Refuge in an attempt to “reclaim” their land. The group was known as the People Organized for Equal Rights (POER) and included Edgar Timmons, Jr., Hercules Anderson, Chris McIntosh, and Ted Clark. After defying a federal court order to vacate the Refuge, the group filed a suit in the 7th District Court in Savannah. Judge B. Avant Edenfield dismissed the group’s claim; the decision was appealed to the 11th Circuit Court of Appeals, Atlanta, who upheld the lower court decision.

1982 –

The Refuge erected a chain link fence around the Gould Landing Cemetery to bar cattle from the cemetery grounds and as an act of good will toward the local community whose ancestors were buried there.

Mike Wallace wrote & produced a segment on this controversy, which aired on February 20, 1983. Wallace highlighted the POER’s viewpoint, but did not delve into the historical record. This segment is still shown by HNLTV, many of the players shown in the “60 Minutes” story still play major roles now.

1985 – FWS built a dock and boat ramp on the Barbour River for use by the Barbour Waterman’s Association, whose members were former black land owners/fishermen at the Neck [Ernest L. McIntosh, Sr., George S. Moran, Edgar Timmons, Sr.]. Today, the dock is still used by the Association.

Contact List -

NGOs and other potential supporters are limited as the FWS has not been pro-active in educating the public about the history of the Neck and the HNLTV controversy.

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