

**HISTORICAL RESEARCH REPORT
BIRD ISLAND, BRUNSWICK COUNTY,
NORTH CAROLINA**

by

Dennis F. Daniels – October 7, 2002



North Carolina Department of Cultural Resources

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Office of Archives and History
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October 7, 2002

LETTER OF ACCEPTANCE TO WHOM IT MAY CONCERN

The report that follows on Bird Island was written by Mr. Dennis F. Daniels, a Research Historian with the North Carolina Office of Archives and History. Mr. Daniels worked on the report for over five months in the summer and fall of 2002.

The report was prepared at the request of Mr. John Taggart of the North Carolina Division of Coastal Management, Department of Natural and Environmental Resources. It is intended for the use of the Division and Department in evaluating the historical significance of the tract that until recently was in private hands.

Mr. Daniels's assignment was to systematically and thoroughly comb relevant sources in his research on the property. From this survey he was asked to present as complete a story as possible about the tract. While an attempt has been made to be inclusive, there doubtless will be additions and corrections to this document. Please forward to this office (4611 Mail Service Center, Raleigh, NC 27699-4611) any changes so that they made be included with the original copy of the report.

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Abstract

Bird Island, which derives the name from its avian inhabitants, is located in Brunswick County southwest of Sunset Beach with its tip extending into South Carolina. Over time man and nature have had an impact on the island, but it has remained undeveloped serving as a habitat for wildlife. Ironically, the view across Little River Inlet is that of the high-rises of the South Carolina "Grand Strand" which stand in contrast to the unmarred Bird Island.

The story of Bird Island in the eighteenth century is rather obscure due to the scant number of references in historical resources. A 1771 land grant indicates that Joseph Allston (or Alston) acquired what is now Bird Island. A close reading of the survey document shows that the land was bounded by Little River Inlet, Mad Inlet, and the ocean (See Appendix F). The chain of ownership after Allston is not clear. Decades later, in 1823, Samuel Frink received a land grant for what is now Bird Island (See Appendix H). During the American Revolution, the area was the scene of no major military actions.

The historical record from the 1800s does not reveal much about Bird Island proper, but it does provide some important details about the area. The island was under the ownership of two families, the Frinks and the Thomases. The Frink family held possession of the landmass for six decades. The Thomas family purchased the island in 1882. During the Civil War, the Union Navy and Confederate blockade runners and soldiers clashed near the island. An 1873 map produced by the federal government is the first document located that shows the landmass with the name "Bird Island" (See Appendix I).

In the first half of the twentieth century, Bird Island passed through several hands. One owner was a wealthy New Jersey man, an author, and world traveler. None of those owners chose to alter the landscape. In 1953 the island was sold to Ralph C. Price (1901-1989), son of Julian Price, the major force in making Jefferson Standard (now Jefferson Pilot) a successful enterprise. The forces of nature changed the area. Yet, the major impact came from Hurricane Hazel when its storm surge overwashed the island.

From the 1960s to the 1980s, Bird Island's landscape and inlets were reshaped by man. Ralph C. Price began to develop the island into a haven for his family. Price built a bridge and causeway leading from Sunset Beach to the island and added a small harbor with a pier. He ran power lines and underground telephone lines, installed a septic tank, and dug a well that proved to be salty. He even had a cul-de-sac created and pilings were brought to the island for the construction of an impressive beach house (See Appendices W, X, Y, CC, PP, and TT). In the end, Price's plan never reached fruition, and nature reclaimed the island. In the 1980s, the Corps of Engineers stabilized Little River Inlet with the construction of jetties, of which one is on Bird Island (See Appendix RR).

In early 1990s Ralph C. Price's widow Janie revived plans to develop the island (See Appendices GG and LL). Throughout the decade and beyond, Bird Island would be the center of controversy between the Price family, the state of North Carolina, and preservationists. In 2001 and 2002 the state acquired Bird Island from the Price family in two transactions that totaled \$4.2 million. The acquisition was the culmination of a long struggle.

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Chapter I

Physical Characteristics of Bird Island

Bird Island, which derives the name from its avian inhabitants, is located in Brunswick County southwest of Sunset Beach and extending slightly into South Carolina. The Atlantic Ocean, Little River, Mad Inlet, salt marshes, and waterways with names such as Dead Backwater, Bonaparte Creek, Clayton Creek, and East River surround the island. It is one of the last undeveloped barrier islands along the North Carolina coast (See Appendices Z, DD, OO, RR, SS, and TT).¹

Visitors get to the island by either of two ways. One can take a boat via the Little River. At one time, a person could get to the island from Sunset Beach by wading across Mad Inlet at low tide. However, in 1997, Mad Inlet completely closed up making for easier access. In the past, the "S-shaped" inlet was known for its tendency to move. From 1938 to 1954, Mad Inlet moved west 215 meters averaging thirteen meters a year. In October 1954 Hurricane Hazel caused an abrupt change to the inlet. Mr. Frank Nesmith of Sunset Beach, who knows more about the island than any other person, took note of how the inlet changed because of Hazel and its continuous migration over the years:

I've really enjoyed watching Mad Inlet move from the first time I saw it about almost a mile from Fortieth Street on Sunset Beach. That was before Hazel in '54. Hurricane Hazel came and it did so much change in there, in the coastline here. It moved Mad Inlet back to the east almost a mile. And, from the very day it [Hurricane Hazel] moved it Mad Inlet started moving back to the west. And, over the next forty-five years, it moved almost back exactly to the place where it was before Hazel. And as it moved to the west it would get farther and farther away and it was

¹ William L. Barnhill, *Soil Survey of Brunswick County* (Washington: Soil Conservation Service, United States Department of Agriculture, 1986), Sheet 17; "Bird Island Becomes Coastal Reserve," *Coastal Management News* (CAMAgram), Summer 2002, <<http://dcm2.enr.state.nc.us/CAMAgram/Summer02/bird.htm>> (July 19, 2002).

carrying less and less water. . . . That's the one thing that made it close up—the fact that they [Army Corp of Engineers] built the jetties [during the 1980s] at the Little River. Instead of the Little River Inlet carrying just a little bit of water at low tide, it carried an awful lot of water.

Mad Inlet moved due to the storm surge created by Hazel that cut a new channel to the northeast of the old one. By 1956 the old route had been completely filled. A 1978 report by the North Carolina Division of Marine Fisheries noted the possibility of Mad Inlet's closure after stating that the inlet's throat had "narrowed from 1700 feet to 200 feet since 1960." Two decades later, the result was a longer island that now includes Sunset Beach and Bird Island (See Appendices Q, Y, and FF).²

Bird Island consists of 1,200 acres fronting on approximately a mile of ocean shoreline and one-half miles of Intracoastal Waterway shoreline. Most of the acreage is salt marsh and tidal creeks, but the island has 147 upland acres. Running parallel to the wide beach are two series of dunes that are rather high. The dunes are covered with bitter panicum, sea rocket, and sea oats. Behind these dunes are additional dunes and sand ridges that contain sea oats, yucca, cactus, and other dune grasses along with some woody scrubs. Also found on the island is the seabeach amaranth, a rare plant, on the U.S. Fish and Wildlife Services Threatened Species List. That plant, which at one time ranged from Massachusetts to South Carolina, can only be found on Long Island (New

² Dirk Frankenburg, *The Nature of North Carolina's Southern Coast: Barrier Islands, Coastal Waters, and Wetlands* (Chapel Hill: University of North Carolina Press, 1997), 214; Glenn Morris, *North Carolina Beaches*, rev. ed. (Chapel Hill: University of North Carolina Press, 1998), 275; William J. Cleary and Tara P. Marden, *Shifting Shorelines: Pictorial Atlas of North Carolina Inlets* (Raleigh: North Carolina Sea Grant, 1999), 48-49; *Wilmington Morning Star*, September 7, 2001; Orrin H. Pilkey et al., *The North Carolina Shore and Its Barrier Islands: Restless Ribbons of Sand* (Durham, N.C.: Duke University Press, 1998) 201-202; Frank Nesmith, interview with author, Sunset Beach, N.C., July 2, 2002 (quotation); Jay Langfelder et al., *A Historical Review of Some of North Carolina's Coastal Inlets* (Raleigh: Center for Marine and Coastal Studies, North Carolina State University, 1974), 6; Loie J. Priddy and Rick Carraway, *Inlet Hazard Areas: The Final Report and Recommendations to the Coastal Resources Commission* (Raleigh: Division of Marine Fisheries, North Carolina Department of Natural Resources and Community Development, 1978), 49 (quotation).

York) and in the Carolinas with most of the surviving plants in North Carolina. A 1993 field investigation report by the N.C. Division of Coastal Management offers a detailed description of the island's interior:

The area of secondary dunes and sand ridges transitions into a very dense maritime thicket. Vegetation becomes more diversified, including specimens of numerous perinials [*sic*] such as, Smilax, blackberry, poison ivy, as well as, loblolly [*sic*] pine, live oak and red cedar. However, maritime forest resources are not extensive, and maritime shrub thicket is the predominate vegetation community of the islands interior. Topographic variation creates numerous pockets of low-lying non-tidal wet areas (See Appendices QQ, and SS).³

In addition to its natural features, Bird Island contains vestiges of Ralph C. Price's effort to develop the land in the 1960s. A few electrical poles extend above the island's treeline. Vegetation covers roadbeds and a burned-out pier sits abandoned. From the island one can see an old causeway. The remnants of the bridge constructed by Price to connect Sunset Beach to Bird Island are also visible in the marsh between the beach and island (See Appendices PP and TT).⁴

As its name implies, Bird Island is a haven for winged creatures. Seagulls and oyster catchers can be seen flying over the island. Least terns and skimmers along with several egret and heron species have nested on the island. Wood storks feed and rest in the island's marshes. Brown pelican, glossy ibis, little blue heron, snowy egret, and tricolored heron are some of the species of shore birds that use the island as feeding

³ *Coastal Management News* (CAMAGram), Summer 2002, <<http://dcm2.enr.state.nc.us/CAMAGram/Summer02/bird.htm>> (July 19, 2002); Field Investigation Report, "Bird Island," June 10, 1992, North Carolina Department of Environment, Health, and Natural Resources, Division of Coastal Management; "Bird Island in Brunswick County: A Study of the Appropriateness and Feasibility of State Acquisition" (report, North Carolina Department of Environment, Health, and Natural Resources, 1993), 1; author's tour of Bird Island with Frank Nesmith, July 2, 2002; "Sunset Beach/Bird Island," *Brunswick County Beaches*, <<http://people.uncw.edu/hosier/BIE/bieclschd/fldtrp/Class%20Project%20Folder/Pages/index.htm>> (August 1, 2002).

⁴ Nesmith, interview with author; author's tour.

grounds. Tree swallows that come to winter on the island eat the berries from the wax myrtle bushes. Even bald eagles have been seen. Besides birds, sea turtles come ashore in the summer to lay their eggs, making a distinctive trail with their fins. To protect the eggs, patrols build barriers around nesting sites (See Appendix SS).⁵

A stop at Bird Island provides a visitor with rare glimpse of a barrier island in its natural state. One gets to see what the North Carolina coast looked like before major development. Ironically, by looking across Little River Inlet, the visitor can see the high-rises of the South Carolina "Grand Strand" that stand in contrast to the unmarred Bird Island.

⁵ *Charlotte Observer*, May 11, 1993; Nesmith, interview with author; "Bird Island in Brunswick County," 2-3; Frankenberg, *The Nature of North Carolina's Southern Coast*, 215; *Wilmington Morning Star*, March 20, 1992; *Brunswick County Beaches Home Page* <http://people.uncw.edu/hosier/BIE/bieclschd/fldtrp/Class%20Project%20Folder/Pages/index.htm> > (August 2, 2002); author's tour.

Chapter II

Eighteenth Century

In researching what happened on and around Bird Island in the eighteenth century, the focus must be on Little River Inlet and Mad Inlet. Surviving records do not mention specifically a body of land known as Bird Island. However, by following the accounts that mention the two inlets and using eighteenth century maps, a history of the island emerges.

Philadelphia printer Hugh Meredith, who had a partnership with Benjamin Franklin, visited the lower Cape Fear region after the two men decided to dissolve their association in 1730. Meredith mentioned the Little River in an account of the area that was published by Franklin in the *Pennsylvania Gazette* in 1731:

There are several Rivers that water this [New Hanover] Division or District: the westernmost in [*sic*] a little River near *South Carolina*; then the *Shilote* [Shallotte] River, and *Lockard's* [Lockwoods] *Folly*; these three enter the Sea at about 10 Miles Distance from each other; and are, by reason of Sand-Bars cross the Mouths of them, navigable but for Boats, Shallops, and other like small Craft. The next is *Elizabeth River*, which is but small and no great Length, entering the great River Clarendon near the mouth.

Two years later, Edward Moseley's map of North Carolina illustrated Little River Inlet as being situated between two unnamed islands. These islands were obviously Bird Island and Waites Island. By 1761, the Little River was still only "navigable for small Vessels" (See Appendices A and MM).¹

¹ *Dictionary of North Carolina Biography*, s.v. "Hugh Meredith;" Lawrence Lee, *The Lower Cape Fear in Colonial Days* (Chapel Hill: University of North Carolina Press, 1965), 3; Hugh Meredith, *An Account of the Cape Fear Country, 1731*, ed. Earl G. Swem (Perth Amboy, N.J.: Charles F. Heartman, 1922), 7-12, 15 (quotation); "A New and Correct Map of the Province of North Carolina", 1733, William P. Cumming, comp., *North Carolina in Maps* (Raleigh: North Carolina State Department of Archives and History, 1966), Plate 6; William L. Saunders, ed., *The Colonial Records of North Carolina (C.R.)*, Vol. 6 (Raleigh: State of North Carolina, 1888), 608 (quotation).

In 1735 what is now Bird Island was evidently the starting point on the boundary survey that established part of the border between North Carolina and South Carolina, the legal division which came about in 1712. Commissioners from both colonies began the survey on May 1, 1735. An account was recorded that described the commissioners's route:

[They] proceed 30 miles west from Cape Fear which fell within 10 poles of the little River where it enters the Sea, & then went North West to the place where it crossed the Country road, and set up Poles there for the Mearing [*sic*] of the two Provinces, and then separated agreeing under hand and seal to meet again on the 18th of September, and if either party failed in coming the other was to continue the Line, which was to be binding upon both.

The 1735 map accompanying the survey depicted its beginning point on an island (See Appendix B).²

The landform now known as Bird Island appears on a 1764 map and an important 1776 document. The map entitled "A Plan of the Temporary Boundary Line Between the Provinces of North and South Carolina" was prepared in connection with a 1764 survey and featured an unnamed island below Goat Island as the place where the division of the colonies began. It was evidently present-day Bird Island. Twelve years later, on December 23, 1776, newly independent North Carolina formally declared in its Bill of Rights that the southern boundary of the state began "on the sea side at a cedar stake, at or near the mouth of the Little River" (See Appendix D).³

² Marvin L. Skaggs, *North Carolina Boundary Disputes Involving Her Southern Line* (Chapel Hill: University of North Carolina, 1941, 40; Lee, *The Lower Cape Fear in Colonial Days*, 115-116; Saunders, *C. R.*, Vol. 4, 9; William P. Cummings and Louis De Vorse Jr., *The Southeast in Early Maps*, 3rd ed., rev. and enl. (Chapel Hill: University of North Carolina Press, 1998), 240.; Saunders, *C. R.*, Vol. 5, 381 (quotation); "A Map of the Division Line of the Province of North and South Carolina," 1735 (photostat, original map in Public Record Office, London), North Carolina State Archives, Raleigh.

³ Skaggs, *North Carolina Boundary Disputes*, 73; "A Plan of the Temporary Boundary Line Between the Provinces of North and South Carolina," 1764, North Carolina State Archives, Raleigh; Saunders, *C. R.*, Vol. 10, 1005-1006.

Prior to the formation of Brunswick County, Bird Island was situated in New Hanover County (known originally as New Hanover Precinct), formed in 1729. In 1741 the area "on the West side of the Cape Fear River, in New Hanover" that included the island was designated part of St. Philip's Parish for the purpose of establishing an Anglican Church. (The ruins of St. Philips Church still stand at Brunswick Town State Historic Site.) In 1764 Brunswick County was carved from part of Bladen County and the portion of New Hanover that included St. Philips Parish.⁴

On November 22, 1771, the North Carolina Secretary of State issued six land grants totaling 2,620 acres to Joseph Allston (or Alston) along the Little River. Allston received one tract for 640 acres that was referred as Corkins [Colkins] Neck, which is directly above Bird Island. Another grant indicated that he likely acquired what is now Bird Island. A close reading of the survey document shows that the land was bounded by Little River Inlet, Mad Inlet, and the ocean:

Surveyd. for Joseph Allston Two Hundred Acres of Marsh Land in Brunswick County between mad Inlet and Little River Inlet Beginning at a Stake on Jonas's Creek near the Province line by Little River thence along side of sd. River So. 15 E. 66 pole to the Sea Side thence along the Sea So. 45. E. 60 pole then thence along the water No. 67. E. 100 pole to mad inlet thence no. 7. E. 144 pole thence no. 10. E. 40 pole to a Little Creek thence along sd. Creek to Jonas Creek and with the same Beginning 14th May 1771 (See Appendix F)[.]⁵

Joseph Allston, member of a prominent South Carolina family, maintained business interests in Brunswick County. On June 3, 1769, he purchased twenty-one

⁴ David L. Corbitt, *The Formation of North Carolina Counties, 1663-1943*, (1950; reprint, Raleigh: Division of Archives and History, North Carolina Department of Cultural Resources, 1996), 34-35, 159; Lawrence Lee, *The History of Brunswick County* (Southport, N.C.: Brunswick County Board of Commissioners, 1978), 31-34; Walter Clark, ed., *The State Records of North Carolina (S. R.)*, Vol. 23 (Raleigh: State of North Carolina, 1904), 187 (quotation).

⁵ Secretary of State Land Grant Record Books, Vol. 20, p. 722 (microfilm), North Carolina State Archives, Raleigh; Land grant to Joseph Alston, November 22, 1771, Secretary of State Papers, Land Grants, File Nos. 79-84 (microfilm), North Carolina State Archives, Raleigh (quotation).

slaves at public auction from Christopher Cain, the county coroner. A 1769 tax list from St. Philip's Parish listed him as owning sixteen slaves. Three years later the tax list credited Allston with only three slaves. Another member of the Allston/Alston clan, Col. Joseph Alston served as governor of South Carolina from 1812 to 1814.⁶

In September 1771 Roger Fisher wrote to the British Navy Board about the remarkable "live oak trees" that grew on a chain of islands from North Carolina to Florida. He believed that the trees would be an asset to the Royal Navy, but he noted that the Americans "who appear ready to set up for Independence" might use this resource against the British. In his letter, Fisher referred to the "Long Island between North & South Carolina about 6 Leagues." Although Bird Island sits in both Carolinas, it is not six leagues long, which is eighteen miles. Fisher evidently was referring to Long Bay that extends from the Cape Fear in North Carolina to Winyah Bay in South Carolina. A 1738 map illustrates a series of islands that run along this bay. John Collet's 1770 map of North Carolina depicts the bay along with Little River Inlet with an unnamed island next to it. Also, Henry Mouzon's 1775 map of North and South Carolina shows Long Bay and Little River Inlet which is situated between two unnamed islands. Interestingly, Fisher noted that the live oaks on these islands grow from "15,, 20,, 24,, & 30 foot in

⁶ Joseph A. Groves, *The Alstons and Allstons of North and South Carolina* (1902, reprint, Durham, N.C.: Seeman Printery, Inc., 1957), 26-28, 44-45, 51-55; Catherine H. Lewis, "Little River," *Horry County Historical Society: Places and Things*, <<http://www.hchsonline.org/places/littleriver.html>> (July 16, 2002), Christopher Cain to Joseph Allston, June 3, 1769, Book A, p. 80 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh; Tax List, Brunswick County, 1769, Secretary of State Papers, North Carolina State Archives, Raleigh; Tax List, Brunswick County, 1772, General Assembly Papers, North Carolina State Archives, Raleigh;; Henry A. M. Smith, "The Baronies of South Carolina: X, Hobcaw Barony," *The South Carolina Historical and Genealogical Magazine* 14 (April 1913): 74-76.

length.” However, he was probably not referring to the live oaks that grow on Bird Island (See Appendices C, E, and G).⁷

In 1776 Little River was rumored to be a possible British invasion route. On October 1 of that year, John Rutledge, president of the Legislative Council, sent a message to the South Carolina General Assembly about the prospect of an enemy incursion up the Little River. The message stated the following:

On the 7th of May, I was informed by a letter from the Committee of Secrecy, War and Intelligence in North Carolina of their having received advice that the Enemy, who then lay in Cape Fear River planned a descent at the mouth of Little River, near the borders of this Colony, in order to attempt a passage into the back country of that, by the Lake of Waccamaw. Having occasion to confer with the Honourable Colonel Powell on this subject, he urged very strongly the absolute necessity of building a stockade fort and keeping a garrison at the Cheraw Hill as a security against incursions of the disaffected about Cross Creek [now Fayetteville, N.C.], and for preventing or suppressing insurrections which they might occasion amongst our own people near the North Carolina line, events which might be feared, if the intended junction between the British and the malcontents in that Province had taken place.⁸

In 1773 Joseph Allston conveyed to Josias Allston of South Carolina his Colkins Neck tract. Josias Allston in 1774 in turn sold Colkins Neck to his son Francis Allston also of South Carolina. Francis Allston's deed stated that Colkins Neck consisted 385

⁷ Roger Fisher to [Navy Board], September 7, 1771, British Public Records Office, Admiralty, ADM 49:36 (photocopy), North Carolina State Archives, Raleigh (quotation); William S. Powell, comp., *The North Carolina Gazetteer* (Chapel Hill: University of North Carolina Press, 1968), 296; “This Chart of [Carolina] . . .,” 1738, (photostat, original map in Public Record Office, London) North Carolina State Archives, Raleigh; “A Compleat Map of North Carolina,” 1770, William P. Cumming, comp., *North Carolina in Maps* (Raleigh: North Carolina State Department of Archives and History, 1966), Plate 7; “An Accurate Map of North and South Carolina,” 1775, William P. Cumming, comp., *North Carolina in Maps* (Raleigh: North Carolina State Department of Archives and History, 1966), Plate 8.

⁸ William E. Hemphill, Wylma Anne Wates, and R. Nicholas Olsberg, eds., *Journals of the General Assembly and House of Representatives, 1776-1780* (Columbia: South Carolina Department of Archives and History, 1970), 111-112 (quotation).

acres instead of 640 acres as mentioned in Joseph Allston's land grant. A decade later, Josias Allston provided Francis with a clear title to the land.⁹

The story of Bird Island in the eighteenth century is rather obscure due to the scant number of references in resources. At this point, the chain of ownership is not clear. Decades later, in 1823, Samuel Frink would receive a land grant for what in now Bird Island. It remains an open question as to how the land passed from Joseph Allston to Frink. During the American Revolution, the area was not the scene of major military actions. The British and the Americans placed only limited strategic value on the inlets around the island. The nineteenth century would bring new owners and during the Civil War, military action in the vicinity of Bird Island.¹⁰

⁹ Josias Allston to Francis Allston, April 15, 1774, Book B, pp. 221-222 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh; Josias Allston to Francis Allston, April 16, 1774, Book B, pp. 222-224 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh; Land grant to Joseph Alston, November 22, 1771, Secretary of State Papers, Land Grants, File No. 82 (microfilm), North Carolina State Archives, Raleigh; "Lease and Release for Three hundred and eighty-five acres of land from Josias Allston to his son Francis Allston," December 20, 1784, Minutes of the Brunswick County Court of Pleas and Quarter Sessions, North Carolina State Archives, Raleigh.

¹⁰ Land Grant to Samuel Frink, November 28, 1823, Secretary of State Papers, Land Grants, File No. 1158 (microfilm) North Carolina State Archives, Raleigh.

Chapter III

Nineteenth Century

In the nineteenth century, Bird Island was under the ownership of two families, the Frinks and Thomases. The Frink family obtained the island as a land grant in 1823 and held possession of it for six decades. The Thomas family purchased the island in 1882. The surviving historical record does not say what these families did with the landmass. However, it is known that Little River Inlet next to the island was the scene of maritime activities in the 1800s.

In the early 1800s, Little River Inlet was a point of entry for ships going to the town of Little River, South Carolina. In 1826 Robert Mills, the designer of the Washington Monument and who studied under Thomas Jefferson, wrote about the river and its inlet in his *Statistics of South Carolina* which he prepared while he served as state engineer and architect for the Palmetto State. Mills stated the following:

Little river admits vessels drawing 6 or 7 feet water up into the harbor, 4 miles from its mouth. There is a little difficulty at the entrance . . .

The town of Little River was a port from which lumber and naval stores were shipped to the northern United States. Vessels coming to and from the port passed by Bird Island. Around 1813 steamboat inventor Robert Fulton proposed the establishment of a route through protected waters from Newport Inlet to Little River Inlet. The run was to be part of an elaborate plan to put in place four steamboat routes from Norfolk to Savannah. However, the idea never reached fruition.¹

¹ Catherine H. Lewis, "Little River," *Horry County Historical Society: Places and Things of Interest in Horry County*, < <http://www.hchsonline.org/places/littleriver.html> > (July 16, 2002); Robert Mills, *Statistics of South Carolina* (1826; reprint, Spartanburg, S.C.: Reprint Co., 1972), 582 (quotation); *Dictionary of American Biography* s.v. "Robert Mills"; *The National Cyclopaedia of American Biography* s.v. "Robert Mills"; John Gray Blount, *The John Gray Blount Papers*, Vol. 4, ed. David T. Morgan (Raleigh: Division

In 1823 the Secretary of State Office of North Carolina issued a land grant for the landmass that was to be called Bird Island to a thirty-seven-year-old man named Samuel Frink. Brunswick County surveyor B. Williams plotted the boundaries of the grant:

Joining his own [land] Beginning on the East Side of Little River in S. Frink line Turning thence North Seventy East two Hundred & forty Poles to west End of Bryant Gausess Beach then Down a large Creek by the End of G. [Gause] Beach to Mad Inlet then with the Edge of the Ocean westwardly to Little River then up sd. River to the Beginning[.]

On November 28 of that year, Frink received the grant that encompassed one hundred acres. He would hold the property until his death in November 1862 (See Appendix H).²

Samuel Frink (1786-1862), a wealthy planter, was married to Elizabeth Bellune (1790-1843). The couple had twelve children; eight lived to adulthood. Eight years before he obtained Bird Island, Frink owned twenty slaves and over 4,000 acres valued at \$5,400. The 1840 population census listed Frink as working in agriculture and having seventy-two slaves. He was also involved in production of turpentine. In 1850 his company, Samuel Frink and Son, employed an average of five men and produced 750 barrels of turpentine.³

Frink's 1862 will indicated that his wealth was not related entirely to agriculture. He owned a house and lot in Wilmington and stock in the Bank of Cape Fear and the

of Archives and History, North Carolina Department of Cultural Resources, 1982), 178, n. 37; John S. Morgan, *Robert Fulton* (New York: Mason/Charter Publishers, Inc., 1977), 175-176.

² Land grant to Samuel Frink, November 28, 1823, Secretary of State Papers, Land Grants, File No. 1158 (microfilm), North Carolina State Archives, Raleigh (quotation); Will of Samuel Frink, 1862, New Hanover County Original Wills North Carolina State Archives, Raleigh; *Daily Journal* (Wilmington), November 22, 1862.

³ "The Descendants of the Frink Family" (1964), 22-24, Frink Family Folder, Genealogy Vertical File, Genealogical Services, State Library of North Carolina, Raleigh; Third Census of the United States, 1810: Brunswick County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Tax List, Brunswick County, 1815, Treasurer's and Comptroller's Papers, North Carolina State Archives, Raleigh; Sixth Census of the United States, 1840: Brunswick County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Seventh Census of the United States, 1850: Brunswick County, North

Wilmington and Weldon Railroad. Frink held four bonds from the town of Wilmington worth \$6,500 and six promissory notes valued at \$5,508. Two of the notes were owed by Frink's daughter, Lernora Watters and her deceased husband, Henry H. Watters.⁴

In 1860 two years before his death, Frink owned 3,723 acres (283 improved and 3,440 unimproved) valued at \$5,906 and personal property worth \$43,103. He had 2 horses, 5 asses and mules, 20 milk cows, 6 oxen, 54 other cattle, 75 sheep, and 100 swine. His agricultural production constituted 1,200 bushels of corn, 1,080 pounds of rice, 80 pounds of wool, 180 bushels of peas and beans, 1,200 bushels of sweet potatoes, 100 pounds of butter, and 6 tons of hay. Frink's homemade manufactures were worth two hundred dollars. John S. Millender worked as his overseer. In 1860 Frink owned sixty-five slaves. Twelve of these bonded people worked as house slaves.⁵

Frink died on November 2, 1862, at his Brunswick County residence at the age of seventy-six. An obituary from the *Wilmington Daily Journal* said the following about the man:

In him his afflicted children have lost the kindest, tenderest of parents; his servants weep a beloved master; the community mourns for a citizen most useful in his day and generation, and the widow and the orphan cry aloud for the friend whose benefits descended on them as quietly and unostentatiously as fall the dews of night. He showed his "faith by his works."

In his will, Frink conferred the plantation (that included Bird Island) where he resided and additional parcels of land to his son Lorenzo. In the codicil to his will, Frink gave to

Carolina, Industry Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh).

⁴ Will of Samuel Frink, 1862, New Hanover County Original Wills North Carolina State Archives, Raleigh.

⁵ Eighth Census of the United States, 1860: Brunswick County, North Carolina, Agriculture Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Eighth Census of the United States, 1860: Brunswick County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Eighth Census of the United States,

Lorenzo Frink more land that was to go to his sister Lernora. In turn, Lernora was given the three promissory notes that she and her dead spouse owed to her father.⁶

* * * * *

During the Civil War, the U.S. Navy blockaded the coastline of the South. Union ships covered inlets, such as Little River. To evade the blockade, Confederates used fast blockade runners that took cotton and other products to the Bahamas or possibly to Bermuda. The vessels returned with much needed supplies especially for Confederate soldiers. In his book *Lifeline of the Confederacy*, Stephen R. Wise noted:

On blockade runners came 60 percent of the South's arms; one-third of its lead for bullets, ingredients for three-fourths of its powder, nearly all of its paper for cartridges, and the majority of its cloth for uniforms and accoutrements.

The blockade runners passed by Bird Island. Available records do not indicate that any of the vessels sank near the island or ran aground on it. However, about two miles from Bird Island (at modern-day Sunset Beach), the *Vesta* in January 1864 ran ashore after a chase by the U.S.S. *Aries*. On occasion, coal from long vanished vessels washes ashore on Bird Island.⁷

Early in the Civil War, a minor encounter between Yankees and Rebels occurred on the beaches near Little River Inlet, possibly on Bird Island. On the night of December 13, 1861, Lt. George W. Browne of the U.S. Bark *Fernandina* noticed numerous fires along the coast, concluding that these indicated the presence of Confederate soldiers.

1860: Brunswick County, North Carolina, Slave Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh).

⁶ *Daily Journal* (Wilmington), November 22, 1862 (quotation); Will of Samuel Frink, 1862, New Hanover County Original Wills North Carolina State Archives, Raleigh.

⁷ Lawrence Lee, *The History of Brunswick County* (Southport, N.C.: Brunswick County Board of Commissioners, 1978), 155; Stephen R. Wise, *Lifeline of the Confederacy: Blockade Running during the Civil War* (Columbia: University of South Carolina Press, 1988), 7 (quotation); *Official Records of the*

The *Fernandina* discharged shots. In reaction, the men on the coast extinguished most of their fires. In his report, Lieutenant Browne noted that "from the appearance of things I am now to believe the fires were signals for some vessel endeavoring to run a cargo."⁸

In June 1862 the U.S.S. *Mount Vernon* picked up eight slaves from a boat at Little River Inlet. The African Americans informed the crew of the *Mount Vernon* of two schooners harbored at the port of Little River that were planning to run the blockade. With this information, a Union expedition of six small boats proceeded to the town of Little River. They successfully destroyed two schooners that were sitting on the shore, 200 barrels of turpentine, 53 barrels of rosin, and 60 bales of cotton that were on the wharf and in warehouses.⁹

On the night of December 31, 1862, Lt. E. Hooker, commander of the U.S.S. *Victoria*, decided to send a boat into the Little River in search of blockade runners. His warship had been shadowing a vessel near the Little River bar. Lieutenant Hooker wrote about the excursion in his report:

At the first point of landing they were met by cavalry pickets and retired. They then entered the river and proceeded several more miles up river without, however, discovering anything except more cavalry pickets. The boat returned to the ship at 7 o'clock a. m., January 1, I returned to my anchorage.

The schooners in Little River are the *Argyle* and *James Bailey*. At high water there is about 9 feet on Little River Bar.

Union and Confederate Navies in the War of the Rebellion, ser. 1, 9: 402-404, 409-410; Frank Nesmith, interview with author, Sunset Beach, N.C., July 2, 2002

⁸ *Official Records of the Union and Confederate Navies in the War of the Rebellion*, ser. 1, 6: 473-474 (quotation).

⁹ *Official Records of the Union and Confederate Navies*, ser. 1, 7: 506-507.

It is possible that Bird Island was the place on which the naval patrol originally landed since it is one of the first two points of land prior to entering the Little River (See Appendix I).¹⁰

The Little River was not well known to outsiders. In 1863 Maj. A. B. Magruder wrote that "it [Little River] is not down on any charts nor on the coast survey, its existence—even certainly its harbor and anchorage ground—is hardly known to any Yankee." In February of that year, owing to lack of knowledge, the Union Navy had a problem just entering the Little River for a reconnaissance mission. A launch from the U.S.S. *Maratanza* and another from the U.S. Schooner *Matthew Vasser* were delayed until they found the channel in which to cross the sandbar at the inlet. An officer on the boat from the *Matthew Vasser* who had experience on the river proved inadequate in showing the *Maratanza's* launch where to proceed after crossing the sandbar. It went up a "false channel." However, by a stroke of luck they captured a small enemy boat laden with equipment intended for a Confederate army company garrisoned at a fort a mile and one-half upriver.¹¹

Bird Island may have served as a refuge for two African Americans that escaped from slavery. The men signaled to the U.S.S. *Monticello* in an effort to get attention. In his report, Lt. Cmdr. D. L. Braine wrote the following about the situation:

Yesterday I observed on the beach near Little River Inlet two contrabands making signals to us. Hoping to receive some information from them, I sent a boat and took them off. They proved to be Sam Picket, aged 22, and Henry Picket, aged 17, from Shallotte. They informed me that there is a schooner in Little River, loaded with cotton, turpentine, and rosin, waiting to run out, and that there is another schooner in Shallotte Inlet, which has been loaded, but, finding no opportunity to escape, has discharged her cargo and sent it down to Little River. They also tell me

¹⁰ *Official Records of the Union and Confederate Navies*, ser. 1, 8: 397 (quotation).

¹¹ *Official Records of the Union and Confederate Navies*, ser. 1, 8: 441, 529-530.

that there are about fourteen pickets at Shallotte, and a large number at Little River. I have shipped them on board this steamer as second-class boys for the term of three years.¹²

In February and March 1863, Little River Inlet was the scene of several incidents that involved the U.S. Navy, blockade runners, and Confederate soldiers. On February 20 U.S. Schooner *Matthew Vassar*, sitting three-fourths of a mile from the bar at the inlet, prevented a steamboat from entering the Little River around 1:30 A.M. at a time when the seas were heavy, the breeze was strong, and the night was foggy. The vessel fit the perfect description of a blockade runner:

She was a very low and long boat, with propeller wheels; no masts; painted lead color, and a telescope funnel, which was lowered down most even with the top of her paddle boxes. She was a hard boat to see in a fog.

Three days later, the *Matthew Vassar* drove off another blockade runner as it attempted to enter the Little River Inlet. On February 24 the *Matthew Vassar* kept yet another vessel from getting into the inlet. This ship was described as “a large side-wheel steamer, painted black; no masts, and a stump bowsprit and a flagstaff forward, and one funnel.”¹³

On March 3, 1863, the commander of the *Matthew Vassar*, H. H. Savage, sent a boat with nine men to destroy a vessel after he “sighted a large boat on the point of the island at this [Little River] inlet.” The men destroyed the vessel. Instead of coming back as was expected, the boat went up the Little River. The crew went ashore on the mainland where Confederate soldiers captured them. The leader of the expedition, George Drain, later claimed that Savage had ordered him to conduct reconnaissance in the area for a possible expedition and to take any white men off the beach.¹⁴

¹² *Official Records of the Union and Confederate Navies*, ser. 1, 8: 548 (quotation).

¹³ *Official Records of the Union and Confederate Navies*, ser. 1, 8: 561-562, 568-569 (quotation).

¹⁴ *Official Records of the Union and Confederate Navies*, ser. 1, 8: 584-586.

A crewman who had escaped capture contradicted what Drain had stated in a later report. Supposedly, Drain proposed to go up the river and kill a bull. A bull was killed and placed in the boat and the men went back down the river. Confederate soldiers ordered the boat to come ashore. The crew wanted to fire at the rebels, but Drain feeling that a struggle was useless ordered them surrender. Capt. B. F. Sands, a senior officer, stated that the action looked like desertion or a reckless act.¹⁵

The production of salt in the Little River area was important to the Confederate war effort. The salt was derived from seawater. In her history of Little River, Catherine H. Lewis noted that military action in the region involved mainly defending or destroying the saltworks. On November 24, 1862, the U.S.S. *Monticello* laid waste to saltworks near the Little River Inlet. Lieut. Cmdr. D. L. Braine wrote the following account of the action:

This morning, discovering two extensive salt works near Little River Inlet, I stood in as close to the shore as water would permit and destroyed them with 5-second shell.¹⁶

During the Civil War, the North and the South clashed near Bird Island. It is possible that some action did occur on the island that never was recorded for posterity. Nevertheless, no large-scale military engagements occurred that had a major effect on the outcome of the war.

* * * * *

As mentioned earlier, during the Civil War years, ownership of Bird Island passed from Samuel Frink to his son Lorenzo Frink (1812-1889) whose acknowledged

¹⁵ *Official Records of the Union and Confederate Navies*, ser. 1, 8: 600.

¹⁶ Catherine H. Lewis, "Little River," *Horry County Historical Society: Places and Things*, <http://www.hchsonline.org/places/littleriver.html> (July 16, 2002); *Official Records of the Union and Confederate Navies*, ser. 1, 8: 234 (quotation).

profession was physician. However, the doctor could also be classified as a planter and businessman. According to the 1860 census for the Shallotte Township, Brunswick County (before the physician received Bird Island), Dr. Frink possessed 1,060 acres appraised at \$3,025, owned forty-two slaves, and ran a naval stores business worth \$6,650. His total estate was valued at \$36,329. In addition, he maintained a residence in Smithville (present-day Southport).¹⁷

Dr. Frink married Jessie Wingate (1828-1874); they had two children, Samuel and Elizabeth. In 1860 Dr. Frink and his family lived in the Shallotte Township of Brunswick County. At this residence, he employed an overseer for agricultural operations and a teacher for his children. Dr. Frink was described as "one of the few highly cultured men of Brunswick County." By 1870 the physician was residing in Wilmington with his wife, son, and a domestic servant.¹⁸

Dr. Frink maintained extensive agricultural operations in Brunswick County in 1870, but he no longer was involved in the naval stores business. The 1870 agricultural census listed him owning livestock worth \$1,400. The doctor produced 1,100 bushels of corn, 125 pounds of wool, 100 pounds of sweet potatoes, and 50 pounds of butter. An 1873 tax list indicated that Frink held two tracts of land in the Shallotte Township. One

¹⁷ Eighth Census of the United States, 1860: Brunswick County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); "The Descendants of the Frink Family" (1964), 28-29; Eighth Census of the United States, 1860: Brunswick County, North Carolina, Agriculture Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Eighth Census of the United States, 1860: Brunswick County, North Carolina, Slave Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Eighth Census of the United States, 1860: Brunswick County, North Carolina, Industry Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); *Weekly Star* (Wilmington), October 18, 1889.

¹⁸ "The Descendants of the Frink Family," (1964), 23, 28-29; Eighth Census of the United States, 1860: Brunswick County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Ninth Census of the United States, 1870: New Hanover County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh).

contained 850 acres and was called the "Homestead." The other property had 7,800 acres and was described as the "Old Place" evidently being his father's former home.

According to the 1873 tax list, Dr. Frink's combined real and personal property for the Shallotte and Smithville Townships totaled \$17,081.¹⁹

In 1880 the sixty-eight-year-old Dr. Frink, then retired, was residing in Smithville with his six-year-old grandson. He apparently was no longer actively engaged in farming on his lands in the Shallotte Township. The 1881 tax list for the Shallotte Township had Dr. Frink as holding only the "Old Place" with 4,000 acres. On January 4, 1882, Dr. Frink sold to J. K. and Albert P. Thomas land that included Bird Island for \$5,000. A description of the land was provided in the deed:

Beginning at a point on the Atlantic Ocean the dividing line Between the said Frinks Land and William Frinks Land [Mad Inlet] thence Through the Marsh to a Stake thence same course North 1° West 264 poles to a stake thence North 30 West 300 poles crossing the Main road to a stake on the North edge of Shingletree Swamp, thence Down said Northern edge of Shingletree Swamp to Dividing line of the Blackwell Land now owned by Jesse Wilson thence down and with said line South 30° East to the North East branch of Little River or Calabash Creek thence up said River or Creek across to the dividing line of D[illegible] Stanley thence with the said Stanleys line a southernly course to the head of Jonahs creek then with the line of the Ocean to the Beginning.²⁰

¹⁹ Ninth Census of the United States, 1870: Brunswick County, North Carolina, Industry Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Tenth Census of the United States, 1880: Brunswick County, North Carolina, Industry Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Ninth Census of the United States, 1870: Brunswick County, North Carolina, Agriculture Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Tax listing for Lorenzo Frink, 1873, Shallotte Township and Smithville Township (microfilm), Brunswick County Tax Scrolls, North Carolina State Archives, Raleigh.

²⁰ Tenth Census of the United States, 1880: Brunswick County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Tenth Census of the United States, 1880: Brunswick County, North Carolina, Agriculture Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Tax listing for Dr. Lorenzo Frink, 1881, Shallotte Township (microfilm), Brunswick County Tax Scrolls, North Carolina State Archives, Raleigh; Lorenzo Frink to J. K. Thomas and A. P. Thomas, January 4, 1882, Book AA, pp. 141-142 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh (quotation); Lorenzo Frink to J. K. Thomas and A. P. Thomas, April 11, 1883, Book BB, p. 99 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh.

On that same day, the Thomas brothers agreed to divide the piece of land known as the "Old Sam Frink Place." Albert P. Thomas received the east side or "Old House Tract" and J. K. Thomas obtained the land called "Big Island" and "Cool Spring Tract." In April 1883 Dr. Frink had to pay back the Thomases \$700 for erroneously including land that belonged to W. H. Stone and B. B. Bennett in the January 1882 transaction. Nevertheless, the purchase of the property by J. K. and Albert P. Thomas removed Bird Island from the ownership of the Frink family.²¹

Dr. Frink lived another seven years after he sold Bird Island. He died on October 14, 1889, at the age of seventy-seven at his home in Southport. (Smithville became Southport in 1887.) His body was transported on the steamer *Passport* to Wilmington for burial. The doctor was buried in Oakdale Cemetery in Wilmington. Wilmington newspapers had only praise for the deceased physician. The *Weekly Star* stated that Dr. Frink was "held in the highest esteem" in Southport and the *Wilmington Messenger* said he was "a prominent and highly beloved citizen of Southport." The *Daily Review* called Frink a "highly esteemed citizen of that [Brunswick] county."²²

J. K. Thomas (born ca. 1855) and Albert P. Thomas (born ca. 1858) were the sons of Cornelius and Jane E. Thomas of Brunswick County. According to the 1880 census, the two brothers lived with the elder Thomas. The sons worked for their father who in the 1880 census listed his occupation as grocer, distiller, and farmer. The twenty-five-year old J. K. worked as a store clerk while the twenty-two-year old Albert P. labored on

²¹ Division of "Old Samuel Frink Place" by J. K. and A. P. Thomas, January 4, 1883, Book BB, pp. 26-27 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh; Lorenzo Frink to J. K. Thomas and A. P. Thomas, April 11, 1883, Book BB, p. 99 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh.

the farm. The father and sons ran a turpentine distillery, C. Thomas and Sons, for nine months of the year. In 1880 the business had a product value of \$4,500. J. K. Thomas was married to a woman named Rosa; Albert Thomas's spouse was named Lizzie.²³

By the early 1880s, tax records show that the two Thomases had their own properties. In the 1881 tax list for the Shallotte Township, J. K. Thomas had 1,000 acres along with a horse, 12 head of cattle, and 5 hogs. The younger brother was shown with 3,700 acres, which was not mentioned in the 1881 tax records, on the 1882 tax scroll. However, Albert P. Thomas was not listed as owning any livestock. Interestingly, although Albert P. Thomas had greater acreage compared to his older sibling, his land was worth much less. In 1882 J. K. Thomas's tract was worth \$3,000 or three dollars per acre while Albert P. Thomas's land was valued at \$3,700 or one dollar per acre.²⁴

The tax list for 1883 and 1884 for the Shallotte Township showed J. K. and Albert P. Thomas as holding former Frink property. J. K. Thomas held two-fifths of an acre referred to as the "Old Frink Place" while Albert P. Thomas held the other three-fifths. The total value of the "Old Frink Place" for 1883 was \$3,000. J. K. Thomas also possessed 1,200 acres listed as "Home." His brother did not have any additional property listed. In 1886 the tax list had J. K. Thomas holding two large tracts of land. J. K. Thomas still retained the 1,200 acres referred to as "Home"; he also owned 1,600 acres called the "Old Place." Albert P. Thomas now held 2,500 acres described as "Home."

²² *Weekly Star* (Wilmington), October 18, 1889 (quotation); *Wilmington Messenger* (daily), October 15, 1889 (quotation) and October 16, 1889; *Daily Review* (Wilmington), October 15, 1889.

²³ Tenth Census of the United States, 1880: Brunswick County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Tenth Census of the United States, 1880: Brunswick County, North Carolina, Industry Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh).

²⁴ Tax listings for J. K. Thomas and A. P. Thomas, 1881, Shallotte Township (microfilm), Brunswick County Tax Scrolls, North Carolina State Archives, Raleigh; Tax listings for J. K. Thomas and A. P.

Throughout the remainder of the nineteenth century, Bird Island remained in the hands of the Thomas family.²⁵

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By the late nineteenth century, Bird Island was clearly labeled on coastal charts. In 1873 a map of the Little River and its vicinity, created by the federal government, was one of the first documents to refer to the landmass as Bird Island. (When compared to a modern map, Bird Island and its immediate surroundings have changed quite a bit.) A sandbar sat in the middle of Little River Inlet, and a buoy marked the entrance to the inlet. The island had extensive shoals because of the influence of Mad Inlet and Little River Inlet. An indent was situated in the rear. A narrow strip of land that ran the entire length of the island, it appears, rose above sea level. In 1888 the federal government produced a coastal chart of Little River Inlet and part of Long Bay. The map depicted Bird Island as having more land that was above sea level when compared to 1873. The backside indent was longer. A larger sandbar had formed in Little River Inlet (See Appendices I and J).²⁶

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What might have occurred on the island after the Civil War remains a mystery. Vessels still passed the island going to and from the harbor town of Little River. By 1868 the ships made regular trips to Northern cities and the West Indies. There is little doubt that fishing was a regular activity around the island. The harvesting of oysters and clams

Thomas, 1882, Shallotte Township (microfilm), Brunswick County Tax Scrolls, North Carolina State Archives, Raleigh.

²⁵ Tax listings for J. K. Thomas and A. P. Thomas, 1883, 1884, and 1886, Shallotte Township (microfilm), Brunswick County Tax Scrolls, North Carolina State Archives, Raleigh.

²⁶ U.S. Coast Survey, Little River and Vicinity, South Carolina, 1873 (A copy of the map was given to author by Frank Nesmith.); U.S. Coast and Geodetic Survey, Little River Inlet and part of Long Bay, 1888, State Archives, Raleigh.

may have been done on or near the island. In 1892 the Superior Court in Brunswick County granted license for E. F. Tharp "to lay down or plant oysters or clams" at a location not far from Bird Island. The purposed mollusk bed was located:

[O]n the Shoal at the mouth of Clayton Creek, lying to the Eastward of Goat Island and to the Westward of Mad Inlet, and known as the Clayton Shoal and containing about $\frac{3}{4}$ of an acre more or less[.] (See Appendices I and J).²⁷

The historical record from the 1800s does not reveal much about Bird Island proper, but it does provide some important facts. Only two families owned the island during this period. Ships passed by Bird Island as they went up the Little River. During the Civil War, the Union Navy and Confederate blockade runners and soldiers had some clashes near the island.

²⁷ Catherine H. Lewis, "Little River," *Horry County Historical Society: Places and Things*, <http://www.hchsonline.org/places/littleriver.html> (July 16, 2002); Application of the Establishment of Fishery by E. F. Tharp, 1892, Brunswick County Miscellaneous Records, North Carolina State Archives, Raleigh (quotation).

Chapter IV

1900s to 1960s

In the first half of the twentieth century, Bird Island passed through several hands. The list of owners included a Wake County physician and a wealthy New Jersey man who had traveled the world. The island was even collectively held by three men. In 1953 Bird Island was sold to the Price family who retained ownership into the early years of the twenty-first century.

Albert P. Thomas of Brunswick County had sole possession of Bird Island by 1903. The 1900 population census listed him as a forty-two-year-old farmer with a large family that included his widower father, Cornelius. On January 29, 1903, Albert P. Thomas provided J. Calvin Thomas with a warranty deed (for a clear land title) to 2,000 acres that included Bird Island. (J. Calvin Thomas's relation to Albert P. is unclear; they evidently were not brothers.) The next day, J. Calvin Thomas took out a mortgage for \$2,000 on this parcel. J. Calvin Thomas paid his debt by January 1906.¹

The historical record reveals little on the life of J. Calvin Thomas. His wife was named Maggie. The 1881 tax scroll for the Shallotte Township showed Thomas as twenty-five years old with no real estate. His total property was valued at \$158. He did own two heads of cattle and three hogs. According to tax records for 1884 and 1886, Thomas had one hundred acres of land. The 1884 record referred the land as "State line"; the 1886 tax list called it the "Thomas land." By 1905 Thomas's wealth had increased considerably. The tax scroll had him as a fifty-one-year-old with real and personal

¹ A. P. Thomas to Calvin Thomas, January 29, 1903, Book TT, pp. 303-304 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh; Calvin Thomas to A. P. Thomas, January 30, 1903, Book TT, pp. 367-368 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh;

property valued at \$5125. Thomas had the 2,000 acres that he had purchased from Albert P. Thomas, which was described as "Home." He owned 4 mules, 25 heads of cattle, and 10 hogs. (J. Calvin Thomas does not appear in the 1900 or 1910 census for the Shallotte Township of Brunswick County.)²

On January 1, 1912, Thomas sold 3,208 acres that included Bird Island to Dr. George M. Bell for \$10,000. Dr. Bell was a physician who practiced medicine in the Wakefield area of Wake County. According to the 1910 census, the fifty-four-year-old Dr. Bell was married to a woman named Helen and had four sons and a daughter. The physician evidently never permanently resided on his land. The *North Carolina Year Book and Business Directory* from 1911 to 1916 recorded that he was a physician in Wakefield. The 1920 census listed Dr. Bell as still living in Wake County. Interestingly, the 1915 Brunswick County tax list for the Shallotte Township showed him with only 400 acres that were worth \$6,000. The land was called the "Thomas" tract. The physician held all of Bird Island until first day of 1918.³

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Twelfth Census of the United States, 1900: Brunswick County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh).

² Calvin Thomas to A. P. Thomas, January 30, 1903, Book TT, pp. 367-368 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh; Tax listings for J. Calvin Thomas, 1881, 1884, 1886, and 1905, Shallotte Township (microfilm), Brunswick County Tax Scrolls, North Carolina State Archives, Raleigh.

³ J. C. Thomas to G. M. Bell, January 1, 1912, Book 17, pp. 212-213 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh; *The North Carolina Year Book and Business Directory, 1911-1916* (Raleigh, N.C.: News and Observer, 1911-1916), various pages; Thirteenth Census of the United States, 1910: Wake County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Fourteenth Census of the United States, 1920: Wake County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); Tax listings for Dr. G. M. Bell, 1915, Shallotte Township (microfilm), Brunswick County Tax Scrolls, North Carolina State Archives, Raleigh; G. M. Bell to W. H. Heffner, January 1, 1918, Book 29, pp. 588-589 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh.

During the period that J. Calvin Thomas and Dr. George M. Bell owned Bird Island, the United States War Department, which had responsibility over the nation's coastal routes, was looking at ways to improve the waterways around Bird Island to enhance shipping. In 1907 the Army Corp of Engineers investigated the feasibility of removing the bar at the mouth of the Little River between Waites Island and Bird Island. In his August 29, 1907, report, Capt. Earl I. Brown provided a description of the waters around Bird Island and told about the problem of dredging:

A few yards to the eastward of Little River Inlet is Mad Inlet, the outlet to Mad Inlet Creek and a system of small intercommunicating sounds extending along parallel to the coast of Shallotte Inlet. Little River Inlet and Mad Inlet are separated by Bird Island, in the rear of which a short channel connects Little River Inlet and Mad Inlet. The two inlets have a common bar about 100 yards offshore. A depth of 8 to 10 feet is available in Little River to the town of Little River. The channel across the bar is quite variable. It is reported by the Wilmington, Southport, and Little River Transportation Company, which runs a steamer between Wilmington and Little River, that about six weeks ago the depth over the bar was somewhat more than 6 feet at low water. I made a personal examination of the bar on August 23, and found that it had shoaled to about 18 inches at low water. It is stated that this variation of depth is a matter of common occurrence.

It is also changeable in position. In common with most unprotected bars on the South Atlantic coast, its changes go through a regular cycle. It will swing from east to southwest, and then break out anew to the eastward. Changes in both position and depth are subject to the local influences of the winds.

The tidal variation at the inlet is not accurately known. It is probably about 4½ feet, the same as that of the Cape Fear River, 30 miles distant. The tidal flow into and out of the Little River basin is not great enough to maintain a channel across the bar, unless it were confined to very narrow limits.

Dredging for removing the bar seems out of the question, without additional works for making the position of the channel stable. This could be accomplished only by one or more jetties, whose construction at this

remote place would be very expensive, and not justified by the presence of commerce passing through the inlet (See Appendix J).⁴

Captain Brown noted that improvement of the inlet at Little River would be of principal importance to three companies: Wilmington, Southport and Little River Transportation Company; Hammer Lumber Company; and Little River Lumber Company. The Wilmington, Southport and Little River Transportation Company regularly moved commodities between Wilmington and Little River and Calabash. In 1907 the company utilized a steamer and two barges. Two schooners were employed when the weather cooperated. The Hammer Lumber Company and the Little River Lumber Company brought their lumber through the inlet. The Hammer Lumber Company of Little River had a tug with a five-foot draft to pull its barges. For 1906 over 10,000 tons of goods (cotton, cattle, fish, peanuts, rosin, etc.) valued at \$500,000 and 2,350 passengers went through the Little River Inlet.⁵

The Corps of Engineers concurred with Captain Brown's opinion against the proposed project because the cost would not justify the returns. Locally, the improvement of Little River Inlet was seen as vital for the region. A letter from T. P. Hammer of the Hammer Lumber Company, which opened a large plant at Little River in January, 1907, defended the importance of improving the inlet. He noted that a deeper inlet was vital to the existence of two big lumber companies, to a number of country stores, and to hundreds of farmers. Hammer stated further that "many thousands of dollars worth of marine property have been lost because of this shallow bar and it will

⁴ U.S. Congress, House of Representatives, *Little River, South Carolina*, 60th Cong., 1st sess., 1908, H. Doc. 530, 1-4 (quotation).

⁵ U.S. Congress, House of Representatives, *Little River, South Carolina*, 60th Cong., 1st sess., 1908, H. Doc. 530, 1-4.

continue a menace until deepened.” Nevertheless, in the end, the Corp of Engineers did not change its opinion.⁶

In 1913 the Corps of Engineers issued a report on a section of the proposed Intracoastal Waterway from Beaufort, North Carolina, to Key West, Florida. Within the report, the Corps of Engineers mentioned some of the geographic features of the region that encompasses Bird Island:

Continuing from the Cape Fear entrance the coast line trends again southwesterly in a long curve to Winyah Bay [South Carolina]; but here the topography differs markedly from that found in the previous section. The beach ridges persist southward to Little River Inlet, but the marine marsh is little in evidence, being replaced by narrow longitudinal depressions parallel to the shore line, above sea level, and in general covered by upland fresh-water swamp growths.

The report noted that the region south of the Cape Fear was without an inland passageway to connect with any seaport. It stated that the types of vessels to move supplies from Wilmington to Little River were sharpies (a long, narrow flat-bottomed boat with a centerboard and one or two sails) and small steamboats. These vessels entered the sea and stayed on it until they reached the Little River Inlet or Cape Fear River. (The report included two maps that featured Bird Island, see Appendices L and M).⁷

In 1917 the Corps of Engineers again surveyed the Little River area for possible improvement of the inlet. The Corps noted local interests wanted a fix channel with a twelve-foot depth at mean low water with “the ‘eastern slough’ near Bird Island, being preferred.” As in the previous survey, the Corps of Engineers again ruled against

⁶ U.S. Congress, House of Representatives, *Little River, South Carolina*, 60th Cong., 1st sess., 1908, H. Doc. 530, 1-6 (quotation).

improving the inlet. A survey in 1918 reached the same conclusion. However, the 1917 report did provide additional geographic information about the region:

Near the North Carolina line, the [Little] river turns abruptly to the south, and flows into the Atlantic at Little River Inlet.

At the point where the river changes its direction it receives a tributary, Calabash Creek, which rises in the Saucepan Swamp in the extreme southeastern corner of North Carolina and flows thence east by southeast, parallel to the coast. Like Little River proper, Calabash Creek is separated from the ocean by timbered highland bordered by coastal marsh and sand dunes, intersected by a system of intercommunicating sounds and tidal "swashes," which at high tide afford communication with Shallotte Inlet, suitable for boats of light draft. The intercommunicating system of tidal channels connects, through Mad Creek, with Mad Inlet, which lies but a short distance eastward of Little River Inlet, with Bird Island lying between. In the rear of this island lies Bird Island Channel, connecting Mad Inlet with Little River, and the former inlet is thus occasionally used as an entrance to Little River proper.

Little River is essentially a tidal estuary, bounded by timbered highlands from 1 to 3 miles apart with tidal marshes lying between, through which the waterway meanders to the sea. Oyster banks and sand bars, submerged at high tide, but exposed at low tide, serve to complicate the navigator. . . .

Little River and Mad Inlet have a common bar, the crest of which lies some 800 yards offshore. While water inside the bar up to Little River town appears to be ample (being 8 feet or better at mean low water), the conditions on the bar are very uncertain and unsatisfactory for purposes of navigation. The sand in this vicinity is exceedingly mobile, and drifts rapidly and in considerable volume with tidal currents and winds. It does not compact and harden with the recession of the tide, but remains spongy and loose, and is blown by the winds into great dunes which move shorewards, overwhelming trees and other growth.

The depth and position of the channel across the bar are both subject to extensive fluctuations. Reports indicate changes in depth of from 18 inches to 6 feet or more in a short period of continued bad weather. The channel shifts from east to west, and goes through a regular cycle of changes, the period depending upon the prevailing winds and the intensity and duration of storms. The extreme eastward position lies close up to the shore of Bird Island and may even break into Mad Inlet at times. The

⁷ U.S. Congress, House of Representatives, *Intracoastal Waterway: Beaufort, N.C., to Key West, Fla.*, Section, 63rd Cong., 1st sess., 1913, H. Doc., 229, 9, 19, 46 (quotation).

channel swings thence gradually to an extreme westward position which according to local reports may be as much as 2 miles distant from the Bird Island position. Shortly after attaining its westerly position it breaks through again at the eastward end, and the cycle is repeated. I [Major G. A. Youngberg] am informed, however, that in its easterly position the depth remains good for a longer time than in any other assumed by the channel (See Appendices J, N, P, and SS).⁸

The 1917 report provided detailed information about some of the vessels that passed through the Little River Inlet coming to and from Wilmington. The *Prince* was a sixty-three foot schooner with two masts and a supplementary gas engine. It made trips twice a week with an average of five hundred tons of cargo each month. The *Prince* was not profitable, according to the owner, who ran it as a necessary part of his general merchandise business. The single-mast fifty-foot-long schooner *Lu Ray*, fitted out with a gas motor, made two trips a week. The Hammer Lumber Company used the towboat *Atlantic City* to pull the barges *Leverine* and *Flora*, making two weekly trips to Wilmington. *Chancey T*, *Geneva Moore*, and *Addie May*, each capable of carrying thirty tons, made twenty to twenty-five trips in 1915 transporting lumber and other goods.⁹

* * * * *

In the first part of the 1900s, Bird Island and its inlets were depicted on several maps. In 1910 Charles H. Smith created a map of Brunswick County. His illustration of Bird Island was exactly like the one depicted in the 1888 coastal map. However, it incorrectly placed most of the island in South Carolina. 1929 and 1936 charts from the U.S. Coast and Geodetic Survey and a 1932 soil survey map from U.S. Department of Agriculture map featured a smaller Bird Island when compared to the 1888 map. These

⁸ U.S. Congress, House of Representatives, *Little River, S.C.*, 65th Cong., 1st sess., 1917, H. Doc. 249, 1-11; U.S. Congress, House of Representatives, *Little River, N.C. and S.C.*, 65th Cong., 2nd sess., 1918, H. Doc. 1190, 1-7.

⁹ U.S. Congress, House of Representatives, *Little River, S.C.*, 65th Cong., 1st sess., 1917, H. Doc. 249, 7-8.

maps also showed that the forces of nature have changed the island and its shoals since 1873. The 1936 chart portrayed the sandbar in Little River Inlet as being smaller in than 1873 and 1888, and it represented Mad Inlet as having greater shoaling than in 1873 (See Appendices I, J, K, N, O, and P).¹⁰

Aerial photographs from 1938 and 1949 showed that Mad Inlet changed dramatically in a decade. In 1938 the inlet was wide. (The channel was most likely small as depicted in the 1936 coast chart; the photograph did not pick up the underwater shoals.) By 1949 the inlet was much narrower with the sand build-up clearly visible. Both photographs illustrated the "S-shape" of Mad Inlet, but it was far more pronounced in 1949 (See Appendix Q).¹¹

The effects of the changing landscape was reflected in a 1928 report on the new survey of the North Carolina-South Carolina boundary. The section in the report that discussed the geography focused on Goat Island, which is northwest Bird Island, but it also referred to the entire area. It stated:

The charts and surveys of the United States Coast and Geodetic Survey, made at various times, show that the Little River Inlet and the sandy beach at Goat Island and elsewhere in the vicinity have changed materially from time to time, being caused by storms and tides. Goat Island at present consists of only a salt marsh and of partially destroyed dunes. Future

¹⁰ Charles H. Smith's Map of Brunswick County, 1910, North Carolina State Archives, Raleigh; U.S. Coast and Geodetic Survey, Little River Inlet and part of Long Bay, 1888, State Archives, Raleigh; U.S. Coast and Geodetic Survey, Map of Little River Inlet to Winyah Bay Entrance, 1929, Research Branch, North Carolina Office of Archives and History, Raleigh; U.S. Coast and Geodetic Survey, Map of North Carolina-South Carolina Intracoastal Waterway, Southport to Longitude 78° 58', 1936, Research Branch, North Carolina Office of Archives and History, Raleigh; Soil Survey Map of Brunswick County, 1932 from U.S. Department of Agriculture's *Soil Survey of Brunswick County, North Carolina* (1932); U.S. Coast Survey, Little River and Vicinity, South Carolina, 1873 (A copy of the map was given to author by Frank Nesmith.).

¹¹ Jay Langfelder et al., *A Historical Review of Some of North Carolina's Coastal Inlets* (Raleigh: North Carolina State University, Center for Marine and Coastal Studies, 1974), 7

storms and tides undoubtedly will further changes in its terrain (See Appendices I, Z, and MM).¹²

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On the first day of 1918, Dr. George M. Bell sold two tracts of land to W. M. Heffner of Augusta, Georgia, who was originally from New York, for fourteen thousand dollars. One parcel consisted of only twenty acres while the other contained 2,760 acres. Bird Island was part of the larger tract. For the first time, the word "Bird" was referred to in a deed. In the document, "Bird Shoal beach" was mentioned once. In 1923 Heffner sold the timber rights to his 2,760-acre tract to the Beaufort County Lumber Company of North Carolina for five thousand dollars. The lumber company was allowed to remove trees ten inches or more in diameter.¹³

In February 1926 W. A. Freeman, S. P. Hawes, and R. L. Bell of Horry County took out an option on Heffner's land, still referred to as the "Calvin Thomas place," which now consisted of five thousand acres. These men agreed to loan Heffner fifteen thousand dollars at six percent interest in exchange for the right to purchase the land for thirty thousand dollars after one year. If the men agreed to buy the acreage, then the loan amount was to be credited to the purchase price with interest paid back to Heffner. Freeman, Hawes, and Bell took the option. The 1927 tax list for the Shallotte Township

¹² "Report of Commissioners for the Relocation of the North Carolina-South Carolina Boundary from the Atlantic Ocean to the Lumber River," December 15, 1928, Records of State Boundaries, Office of the Secretary of State, North Carolina State Archives, Raleigh.

¹³ G. M. Bell to W. M. Heffner, January 1, 1918, Book 29, pp. 588-589 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh; *Brunswick Beacon* (Shallotte), August 8, 1991; W. M. Heffner to Beaufort County Lumber Company, July 17, 1923, Book 40, pp. 5-6 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh.

valued Heffner's real and personal at \$1,690, significantly less than the amount he paid for the "Calvin Thomas Place".¹⁴

Heffner also owned the site of the "Boundary House," a popular place for colonial travelers on the road between Wilmington and Charleston. It was situated on the North Carolina-South Carolina line near where Calabash River and Mullet Creek flow into the Little River. Heffner lived near the old site. Local historian C. B. Berry of Little River, South Carolina referred to Heffner as "a gardener, nature lover and recluse." Two men murdered him during a robbery attempt in the late 1940s or early 1950s.¹⁵

The 1920 census yielded information about the multiple landholders of Bird Island. During that year, Will A. Freeman, age forty-four, lived in Conway Township of Horry County, South Carolina. He worked as a cashier in a bank. Stephen P. Hawes, age forty-nine, was a farmer in Lee's Township of Columbus County, North Carolina. Hawes must have moved to Horry County sometime after 1920 because the land option for Heffner's land listed him as living in that part of the Palmetto State. Robert L. Bell, age forty, resided in Little River Township of Horry County with the occupation of farmer. These three men held onto Bird Island until 1927.¹⁶

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¹⁴ W. H. Heffner to W. A. Freeman, S. P. Hawes, and R. L. Bell, February 23, 1926, Vol. 43, p. 26 (microfilm), Brunswick County Deeds of Trust, North Carolina State Archives, Raleigh; Tax Listing for W. H. Heffner, 1927, Shallotte Township (microfilm), Brunswick County Tax Books, North Carolina State Archives, Raleigh.

¹⁵ *Brunswick Beacon* (Shallotte), August 8, 1991 (quotation).

¹⁶ Fourteenth Census of the United States, 1920: Horry County, South Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, Genealogical Services, State Library of North Carolina, Raleigh); Fourteenth Census of the United States, 1920: Columbus County, North Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, North Carolina State Archives, Raleigh); W. H. Heffner to W. A. Freeman, S. P. Hawes, and R. L. Bell, February 23, 1926, Vol. 43, p. 26 (microfilm), Brunswick County Deeds of Trust, North Carolina State Archives, Raleigh.

A small part of Bird Island sits in South Carolina. Frank Nesmith of Sunset Beach conveyed the following story about the parcel. In the 1920s, a man whose last name was Morris held the title to the South Carolina part of the island. Morris established a fish camp on the island where he and his son went to fish. They took their catch back to the town of Little River where it was sold in Morris's fish market and restaurant. In time the South Carolina part of the island was washed away because of the flow of the Little River Inlet.¹⁷

Morris held title to an underwater piece of land. Yet, he was still expected to pay his property taxes on this missing land. In 1925 or 1926 Morris did not pay his taxes, so his land was sold at auction in 1927 at the courthouse square in Conway, Horry County. A man whose last name was Woodard purchased the property for two dollars. (Mr. Nesmith thought maybe Woodard got too the auction to late and did not realize that he had acquired underwater land.) In time this actually proved to be a good investment. Nesmith noted that, after Hurricane Hazel in 1954, the Little River Inlet "sort of rearranged itself and got in the place it decided it wanted to be, come to find out the state line now crossed Bird Island." When the Corp of Engineers decided to build jetties at the Little River Inlet (constructed 1980s), it paid the Woodard heirs \$172,000 for the land which once again was above water.¹⁸

* * * * *

On June 20, 1927, W. A. Freeman, S. P. Hawes, and R. L. Bell leased "the Calvin Thomas place" with its now 3,525 acres to Jesse Metcalf of New York City for one thousand dollars. The lease was a two-month option in which Metcalf could buy the

¹⁷ Frank Nesmith, interview with author, Sunset Beach, N.C., July 2, 2002.

parcel for \$45,000 with the one thousand dollars going to the purchase price. The lease contained the following clause:

[W]e will execute and deliver to said Jesse Metcalf, and his heirs and assigns, at the request of them, or either of them, their heirs or assigns on or before the 20th day of August; 1927, a good and merchantable deed for said land, with full covenants and warrant; EXCEPTING said conveyance of timber rights heretofore conveyed to Beaufort Lumber Company, . . . and EXCEPTING ALSO from said property known as Bird Shoal Beach, as may be lawfully claimed by other persons or parties.

Why others might have claims to Bird Island is unclear. Possibly some unknown person asserted they owned all or part of the island. The statement may have been in reference to the confusion over the boundary line between North Carolina and South Carolina. A new survey was conducted in 1928 that followed the original 1735 survey.¹⁹

Jesse Metcalf did become the new owner of Bird Island. A New Jersey native, he was a partner in Metcalf Brothers and Company of New York, a woolen manufacturing firm started by his father. Metcalf worked from 1910 to 1925 at the family business and then retired. He enjoyed travel and has been called a sportsman, explorer, military figure, and yachtsman. The New Jersey native authored two books, *Wandering Among the Isles* (not a reference to Bird Island) and *Tyro at Chamonix*. He was twice married (See Appendix R).²⁰

¹⁸ Nesmith, interview with author (quotation).

¹⁹ W. A. Freeman, S. P. Hawes, and R. L. Bell to Jesse Metcalf, June 20, 1927, Book 43, p. 437 (microfilm), Brunswick County Deeds of Trust, North Carolina State Archives, Raleigh (quotation); Marvin L. Skaggs, *North Carolina Boundary Disputes Involving Her Southern Line* (Chapel Hill: University of North Carolina, 1941), 150-157; "Report of Commissioners for the Relocation of the North Carolina-South Carolina Boundary from the Atlantic Ocean to the Lumber River," December 15, 1928, Records of State Boundaries, Office of the Secretary of State, North Carolina State Archives, Raleigh; *News and Observer* (Raleigh), March 11, 1928, and January 13, 1929.

²⁰ The National Bank of Newark et al., as Executors and Trustees [for Jesse Metcalf] to Donald V. Richardson, January 16, 1947, Book 89, pp. 155-157 (microfilm), Brunswick County Deeds, North Carolina State Archives, Raleigh; *The National Cyclopaedia of American Biography*, s.v. "Jesse Metcalf," *New York Times*, October 18, 1945.

It is not known how Metcalf used his Brunswick County land. He probably traveled by yacht to the area to relax, explore, fish, and hunt. Tax records registered his post office address as Georgetown, South Carolina. His property in the Shallotte Township was valued at \$20,000 in 1935. A decade later, Metcalf's land was worth \$20,750. Metcalf, who resided in West Orange, New Jersey, died at the age of fifty-seven on October 17, 1945. Brunswick County inheritance tax records in 1950 listed the worth of Metcalf's total estate at over five million dollars and the tax value of his North Carolina property at over twenty-eight thousand dollars.²¹

On January 16, 1947, Donald V. Richardson Jr. of Georgetown, South Carolina, purchased Bird Island from Metcalf's estate. Richardson paid two thousand dollars for the tract. The deed mentioned the following boundaries:

BEGINNING at a point at Low Water Mark on the Atlantic Ocean, in the center of Mad Inlet, said point being the dividing line to lands now or formerly owned of L. Frink and William Frink, thence north 2° 30' East Six Thousand feet (6,000), more or less, to a point at Low Water Mark on the Southerly shore of the U.S. Inland Waterway; thence Westerly along the Low Water Mark on the Southerly shore of U.S. Inland Waterway, to a point at the said Low Water mark where Bonapart (or Johna) Creek, so called flows southerly toward the Atlantic Ocean; thence Southerly Ten Thousand (10,000) feet, more or less, down Bonapart (or Johna) Creek and Little River to the Low Water mark of the Atlantic Ocean on Bird Shoal Beach, thence Easterly with the Low Water mark of the Atlantic Ocean along Bird Shoal Beach Ninety-Four Hundred (9400) feet, more or less, to the point or place of beginning.

Richardson held Bird Island for six years, then sold it for a significant profit.²²

²¹ *The National Cyclopaedia of American Biography*, s.v. "Jesse Metcalf;" *New York Times*, October 18, 1945; Tax Listing for Jesse Metcalf, 1935 and 1945, Shallotte Township (microfilm), Brunswick County Tax Books, North Carolina State Archives Raleigh; Will of Jesse Metcalf, Book C, pp. 418-421 (microfilm) Brunswick County Wills, North Carolina State Archives, Raleigh; Inheritance Tax for the Estate of Jesse Metcalf, May 3, 1950 (microfilm), Brunswick County Inheritance Tax Record, North Carolina State Archives, Raleigh.

²² *The National Bank of Newark et al., as Executors and Trustees [for Jesse Metcalf] to Donald V. Richardson*, January 16, 1947, Book 89, pp. 155-157 (microfilm), Brunswick County Deeds, North

Donald V. Richardson Jr. was born in South Carolina in 1902. The 1920 census listed him as a seventeen-year-old high school student residing with his parents Donald V. and Jessamine Richardson in the Bucks Township of Horry County. His father was a farmer and lumberman who operated the Richardson Cypress Lumber and Shingle Company. Richardson married Margaret R. Deans; they had at least two children. His last known residence was Pawleys Island, Georgetown, South Carolina. Richardson died in December 1977.²³

On February 8 1953, Ralph C. Price of Greensboro purchased Bird Island from Richardson for \$65,000. In his book *North Carolina Beaches*, Glenn Moore quoted Price with regard to his reason for buying the tract. Price said, "The idea of owning my own island appealed to me." The island remained in the Price family for nearly half a century.²⁴

Ralph Clay Price, a Greensboro native, was the son of Julian Price (1867-1946), president of Jefferson Standard Life Insurance Company (now Jefferson-Pilot) from 1919 to 1946. The elder Price was a major force in making the company successful. Ralph C.

Carolina State Archives, Raleigh (quotation); Donald V. Richardson to Ralph C. Price, February 8, 1953, Book 107, p. 301, Brunswick County Deeds, Brunswick County Register of Deeds, Bolivia.

²³ Fourteenth Census of the United States, 1920: Horry County, South Carolina, Population Schedule, National Archives, Washington, D.C. (microfilm, Genealogical Services, State Library of North Carolina, Raleigh); "Ancestry World Tree: Marion Banks McGee Genealogy," *Ancestry.com*, August 11, 2002 <<http://awt.ancestry.com/cgi-bin/igm.cgi?op=GET&db=marionbmc&id=I10941&ti=55535&p..>> (August 21, 2002); "Ancestry World Tree: Marion Banks McGee Genealogy," *Ancestry.com*, August 11, 2002 <<http://awt.ancestry.com/cgi-bin/igm.cgi?op=GET&db=marionbmc&id=I10939&ti=55535&p..>> (August 21, 2002) "Timber and Turpentine Industries," *Horry County Historical Society: Places and Things of Interest in Horry County*, <<http://www.hchsonline.org/places/turpentine.html>> (August 21, 2002); "Ancestry World Tree: FamilyTies Database," *Ancestry.com*, February 27, 2002, <<http://awt.ancestry.com/cgi-bin/igm.cgi?op=GET&db=craigsmith&id=I060450&ti=55535&p..>> (August 21, 2002); Donald V. Richardson to Ralph C. Price, February 8, 1953, Book 107, p. 301, Brunswick County Register of Deeds, Bolivia; "Ancestry.galegroup.com – Social Security Death Index Search Results," *Ancestry.com*, <<http://search.ancestry.com/cgi-bin/sse.dll?&db=ssdi&ti=5535&gsfn=donald&gsln=richards..>> (August 21, 2002).

²⁴ Donald V. Richardson to Ralph C. Price, February 8, 1953, Book 107, p. 301, Brunswick County Register of Deeds, Bolivia; Glenn Morris, *North Carolina Beaches*, rev. ed. (Chapel Hill: University of North Carolina Press, 1998), 275 (quotation).

Price started working for Jefferson Standard in 1925. He became president of the company in January 1946 succeeding his father who then became chairman of the board of the insurance company. (Julian Price died on October 25, 1946, due to injuries he received in an automobile accident; see Appendix T.)²⁵

Ralph C. Price held the presidency of Jefferson Standard for only four years. In 1950 the board of directors ousted him in favor of Howard Holderness. The board of directors elected Price as chairman, but he declined to serve. Price protested his removal from the presidency to stockholders, but the board refused to rescind its action. He reached an undisclosed agreement with Jefferson Standard leaders in December 1950. In October 1951 Price sold most of his Jefferson Standard stock for several million dollars. At the time Jefferson Standard also had controlling stock in radio stations in Charlotte and Greensboro, interest in Security National Bank, and other assets.²⁶

Price married Martha Garner in 1937. They had three children: Ralph C. Price Jr., Julian Price II, and Louise Garner Price. In the 1960s the Price family experienced major tragedies. On April 20, 1963, Martha G. Price, age fifty-one, was killed in an automobile accident in Guilford County. Her estate was worth over \$3,800,000. Three years later an illness took the life of Price's oldest child, twenty-seven-year-old Ralph C. Price Jr. The younger Price and his father were at the family beach house where he

²⁵ *Dictionary of North Carolina Biography*, s.v. "Julian Price;" Dave Mote and Shawna Brynildssen, "Jefferson Pilot Corporation," in *International Directory of Company Histories*, Vol. 29, ed. Tina Grant (Detroit: St. James Press, 2000), 253-254, "Ralph Price is New President of the Jefferson Standard," *The State*, March 23, 1946, 25; *North Carolina Biography*, Vol 4 of *North Carolina: The Old North State and the New* (Chicago: Lewis Publishing Company, 1941), 17;

²⁶ Dave Mote and Shawna Brynildssen, "Jefferson Pilot Corporation," 254; *Greensboro Daily News*, October 5, 1951.

became sick; later he passed away at a Myrtle Beach hospital. In the same year that his son died, Price married Janie Poag.²⁷

Over the years, Price became associated with the cause of world peace and known for his generosity. He envisioned a world with groups of nations formed into several commonwealths. In the late 1940s, Price met privately with Pope Pius XII to present him with the plan. In 1946 Price and his sister Kathleen Price Bryan endowed the Julian Price Professorship in Life Insurance at the University of North Carolina at Chapel Hill (Price's alma mater). The Price family provided a major gift toward the building of the Lady of Grace Roman Catholic Church in Greensboro. In the 1960s they gave \$376,000 to Duke University's World Rule of Law Research Center, a center dedicated to establishing unity among nations through the law. Price's benevolence in 1983 established the Ralph Clay Price Fund for World Peace and the Price Peace Lectures at the University of North Carolina at Chapel Hill. He supported Greensboro's Eastern Music Festival with a scholarship fund that brought foreign musicians to the festival. In 1985 Price and his wife paid the cost of the last concert of that festival's season which was dedicated to world peace. The Greensboro businessman also gave monetary support to Guilford College in Greensboro.²⁸

* * * * *

From the 1930s to the 1950s, the landscape around Bird Island began to change dramatically because of man and nature. The portion of the Intracoastal Waterway that runs near Bird Island had been built by 1936; however, the section from Little River to Port Royal Sound in South Carolina was not completed until 1940. The Little River-Port

²⁷ *North Carolina: The Old North State and the New*, Vol. 4, 17; *Greensboro Daily News*, April 21, 1963, May 4, 1963, and May 24, 1966; *Wilmington Morning Star*, February 29, 1992.

Royal Sound segment fell within the Charleston District of the Army Corps of Engineers. The Corps reported that the main commodities shipped on this section were petroleum resources, pulpwood, paper, oysters, oyster shells, and agricultural goods. From 1949 to 1953, an average of 1,106,000 tons were transported through the channel annually. In 1953 a total of 1,282,000 tons came down through it. By 1955, the construction of the Intracoastal Waterway near Bird Island notwithstanding, the Corps of Engineers had no immediate plans to improve the Little River (See Appendices P and S).²⁹

On the morning of October 15, 1954, Hurricane Hazel came ashore. The Category Four storm was at its peak when it made landfall. Along the coast between Myrtle Beach, South Carolina, to the Cape Fear, the winds were estimated at 130 to 150 mph. Hazel had estimated winds at 150 mph at Little River Inlet. Hazel struck during the highest lunar tide of the year. The storm surge in some places hit eighteen feet in some areas, such as Calabash. It was the greatest storm surge in North Carolina's recorded history.³⁰

Bird Island, Little River Inlet, and Mad Inlet were changed drastically by Hazel. The water washed over the entire island, destroying vegetation. In 2002, pine trees served as the only reminders of Hazel. The trees had grown to maturity since the hurricane hit. No storm has washed over the island since Hazel resulting in the growth of

²⁸ *Greensboro News and Record*, September 17, 1989.

²⁹ U.S. Coast and Geodetic Survey, Map of North Carolina-South Carolina Intracoastal Waterway, Southport to Longitude 78° 58', 1936, Research Branch, North Carolina Office of Archives and History, Raleigh; U.S. Army Corps of Engineers, *Water Resources Development By the Corps of Engineers in South Carolina* (Atlanta: U.S. Army Corps of Engineers, Office of the Division Engineer, South Atlantic Division, 1955), 1, 9.

³⁰ Jay Barnes, *North Carolina's Hurricane History*, 3rd ed. (Chapel Hill: University of North Carolina Press, 2001), 83-88; "Hurricane Awareness: Hurricane History," *National Hurricane Center* <<http://www.nhc.noaa.gov/HAW2/english/history.shtml>> (August 26, 2002); "Community Vulnerability Assessment Tool: New Hanover County, North Carolina Case Study [Hurricane History: Hurricane

much of vegetation. Frank Nesmith described how the storm changed the Little River

Inlet:

[W]hen Hazel came along, it just washed out a third of a mile wide area. Instead of being a good inlet, Little River, became a real wide inlet and a very, very shallow inlet.

Hazel and other major hurricanes in 1954 and 1955 caused Mad Inlet to open a new channel 450 feet to the east of its previous locale. Aerial photographs from 1949 and 1956 illustrated the affect Hazel had on Bird Island and the two inlets (See Appendices Q, S, and U).³¹

Even a devastating storm would not keep people away from the area. In Brunswick County, tourists increasingly have been important economic assets. Sunset Beach was developed on Bald Beach (the landmass that once was separated from Bird Island by Mad Inlet). The developer was Brunswick County native Mannon C. Gore (1909-1982). In 1955 Gore acquired land from the G. W. Brooks family and International Paper Company and "carved out of the wilderness the Community of Sunset Beach." It began in 1958 as a housing project, divided into small lots with restrictions, and was the last Brunswick County beach to be developed. To access Sunset Beach, Gore constructed a one-lane pontoon bridge over the Intracoastal Waterway in 1957. (The bridge is still in use.)³²

Hazel], *NOAA Coastal Services Center*, 1999 <<http://www.csc.noaa.gov/products/nchaz/hazel.htm>> (August 26, 2002).

³¹ Nesmith, interview with author; William J. Cleary and Tara P. Marden, Jerry L. Machemehl to Mrs. W. Woods (Mayor of Sunset Beach, April 11, 1973, Department of Natural and Economic Resources, Division of Resource Planning and Evaluation, Water Resources Programs Sections, 1956-1973, Navigable Waters File-Mad Inlet, North Carolina State Archives, Raleigh; *Shifting Shorelines: Pictorial Atlas of North Carolina Inlets*, 2nd ed. (Raleigh: North Carolina Sea Grant, 1999), 48-49.

³² Lawrence Lee, *The History of Brunswick County* (Southport, N.C.: Brunswick County Board of Commissioners, 1978), 229-230; "Sunset Beach/Bird Island," *Brunswick County Beaches* <http://people.uncw.edu/hosier/BIE/bieclschd/fldtrp/Class%20Project%20Folder/Pages/index.htm> (August

Gore's abilities spurred the incorporation of Sunset Beach in March 1963; he served as the town's first mayor. The law establishing the town of Sunset Beach placed its limits up against Ralph C. Price's property. Because of concerns regarding the boundary line between Bird Island and Sunset Beach, Price and Gore decided to have a survey made of the land. Land surveyor Gerrit C. Greer was employed to perform the task in 1964. In October of that year, Greer drew a map showing the boundary line that was accepted by both men. On October 21, 1964, Price and Sunset Beach and Twin Lakes, Inc. of which Gore was president signed an agreement to establish this boundary. The agreement stated that following about the new line:

It is MUTUALLY UNDERSTOOD AND AGREED by and between the parties hereto that the line hereinabove fixed and portrayed shall be the east line of the property of the first part [Price] and the west line of the property of the party of the second part [Gore]; and the said party of the first part does hereby bargain, sell and convey unto said party of the second part all the land which he has an interest whatsoever lying east of said line, and the said party of the second part does hereby bargain, sell and convey unto said party of the first part all land in which it has interest whatsoever lying west of said line.

For the transaction, each man gave the other a dollar (See Appendix V).³³

In the first half of the twentieth century, a series of events shaped Bird Island and the two inlets next to it. The island went through several owners before Ralph C. Price purchased it, but none of those owners chose to alter the landscape. The Corps of Engineers looked into deepening Little River Inlet, yet it was never done. The forces of nature changed the area, but the major impact came from Hurricane Hazel when its storm

1, 2002); *Wilmington Star News*, October 9, 1982 (quotation); *News and Observer* (Raleigh), May 19, 1968; Nesmith, interview with author.

³³ *Wilmington Star News*, October 9, 1982; *Session Laws of North Carolina, 1963*, c. 93; Ralph C. Price to Sunset Beach and Twin Lakes, Inc., October 21, 1964, Book 157, pp. 346-347, Brunswick County Deeds; "Map Showing Property Line Location Between Properties of Ralph C. Price and Mannon C. Gore," October 12, 1964, Book 7, p. 125 (microfilm), Brunswick County Plats (Maps), North Carolina State Archives, Raleigh.

surge overwashed the landmass. In time, the Price family would make an impression on the island with their plans to develop it.

Chapter V

1960s to 1980s

Over the next three decades, Bird Island's landscape and inlets were reshaped. However, these changes occurred mainly as result of men. Ralph C. Price wanted to develop the island to suit his family's needs. Another developer wanted to built homes near Mad Inlet and the Corps of Engineers finally stabilized and deepened the Little River Inlet. Yet, in the end, Price's plan never reached fruition.

With the island in his possession, Price saw the chance to build a home for his family. To make access easier, he wanted to construct a roadway to connect Bird Island with Sunset Beach. On October 28, 1964, Price acquired property from Sunset Beach and Twin Lakes, Inc., providing him with a perpetual easement on land located in Sunset Beach "to be used for a street or roadway." By December of that year, Price had submitted an application to the Corps of Engineers to erect a causeway in the salt marsh for the proposed connection (See Appendix W).¹

By April 1965 the Corps of Engineers had approved the building of the causeway. During that month, the Corps issued a public notice disclosing Price's plans to dredge a forty-eight-foot-wide, twelve-hundred-foot-long, and twelve-foot-deep (at low water) channel from Salt Boiler Creek extending down to Mad Inlet. He intended to use the dredge matter to construct his causeway in the salt marsh. Opposition to Price's plan

¹ Frank Nesmith, interview with author, Sunset Beach, N.C., July 2, 2002; Sunset Beach and Twin Lakes, Inc. to Ralph C. Price, October 28, 1964, Brunswick County Deeds, Book 157, pp. 348-349, Brunswick County Register of Deeds, Bolivia (quotation); "Proposed Causeway on Bird Island with Dredging in Mad Inlet" (map), December 4, 1964, Department of Natural and Economic Resources, Division of Resource Planning and Evaluation, Water Resources Programs Sections, 1956-1973, Navigable Waters File-Mad Inlet, North Carolina State Archives, Raleigh; J. H. Cornell to Colonel J. S. Grygiel, April 30, 1965, Department of Natural and Economic Resources, Division of Resource Planning and Evaluation, Water Resources Programs Sections, 1956-1973, Navigable Waters File-Mad Inlet, North Carolina State Archives, Raleigh.

from North Carolina governmental agencies was nonexistent. George E. Pickett, chief of the Division of Navigable Waterways, told the Corps of Engineers that the Property Control Office and the Department of Water Resources had no opposition to the project. The Division of Commercial Fisheries indicated that barely any "productive saltmarsh" would be eliminated. The agency also stated that the "connection of the Dead Backwater with Mad Inlet . . . might improve conditions for shellfish production in the Dead Backwater-East River area."²

The North Carolina Wildlife Commission sought only a slight delay in the dredging operation. In compliance with the Fish and Wildlife Coordination Act, the commission asked that the operation not start until after July 1, 1965. It sought the delay because the area to be filled in was a nesting area for marsh hens, a local game bird. The Commission noted that by July 1 "the young birds should have left the nests and be able to avoid the fill area."³

Opposition to the causeway was nonexistent in large part because of the lack of regulation and the general attitudes of the period. At that time, federal and state statutes said little about building on the coast and in wetlands. Frank Nesmith noted there was no opposition to Price's plan. He stated that "in those days you could go there and do

² "Public Notice: Mr. Ralph C. Price, Shallotte, N.C. has made an application for a permit to dredge a channel extending from Salt Boiler Creek in a southerly direction near Mad Inlet in Brunswick County, N.C." from the U.S. Army Engineer District, Wilmington, Corps of Engineers, April 12, 1965, Department of Natural and Economic Resources, Division of Resource Planning and Evaluation, Water Resources Programs Sections, 1956-1973, Navigable Waters File-Mad Inlet, North Carolina State Archives, Raleigh; George E. Pickett to Colonel J. S. Grygiel, April 20, 1965, Department of Natural and Economic Resources, Division of Resource Planning and Evaluation, Water Resources Programs Sections, 1956-1973, Navigable Waters File-Mad Inlet, North Carolina State Archives, Raleigh; David A. Adams to Leon H. Corbett Jr., April 21, 1965, Department of Natural and Economic Resources, Division of Resource Planning and Evaluation, Water Resources Programs Sections, 1956-1973, Navigable Waters File-Mad Inlet, North Carolina State Archives, Raleigh (quotation).

³ J. H. Cornell to Colonel J. S. Grygiel, April 30, 1965, Department of Natural and Economic Resources, Division of Resource Planning and Evaluation, Water Resources Programs Sections, 1956-1973, Navigable Waters File-Mad Inlet, North Carolina State Archives, Raleigh (quotation).

anything in the marsh you wanted to.” As a property owner, Price obviously felt that he had a right to build an access route and to develop the island.⁴

Price moved forward with the roadway. In March 1965, he purchased two tracts of land in Sunset Beach for ten dollars each from the Sunset Beach and Twin Lakes, Inc. for his roadway. They were located at the northwest end of the town. By 1966 a route that included a 4,000-foot-long causeway and a 440-foot-long bridge had been constructed (See Appendices W, Y, CC, and PP).⁵

Price began to transform Bird Island into a haven for his family. A 1966 aerial photograph indicates that he had built two roads that spurred from the main route on the island. One of the roads went to a small harbor with a pier that Price had constructed on the back of the island. Frank Nesmith, in referring to the harbor, said that it was dredged “so that he [Price] had deep water for boats so he could get to the waterway, the Intracoastal Waterway.” Price ran power lines and underground telephone lines, installed a septic tank, and dug a well that proved to be salty. He even had a cul-de-sac created.

⁴ *News and Observer* (Raleigh), June 14, 1992; Nesmith, interview with author (quotation).

⁵ Sunset Beach and Twin Lakes, Inc. to Ralph C. Price, March 9, 1965, Book 182, pp.405-406, Brunswick County Deeds, Brunswick County Register of Deeds Office, Bolivia; Sunset Beach and Twin Lakes, Inc. to Ralph C. Price, March 11, 1965, Book 182, pp. 406-407, Brunswick County Deeds, Brunswick County Register of Deeds Office, Bolivia; “Revision of Western Portion of Sun-set Beach,” 1963, Book 7, pp. 64A-64B (microfilm), Brunswick County Plats (Map), North Carolina State Archives, Raleigh; “Nautical Chart 11534-Intracoastal Waterway: Myrtle Grove Sound and Cape River to Casino Creek, North Carolina-South Carolina,” March 1976, National Oceanic and Atmospheric Administration, Research Branch, North Carolina Office of Archives and History, Raleigh; *News and Observer* (Raleigh), June 14, 1992; Nesmith, interview with author; “Proposed Causeway on Bird Island with Dredging in Mad Inlet” (map), December 4, 1964, Department of Natural and Economic Resources, Division of Resource Planning and Evaluation, Water Resources Programs Sections, 1956-1973, Navigable Waters File-Mad Inlet, North Carolina State Archives, Raleigh; Cleary and Marden, *Shifting Shorelines*, 48; Jay Langfelder et al., *A Historical Review of Some of North Carolina's Coastal Inlets* (Raleigh: North Carolina State University, Center for Marine and Coastal Studies, 1974), 7.

Pilings were brought to the island for the construction of an impressive beach house (See Appendices X, Y, CC, and TT).⁶

Yet, Price never erected a dwelling. Several factors seemingly affected Price's decision not to build a house on Bird Island. The death of his son and namesake Ralph C. Price Jr. at the beach in May 1966 evidently caused Price to lose interest in the project. In addition, his second wife Janie opposed the house plans. She thought the plans "were too grandiose for a beach house." The Prices decided to draw up new house plans. Around 1970 vandals destroyed the bridge leading to Bird Island by setting fire to it. (An aerial photograph shows the bridge still standing in 1969; the bridge was gone by 1972.) To make matters worse, the culprits put tacks in the road to slow the responding fire trucks. The incident frightened the Prices, so they made the decision not to build on the island. Electrical poles, pier remnants, a partial causeway, and blackened bridge pilings are still visible signs of Price's effort to make Bird Island a family haven (See Appendices Y, PP, and TT).⁷

* * * * *

As the 1970s opened the two inlets that surround Bird Island were undergoing changes caused by nature and man. A 1974 report by the Center for Marine and Coastal Studies at North Carolina State University (NCSU) noted that, between 1938 and 1972, Mad Inlet had moved 610 feet to the east. Four years later a publication entitled *Inlet Hazard Areas* from the N.C. Department of Natural Resources and Community

⁶ Langfelder et al., *A Historical Review of Some of North Carolina's Coastal Inlets*, 7; "Nautical Chart 11534-Intracoastal Waterway: Myrtle Grove Sound and Cape River to Casino Creek, North Carolina-South Carolina," March 1976, National Oceanic and Atmospheric Administration, North Carolina Office of Archives and History, Research Branch, Raleigh; Nesmith, interview with author (quotation); *News and Observer* (Raleigh), June 14, 1992.

⁷ Nesmith, interview with the author; *News and Observer* (Raleigh), June 14, 1992 (quotation); Morris, 275-276.

Development stated that the inlet was minor and unstable. The report also noted that the Mad Inlet's "throat has narrowed from 1700 feet to 200 feet since 1960 and the inlet may be subject to closing completely" (See Appendices Q, Y, and FF).⁸

In 1973 Sunset Beach Mayor Mrs. W. Woods sought information and advice on Mad Inlet from NCSU's Department of Civil Engineering. In April of that year, Jerry L. Machemehl responded to Mayor Woods with the following facts on the inlet:

The channel connecting the inlet with the marsh and the Intracoastal Waterway to the north established a sinuous "S" configuration As the channel lengthened, hydraulic resistance increased and the efficiency of the channel was reduced. . . .

The migration of the channel connecting the inlet with the marsh is creating an erosion problem in the easterly bend of the channel. Protective walls and house foundations are being undermined as the channel moves in a [*sic*] easterly direction

The inlet will continue to migrate in a westerly direction while the channel connecting the inlet with the marsh erodes the marsh side of Sunset Beach. As the channel is lengthened its efficiency will continue to decrease. If erosion is allowed to continue, the distance between the marsh channel and the ocean will be decreased. Eventually a storm will breach the island and the inlet will move to an easterly position.

Machemehl recommended the erection of a timber wall for the protection of dwellings on the northern part of Sunset Beach. He also endorsed the dredging of a new marsh channel.⁹

In the late 1960s, Surfside Development decided to dredge a canal on the Sunset Beach side of Mad Inlet (40th Street and Mad Inlet) that would create waterfront lots for beach homes. The new canal would parallel an existing one. The sand was to be used to

⁸ Langfelder et al., 6-7; Loie J. Priddy and Rick Carraway, *Inlet Hazard Areas* (Raleigh: North Carolina Department of Natural Resources and Community Development, Division of Marine Fisheries, 1978), 49 (quotation).

build up the area for the dwellings. In 1969 John R. Davis of the N.C. Division of Commercial Sports and Fisheries had concerns about the development. Dr. Thomas L. Linton, the agency's director, told Davis not to create any problems. Although the project violated the Federal Rivers and Harbors Act, the director saw the situation as a chance for the state to acquire some additional marshland. Charles T. Owen, president of Surfside Development, had agreed to sell to the state for \$300 an acre the marshes he claimed in the Sunset-Ocean Isle Beach area (See Appendices Y and FF).¹⁰

In February 1970 Davis referred to Owens's permit for dredging as a "mockery of the intent of N.C.G.S. 113-229." The law, which went into effect on January 1, 1970, required a permit "before any excavation or filling project is begun in any estuarine waters, tidelands, marshlands, or state-owned lakes." Davis was evidently upset because Owens submitted a permit application to finish developing over eleven acres of estuarine habitat. He went on to state:

Except for the fact that I have recently driven an automobile over the area in which I once checked the licenses of oystermen, I would have objected to the issuance of this permit. Since, however, these acres have been lost to the ecological chain which sustains our marine resources, the State of North Carolina has no practical alternative but to issue the permit which will allow Surfside Development, Inc. to complete their real estate development. Otherwise, the area will have lost its value to commercialism as well as to ecology.

⁹ Jerry L. Machemehl to Mrs. W. Woods (Mayor of Sunset Beach), April 11, 1973, Department of Natural and Economic Resources, Division of Resource Planning and Evaluation, Water Resources Programs Sections, 1956-1973, Navigable Waters File-Mad Inlet, North Carolina State Archives, Raleigh (quotation).

¹⁰ "Proposed Dredging in Sunset Beach, N.C. at 40th St. and Mad Inlet, Brunswick Co, N.C.," map, 1969, Department of Natural and Economic Resources, Coastal Management Office, Major Permits File, 1970-1972, Surfside Development, Inc., Permit No. 107, North Carolina State Archives, Raleigh; Charles D. Owens to Colonel Paul S. Denison, December 19, 1969, Department of Natural and Economic Resources, Coastal Management Office, Major Permits File, 1970-1972, Surfside Development, Inc., Permit No. 107, State Archives, Raleigh; Application For Permit to Dredge or Fill: Surfside Development, Inc., Department of Natural and Economic Resources, Coastal Management Office, Major Permits File, 1970-1972, Surfside Development, Inc., Permit No. 107, State Archives, Raleigh; John R. Davis to James T. Brown, February 25, 1970, Department of Natural and Economic Resources, Coastal Management Office, Major Permits File, 1970-1972, Surfside Development, Inc., Permit No. 107, State Archives, Raleigh.

Let this memorandum be relegated to the files as a statement of the results that can be expected when the efforts of professional conservationists are overruled at administrative levels where environment must play second fiddle to whatever superficially appears expedient.¹¹

In February 1970 the Department of Conservation and Development issued Surfside Development a permit with the stipulation that "all spoil be contained behind dykes [*sic*] to minimize re-entry of spoil material into surrounding water." A few days later, the Corps of Engineers also issued a permit in accordance with a December 1969 request from Owens. An aerial photograph from December 1969 showed two canals at the end of 40th Street in Sunset Beach with no houses. A similar photograph taken two decades later depicted the canals with homes around them. In May 1971 Surfside Development notified the Division of Commercial and Sport Fisheries and the Corps of Engineers that it was commencing its digging operations as stipulated by the permits (See Appendices Y and FF).¹²

The Corps of Engineers was finally moving forward with plans to stabilize and deepen Little River Inlet. The only navigable one connecting with the Intracoastal Waterway and the ocean between Shallotte, N.C. and Georgetown, S.C., a distance of around sixty-eight miles. It was the preferred route for private boaters from the Myrtle Beach/North Myrtle Beach and Sunset Beach/Ocean Isle Beach area. However,

¹¹ John R. Davis to James T. Brown, February 25, 1970, Department of Natural and Economic Resources, Coastal Management Office, Major Permits File, 1970-1972, Surfside Development, Inc., Permit No. 107, State Archives, Raleigh; *The General Statutes of North Carolina: 1969 Cumulative Supplement*, Vol. 3A, G.S. 113-229.

¹² "Permit to Dredge or Fill, State of North Carolina, Department of Conservation and Development: Surfside Development, Inc.," February 27, 1970, Department of Natural and Economic Resources, Coastal Management Office, Major Permits File, 1970-1972, Surfside Development, Inc., Permit No. 107, State Archives, Raleigh (quotation); Colonel Paul S. Denison to Charles D. Owens, March 3, 1970, Department of Natural and Economic Resources, Coastal Management Office, Major Permits File, 1970-1972, Surfside Development, Inc., Permit No. 107, State Archives, Raleigh; Charles D. Owens to Colonel Paul S. Denison and Dr. Thomas L. Linton, May 5, 1971; Department of Natural and Economic Resources, Coastal Management Office, Major Permits File, 1970-1972, Surfside Development, Inc., Permit No. 107, State Archives, Raleigh.

something had to be done to improve it. The channel constantly shifted making it difficult for the U.S. Coast Guard to keep the channel markers in their correct positions. The inlet had inadequate depth being three feet at mean low water. During low tide and high seas, the bars were dangerous. In August 1967 and November 1968, the Corps of Engineers performed emergency dredging in the Little River Inlet.¹³

People with expensive boats had no desire to strike the bottom every time they passed through the inlet. In 1968 vessels sustained \$28,000 in damage after hitting the bars or while being towed out. Damage included bent shafts, propellers, and rudders, as well as scraped paint and broken off parts. When Little River Inlet became impassable, boats had to be detoured to other inlets. Boat operators, including fishing vessels, were also forced to relocate to make a living.¹⁴

In the mid-to-late 1960s, resolutions from the U.S. Senate and House of Representatives Committees on Public Works called the Corps of Engineers to review a 1963 report on the Little River. The resolutions stated that particular reference should be paid "to providing an improved and stabilized channel through the Little River Inlet and offshore bar at Little River." In June 1968 at a public hearing in North Myrtle Beach, locals stated that they wanted "a deeper, stable inlet channel." A new report was drafted by the Corps that was favorable to improving the inlet. It called for the following enhancements:

The recommended plan of improvement would provide an entrance channel 12 [deep] by 300 feet [wide] across the seaward bar; thence a 10-[deep] by 90-foot [wide] inner channel to the Atlantic Intracoastal Waterway. The entrance would be stabilized by ocean jetties extending

¹³ U.S. Department of the Army, *Little River Inlet, North Carolina and South Carolina* (Washington: GPO, 1972), 6, 12, 16-17; Nesmith, interview with the author.

¹⁴ Nesmith, interview with the author; U.S. Department of the Army, *Little River Inlet*, 16-17, 24-25.

seaward, 3,200 feet and 3,000 feet on the upcoast and downcoast sides of the inlet, respectively.

The cost of the project was estimated at \$7,373,000 with the federal government providing \$6,304,000 and local interests giving \$1,069,000. A potential benefit for Bird Island was the buildup of sand that would result from a stable inlet (See Appendix AA).¹⁵

Officials from other federal agencies and from North Carolina and South Carolina also favored the project. However, the N.C. Department of Water and Air Resources and the N.C. Division of Commercial and Sport Fisheries requested that work on the project be done in the winter so as not to affect the activities of sports and commercial fishermen and to minimize the adverse effects on the "biological productivity in the area." Both agencies also asked that sand, which was to be used in dike construction on Bird Island, be stockpiled on the beach and bulldozed into place. Bulldozing would create less silt than direct pumping. The Department of Water and Air Resources also was concerned about the effects of the plan on the beach erosion and hurricane protection project labeled "Cape Fear to North Carolina-South Carolina State Line." The S.C. Wildlife Resources Department wanted any dredged material not suitable for beach nourishment to be put in an area above the average high water mark.¹⁶

The Corps of Engineers responded to these concerns. It stated that it could not guarantee construction of the dikes only during the winter but that an effort would be made to schedule the work during that season. The Corps noted that stockpiling sand and bulldozing for dike building would be a way to reduce siltation; however, the process added additional costs. The engineers offered the following alternative:

¹⁵ U.S. Department of the Army, *Little River Inlet*, v, 5, 11, 17, 24, 28 (quotation).

¹⁶ U.S. Department of the Army, *Little River Inlet*, 26-27, 51, 53-54, 81 (quotation).

[I]t might be preferable to construct low dikes extending from the shore at Bird Island in the inlet to detain the dredge material pumped into such an inclosure [*sic*] for such a period as to allow the fines to settle out. The low dikes would be constructed of nearby beach sand and would be constructed at low tide.

The building of jetties was to have little or no effect on the beach erosion and hurricane protection project. Regarding the disposal of dredge material, the Corps of Engineers stated that testing indicated the material was highly sufficient for dike construction and beach nourishment. Any material discovered to be unsuitable was to be disposed of on sandbars with little fish and wildlife.¹⁷

Concerns for the environment arose. The South Carolina agency that deals with marine resources sought to limit all dredging to a November to January window, so that "larvae recruitments" were not damaged. The Corps of Engineers indicated that it might not be possible to complete the dredging within that period. However, it reiterated that construction work would be scheduled so that most of the work could be done during that time. Pollution became an issue, because the jettied inlet would result in more contaminated water. The Corps theorized that no greater pollution would occur and that the jetties will take pollution farther out into the ocean. The Environmental Protection Agency was concerned that the improved channel would bring fish processing houses and marinas and wanted safeguards to avert pollution from fish wastes, marine toilets, fuels, solid waste, garbage, bilge, and other discharges. The Corps responded that it had no responsibility in those matters and that the problem fell to the EPA and state agencies. However, the engineers stated that if the project was approved, it would coordinate with locals and state officials in matters of pollution abatement.¹⁸

¹⁷ U.S. Department of the Army, *Little River Inlet*, 26-27 (quotation).

¹⁸ U.S. Department of the Army, *Little River Inlet*, 80-82.

On the local level, Horry County, S.C., and Brunswick County, N.C., offered their cooperation on the project. The Horry County Planning and Promoting Commission offered the following: funding, a public landing, an agreement to maintain water depth at the docking area and local access channels, changes to the infrastructure, and enactment of statutes to protect the water. It also agreed to "provide without cost to the United States all necessary lands, easements, and rights-of-way required for construction and subsequent maintenance of the project." The Brunswick County Board of Commissioners affirmed that local interests would have to agree to cooperate with the federal government regarding construction and maintenance of the channel. The commissioners, realizing the benefits of the project for its citizens, offered free land, easements, and right-of-ways. However, county commissioners noted that the proposal did not mean that Brunswick County was accepting any monetary responsibilities.¹⁹

In May 1972, the Chief of Engineers, Lt. Gen. P. J. Clarke, submitted a favorable report from the Corps of Engineers's Board of Engineers for Rivers and Harbors to Secretary of the Army Robert F. Froehlke. The army secretary sent it to President Richard Nixon's Office of Management and Budget in August of that year. Management and Budget had no problem with Congress receiving the report. Nevertheless, Assistant Director William A. Morrill noted:

No commitment, however, can be made at this time as to when any estimate of appropriations will be submitted for construction of the project, if authorized by the Congress, since it would be governed by the President's budgetary objectives as determined by the then prevailing fiscal situation.

In September 1972, Froehlke presented the report to U.S. House Speaker Carl Albert.²⁰

¹⁹ U.S. Department of the Army, *Little River Inlet*, 64-68 (quotation).

²⁰ U.S. Department of the Army, *Little River Inlet*, v-vii, 3-4 (quotation).

It would be several years before the Corps of Engineers began the project. Despite the delay in building the jetties, local support for the Little River Inlet plan remained. The Horry County Planning and Promotion Commission in December 1976 again offered its cooperation. In April 1977 the Brunswick County Commissioners once more agreed to provide land to the federal government. A 1979 report from an Inlet Study Committee within the N.C. Department of Natural Resources and Community Development noted that the plan to improve the Little River Inlet had been authorized and funded. The committee called for completion of the project. By 1980 contract plans and specifications for the project had been finished, and efforts were being made to acquire land.²¹

With the need to obtain land, the federal government in November 1980 filed a "Declaration of Taking" in U.S. District Court in Wilmington for 30.6 acres of Ralph C. Price's land on Bird Island. The Corps of Engineers needed two parcels of land. The federal government wanted title to one tract containing 28.88 acres that was bounded by Price's land, the Atlantic Ocean, and the North Carolina-South Carolina line. The other tract was 2,530 feet long and thirty feet wide (1.72 acres); it was needed for a pipeline to transport dredged material. The federal government sought a "perpetual and assignable easement and right-of-way on the narrow strip of land that ran parallel to the ocean." The Corps was to have unrestricted access to the easement and right-of-way during the construction project and for six months after its completion. It also was to have right of entry to the easement and right-of-way for routine management for 120 days, during October 31 through May 1, of any twelve-month period. Exceptions were to be made if

²¹ *Report of the Chief of Engineers, U.S. Army, Charleston, S.C. District, 1980, 7-5; Inlet Study Committee Report* (Raleigh: North Carolina Department of Natural Resources and Community Development, Office

uncontrollable forces, such as hurricanes occurred. Price received the seventy thousand dollars from the federal government which it deemed as "just compensation." The price was five thousand dollars more that he paid for all of Bird Island in 1953.²²

The project moved forward, but its calculated cost had increased tremendously. In 1981 dollars, it was estimated to cost \$18,300,000 with \$15,510,000 in federal funds and \$2,790,000 from Horry County, S.C. and Brunswick County, N.C. (\$1,640,00 in contributed funds and \$1,150,000 for lands). The 1970 estimation was only \$7,373,000. In January 1981 the first construction contract was awarded. On April 22, 1981, a groundbreaking ceremony was held for the Little River Inlet Project. Over 150 people attended the event, including N.C. Governor James B. Hunt Jr. and other dignitaries from North Carolina and South Carolina. U.S. Representative Charlie Rose, whose congressional district included Brunswick County, called the project "a major step forward in the economic life of North and South Carolina." He promised to keep the project funded. During his address, Governor Hunt called attention to the cooperation between officials on a local, state, and federal level. Governor Hunt closed his speech with these words:

I look forward to the to the day I can return to this place and see fishing boats and other vessels churning through this inlet, safe in the knowledge that their way is clear and confident that Little River will always mean "safe harbor" for them.²³

of Civil Works, 1979), 12.

²² *United States of America v. Ralph C. Price, et al.*, United States District Court, Eastern District of North Carolina, Wilmington Division, Book 466, pp. 38-45, Brunswick County Deeds, Brunswick County Register of Deeds, Bolivia.

²³ *Report of the Chief of Engineers, U.S. Army, Charleston, S.C. District*, 1984, 7-5; *State Port Pilot* (Southport), April 29, 1981; *Wilmington Morning Star* (New Hanover/Brunswick edition), April 23, 1981 (quotation); James B. Hunt Jr., *Addresses and Public Papers of James Baxter Hunt, Jr.*, vol. 2, 1981-1985, ed. Jan-Michael Poff (Raleigh: North Carolina Department of Cultural Resources, Division of Archives and History, 1987), 103-105 (quotation).

The project kept on track. By 1982 construction was fifty percent complete. Dump trucks hauled sand to the west end of Bird Island and the east part of Waites Island (across Little River Inlet in South Carolina) to build earthen jetties. Next, boulders of blue granite, which came from the western portion of Virginia via rail to Wilmington, were hauled to the back part of Bird Island by barges coming through the Intracoastal Waterway. The boulders were grouped according to size. Frank Nesmith witnessed the construction of the jetties and described the building process in detail:

[T]hey'd use the smaller stones to begin with and then the bigger ones as they went out there. It was interesting to watch them build it. They would load the big dump trucks with wheels, oh, five feet tall, I guess; and, they would go out there and they would back out on the jetty. After they had got the jetty started they would put smaller stones on the bigger stones and they'd put a wooden pallet on top of that, heavy timbers bolted together.... [A]nd they'd chain that to the rock so the storms wouldn't wash them off. And they'd back the big dump trucks with the rock; and they'd dump them in a pan at the end of the jetty. They had a crane out there; and, the crane would pick each one of the rocks up and lay them in place. After they got the jetty about halfway out there, they built a turnaround place; and, they'd drive out to that point, turn around and then back out the last little bit . . . (See Appendices NN and RR).²⁴

By 1983 the project was ninety percent complete. The next year the Corps finished the inlet stabilization. The project was a definite success. The Corps had not dredged the inlet in two decades. The building of the jetties evidently had at least one negative impact helping to close up Mad Inlet in 1997. The closure of this inlet technically made Bird Island no longer an island (See Appendices RR).²⁵

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²⁴ *Report of the Chief of Engineers, U.S. Army, Charleston, S.C. District, 1982, 7-5; Nesmith, interview with the author.*

²⁵ *Report of the Chief of Engineers, U.S. Army, Charleston, S.C. District, 1983, 7-5; Report of the Chief of Engineers, U.S. Army, Charleston, S.C. District, 1984, 7-6; Nesmith, interview with the author; "Sunset Beach/Bird Island," Brunswick County Beaches <http://people.uncw.edu/hosier/BIE/bieclschd/fldtrp/Class%20Project%20Folder/Pages/index.htm> (August 1, 2002).*

Bird Island was not significantly altered by Ralph C. Price's construction, meaning that the landmass was in a relatively natural state. The idea of designating it as a park was floated. The creation of a park was mentioned in Brunswick County's first comprehensive land use plan in 1975. In 1976 Brunswick County citizens attending public hearings and public workshops gave strong support to the idea that the state and federal government should purchase Bird Island for a park. By 1981 county residents started placing less importance on the park idea; in 1985 it dropped further down as a priority among local people. In 1987 support fell even further. In that year, Brunswick County eliminated the park idea from its land use plan because of the lack of public support.²⁶

The 1978 book *From Currituck to Calabash: Living with North Carolina's Barrier Islands*, written by Orrin H. Pilkey Jr., William J. Neal, and Orrin H. Pilkey Sr., contained a site analysis of Sunset Beach and Bird Island. A map showed that the Bird Island fell within a "danger zone." The island had high potential for storm-surge flooding, was historically susceptible to overwash, had limited dune and vegetation protection, and was at low elevation. The authors said the following about the island:

Bird Island, currently undeveloped, is too small to support large-scale development. There are a few sites, at best, that are high enough and have sufficient ground cover to qualify as potentially safe (See Appendix EE).²⁷

Bird Island and its two inlets went through change during from the 1960s to the 1980s. Yet, in time nature began to reclaim the area on the island intruded upon by man.

²⁶ *Wilmington Morning Star*, February 29, 1992; Brunswick County Planning Department and Edward D. Stone Jr. and Associates, *Brunswick County Land Use Plan and Policies for Growth and Development: 1987 Update* (N.p.: Brunswick County Commissioners and Planning Board, 1987), 152.

²⁷ Orrin H. Pilkey Jr., William J. Neal, and Orrin H. Pilkey Sr., *From Currituck to Calabash: Living with North Carolina's Barrier Islands* (Research Triangle Park: North Carolina Science and Technology Research Center, 1978), 112-115 (quotation).

However, the next decade would bring a proposed development that would have completely changed the landmass and created a long struggle between the Price family and preservationists (See Appendix TT).

Chapter VI

The Struggle Over the Island, 1992-2002

Throughout the 1990s and into 2002, Bird Island would be the center of controversy between the Price family who wanted to develop the island and preservationists and state officials who desired to see it remain in a natural state. For the Prices, the fight centered on property rights and the ability to change the island that they had owned for four decades. Nevertheless, Ralph C. and Janie Price clearly had affection for Bird Island; they even planted dune grass and sea oats to preserve the sand dunes on it.¹

On August 2, 1984, Ralph C. Price transferred Bird Island and its associated Sunset Beach property to his wife. Five years later, on September 16, 1989, Price died in Greensboro at the age of eighty-seven. In February 1992 Mrs. Price filed a permit application with the N.C. Division of Coastal Management seeking to rebuild the bridge and causeway, to subdivide the island into fifteen lots, and to construct a pier. The widow also expressed a desire to erect homes for herself and her grandchildren and others in a small compound. The filing of the permit resulted in six letters of opposition being sent to Coastal Management's office.²

Mrs. Price's plan stirred people to action in an effort to save the island. In March 1992 ten people from Calabash and Sunset Beach along with Todd Miller of the North Carolina Coastal Federation (NCCF) gathered at Bill Ducker's house overlooking Bird Island. They met to design a letter writing campaign to inundate eight state and federal

¹ *Wilmington Morning Star*, February 29, 1992.

² Ralph C. Price to Janie Pace Price, August 2, 1984, Book 577, pp. 547-548, Brunswick County Deeds, Brunswick County Register of Deeds, Bolivia; Ralph C. Price to Janie Pace Price, August 2, 1984, Book

agencies with correspondence opposing the island's development. Miller urged the people to "emphasize the threat to wildlife" in their letters. They also planned to bring their views before the Sunset Beach Town Council.³

An application to erect a bridge and causeway replacement was received by the Division of Coastal Management in April 1992. The project called for the construction of three bridges and rebuilding sections of the causeway to create three separate causeways. Two of the bridges were to replace parts of the old causeway that had eroded away. The application also noted that the fifteen parcels were to be four to six acres apiece. Each lot was to have its own septic tank; water was to be supplied by Sunset Beach. The development was described as "very low density single family lots." All utilities were to be underground on the island and were to be run via the bridges. The pier was to have slip for four boats with floating docks to rise and lower with the tides. To provide public access to the beach, the project called for the erection of two walkways over the dunes and some parking (See Appendices GG, HH, II, JJ, and KK).⁴

Because Bird Island had remain undeveloped, many people assumed it was public land. According to a June 14, 1992, article in the *Raleigh News and Observer*, it had become "a destination for poets, painters, lovers and loners." Travel brochures portrayed Bird Island as a place for a quiet stroll or a picnic. Residents of Sunset Beach went to the

577, pp. 549-550, Brunswick County Deeds, Brunswick County Register of Deeds, Bolivia; *Greensboro News and Record*, September 17, 1989; *Wilmington Morning Star*, February 29, 1992.

³ *Wilmington Morning Star*, March 20, 1992 (quotation).

⁴ Permit Application, "Bird Island Bridge and Causeway Replacement," April 10, 1992, North Carolina Department of Environment, Health, and Natural Resources, Division of Coastal Management (quotation); Field Investigation Report, "Bird Island," June 10, 1992, North Carolina Department of Environment, Health, and Natural Resources, Division of Coastal Management.

island to fish, to beachcomb, and to experience nature. People accessed Bird Island via boat or by wading across Mad Inlet at low tide.⁵

In June 1992 environmentalists and the Sunset Beach Taxpayers Association were criticizing the development project. Mrs. Price, who as property owner had a legal right to develop the land, stated that the plan was a way to establish the island's value, and she only wanted an access route. She noted, "If I decide to use the island, I don't want to have to wade over there for the rest of my life."⁶

During June 1992, E. F. Brooks conducted a field investigation of the site for Coastal Management. His report stated that Mrs. Price listed a tract of twelve hundred acres; however, Brooks noted that most of the property fell below mean high water (MHW). He indicated, after consultation with the Attorney General's office, that "it is unlikely that property below the MHW contour would be considered under private ownership." The investigator noted that wetlands would be lost during the construction of the third causeway. Yet, Price's plan called for the creation of new wetlands in a different location. Brooks's report had a few other crucial comments on the project. It stated that the laying of over 80,000 square feet of impervious surface would create storm runoff into adjacent waters. He noted that additional wetlands were likely to be lost by the erection of the two other causeways. In addition, the planned bridges and causeways were to be built lower than the 100-year storm flood elevation making them susceptible to erosion or submersion in a major storm surge. The report indicated that the bridges would restrict navigation of Mad Inlet, which was still open, because of the clearance

⁵ *News and Observer* (Raleigh) June 4, 1992, and June 14, 1992 (quotation); *Wilmington Morning Star*, July 16, 1992; Morris, Glenn, *North Carolina Beaches*, rev.ed. (Chapel Hill: University of North Carolina Press, 1998) 276.

⁶ *News and Observer* (Raleigh), June 4, 1992, and June 14, 1992 (quotation).

height of only seven feet at high tide. He wrote the following about the effects such a project would have on Bird Island:

The most obvious impact associated with the proposed project would be the residential development of the eighty-five acre barrier island, which is currently in a relatively natural state. However, the applicants proposed low density of one single-family unit per five acres, is less impacting on the environment than numerous other development options.⁷

A Brunswick County legislator brought the issue of preserving Bird Island before the General Assembly. Rep. E. David Redwine wanted the island to remain in its natural condition and thought the state should buy it if Mrs. Price would sell. The *Wilmington Star News* backed the idea of saving Bird Island. The newspaper, in an editorial, acknowledged that private money might be raised to buy the island but stated that "Bird Island lacks the sentimental attachments to large numbers of people that made the Masonboro Island campaign a success." The *Morning Star* saw state purchase as the only alternative. Through his efforts, Representative Redwine got a provision inserted in a capital appropriations bill, ratified on July 25, 1992, that called for the N.C. Department of Environment, Health, and Natural Resources to "study the feasibility and appropriateness of the State acquiring Bird Island in Brunswick County for the purpose of conservation."⁸

The *Raleigh News and Observer* came out in favor of the conservation of Bird Island. It stated that to save the island "would be a worthy and noble effort—to preserve something not for developers but for beauty." The newspaper, admitting that buying the island would be expensive, suggested that perhaps state officials and conservationists

⁷ Field Investigation Report, "Bird Island," June 10, 1992, North Carolina Department of Environment Health, and Natural Resources, Division of Coastal Management (quotation).

⁸ *Wilmington Morning Star* July 16, 1992 (quotation), and July 18, 1992; *News and Observer* (Raleigh), July 18, 1992; *Session Laws of North Carolina, 1991*, c. 1044, s. 61 (quotation).

could persuade Mrs. Price to donate the land. It also said that, if money was the only way to obtain Bird Island, then the state should begin serious negotiations with Mrs. Price possibly with a partner like the Nature Conservancy.⁹

By early September 1992 calls were being made for people to organize to help the state raise money to buy Bird Island. In a meeting of local politicians and citizens in Sunset Beach, officials from the Division of Coastal Management told them they need to begin seeking funds right away and set up a land trust, like the Society for Masonboro Island, that would aid the state in buying the island. The efforts by that society had helped to persuade the federal and state governments to provide money for Masonboro Island. The *Wilmington Morning Star* also issued a call for an organization to help acquire private funds to save the island. The newspaper stated that Representative Redwine and others thought that it would be easier to persuade legislators of Bird Island's importance if organized locals raised some money.¹⁰

A grassroots effort with help from the NCCF, Audubon Society, and North Carolina Coastal Land led to the formation of the Bird Island Preservation Society (BIPS). The group was officially formed on September 2, 1992. (The NCCF over the last decade has served as the fiscal agent for the BIPS and has provided much staff support.) Representative Redwine and delegates from the Brunswick Bird Club, Audubon Society, NCCF, North Carolina Coastal Land Trust, and Sunset Beach Taxpayers Association were members of the BIPS. Toward the end of September 1992, the BIPS announced that it had plans to seek money from Brunswick County landowners

⁹ *News and Observer* (Raleigh), July 25, 1992 (quotation).

¹⁰ *News and Observer* (Raleigh), September 3, 1992; *Wilmington Morning Star*, September 6, 1992. Glenn Harbeck Associates, *Brunswick County Land Use Plan: 1997 Update* (Wilmington, N.C.: Glen Harbeck

by a direct mail campaign. It began soliciting money in early November; the society had raised \$10,000 by December 1992.¹¹

In December 1992 environmental concerns by the federal government created a problem for Mrs. Price. The Corps of Engineers required that the developers seek a permit. The loss of wetlands was the main concern of the Corps, which was also worried about storm runoff and sewage. The U.S. Department of the Interior urged the Corps of Engineers not to provide a permit because of problems the project could create for wetlands, fish, and animals. The U.S. National Marine Fisheries sent a letter to the Corps of Engineers expressing its concerns about the impact of the development on wetlands.¹²

Another hurdle that had to be overcome by Mrs. Price was the rezoning of the island to allow for more development. Bird Island fell within the extra-territorial planning jurisdiction of the town of Sunset Beach. In 1993, the issue of zoning came before the Sunset Beach town government. By this time Price and her son Rees Poag wanted Bird Island rezoned for a marina, a hotel, and restaurant. (Rees Poag was Janie Price's son from an earlier marriage.) The Sunset Beach Planning Board denied the request and urged the town council to reject it. The planning board favored allowing one single-family house per acre. In response to the planning board's decision, M. Glenn Dunn, the lawyer representing Mrs. Price and her son, stated, "Zoning Bird Island to allow a marina, hotel and restaurant would increase the barrier island's value and ensure a fair price if it is put on the market. . . . They don't want it regulated down to where its

Associates, 1997), 8-20; "North Carolina Coastal Federation: A 20 Year Perspective," *Coastal Review* (Spring 2002): 6-9; *Wilmington Morning Star*, September 25, 1992, and December 9, 1992.

¹¹ Glenn Harbeck Associates, *Brunswick County Land Use Plan: 1997 Update* (Wilmington, N.C.: Glen Harbeck Associates, 1997), 8-20; Lauren Kolodij, North Carolina Coastal Federation, "Bird Island," September 12, 2002, personal e-mail (September 13, 2002); "North Carolina Coastal Federation: A 20 Year Perspective," *Coastal Review* (Spring 2002): 6-9; *Wilmington Morning Star*, September 25, 1992 and December 9, 1992.

not worth very much." Protection of the island's value and not total development was all the Price family wanted, their lawyer indicated. Later, the town council concurred with the planning board's action. It zoned the island and its marshes as a conservation reserve district; only one house per acre of buildable upland was allowed. The council's action permitted only thirty to thirty-two dwellings. An April 1993 blueprint illustrated a revised development plan for Bird Island. It called for sixty-five lots, a marina, and restaurant (See Appendix LL).¹³

In June 1993, the Division of Parks and Recreations of the N.C. Department of Environment, Health and Natural Resources issued a report on Bird Island as requested by the legislature. The report noted the importance of the island:

Bird Island is the last example of undeveloped barrier island in Brunswick County and will become increasingly valuable to wildlife as human activities increase on other beaches. Residential construction, vehicular traffic, beach stabilization efforts, and other activities can have significant effects on wildlife species which require beach habitats. The remaining natural islands in North Carolina will become more and more essential for the survival of beach wildlife such as sea turtles, piping plovers, and colonial nesting waterbirds.

It mentioned how local residents and others had strongly supported saving the island and the BIPS's efforts to obtain money and public support. According to the study, the BIPS had fourteen hundred in-state and out-of-state members and had raised over twenty-five

¹² *Wilmington Morning Star*, December 9, 1992

¹³ Glenn Harbeck Associates, *Brunswick County Land Use Plan: 1997 Update*, 8-20; *Wilmington Morning Star*, March 1, 1993, and March 3, 1993 (quotation); *News and Observer* (Raleigh), March 4, 1993 (quotation); *Supplement to the Brunswick Beacon* (Shallotte), June 1994; Blueprint showing revised development plan for Bird Island, 1993, North Carolina Office of Archives and History, Research Branch (Copy given to author by Frank Newsmith).

thousand dollars. The society had also created a brochure ("You Can Help Save Bird Island"), published a newsletter, sold T-shirts, and formed regional committees.¹⁴

The study was not critical of Mrs. Price. It noted that her development plans were not clear at that time and a hold was in place on the permit application. The Division of Parks and Recreation stated the following about the current ownership:

The present landowners recognize the natural beauty and ecological value of Bird Island. They have indicated that they would like to see the site preserved, and are willing to consider selling the property to the state, but they are not able to donate the property for public ownership. They are also willing to keep the property, they feel that better supervision of its use is needed to prevent some of the damaging overuse which is now taking place.

According to the study, the tax value of the 1,200 acres (mostly marsh) that comprise the island was \$539,000. However, Parks and Recreation stated that its actual worth might be substantially different.¹⁵

The study acknowledged that the acquisition of Bird Island by North Carolina was appropriate because it "possesses biological, educational, and recreational values of statewide significance." The recommendation by Parks and Recreation set off a flurry of responses and activities. The *Wilmington Morning Star* noted the report and urged the need to take measures to preserve the island. The newspaper's editors supposed that saving the island was possible with work by the BIPS and friends and with help from the federal and state governments. The *Raleigh News and Observer* supported the study's recommendation commenting, "It's not often North Carolina has the chance to acquire a

¹⁴ "Bird Island in Brunswick County: A Study of the Appropriateness and Feasibility of State Acquisition" (report, North Carolina Department of Environment, Health, and Natural Resources, 1993), 1, 4; *Wilmington Morning Star*, June 16, 1993.

¹⁵ "Bird Island in Brunswick County," 4 (quotation).

sizable but undeveloped coastal island that can be preserved to protect wildlife and serve other public purposes.”¹⁶

Rep. E. David Redwine in September 1993 sought to have one million dollars reserved from the 1994 state budget for Bird Island. However, he wanted the Price family to know that it was only a starting place and not an offering price. Rep. Dewey Hill and Sen. R. C. Soles, both of Columbus County, endorsed the idea. In addition, Representative Redwine challenged the BIPS, which had collected over thirty-five thousand dollars, to lobby state legislators. Representative Redwine’s million dollar initiative finally cleared a House subcommittee in May 1994. Yet, a new hurdle to buying the island arose because its tax value had increased. A Brunswick County property assessment raised Bird Island’s tax value from \$539,000 to \$1.63 million.¹⁷

Despite the effort to obtain money for the island, the Price family in May 1994 began hinting that they were not interested in selling and offered resistance to preservationists. Mrs. Price’s son Rees Poag, a Greensboro radio executive, stated that Bird Island was worth ten times more money than was being discussed. He also declared that the family was not looking to sell and wanted to restore access to the island. Poag indicated that he had spent “six figures” on the permit process and contented that “his investment makes selling the island less attractive.” He thought it was disconcerting that the state was interested in the island while also dealing with their permit application. In that same month, the Price family asked the Sunset Beach Town Council to reconsider the island’s zoning because they believed it was too restrictive. They sought the option to build a hotel. Glenn Dunn, Mrs Price’s attorney, had this to say about the situation:

¹⁶ “Bird Island in Brunswick County,” 6 (quotation); *Wilmington Morning Star*, June 30, 1993; *News and Observer* (Raleigh), June 21, 1993 (quotation).

There is a lot of resistance to developing this island . . . and people are against the concept of private property. People like the Prices are cast as villains, but they've been very patient over many years as thousands of people continually trespassed on their island.¹⁸

In April 1994 the BIPS sought to have the N.C. Coastal Resources Commission to designate the island as an "Coastal Complex Natural Area of Environmental Concern" (AEC) which would create another hurdle for the Prices but would not necessarily stop development. The builders would be required to submit plans showing how they would protect plants and animals. At its July meeting, the Coastal Resources Commission voted to have its staff study to see if Bird Island needed this protection. In September the Division of Coastal Management sent a memo to the commission urging the adoption of the AEC label for the island. In November 1994, the body decided against the nomination of the island as an AEC. A July 1998 memorandum to the Coastal Resources Commission summed up the decision not to make Bird Island an AEC:

While Bird Island fit the description of a Coastal Complex Natural Area of Environmental Concern, all of the island and surrounding waters were already AECs. A special designation, therefore, would provide no significant additional protection.¹⁹

The proponents of preservation found another way they hoped would stop the development. In September 1994 the activists pointed to a 1981 ruling by the Coastal Resources Commission that had been overlooked. The commission had designated Mad Inlet an "inlet hazard area" meaning it was unstable for most types of development. Any structure over five thousand square feet would be prohibited in the area. Price's bridge

¹⁷ *Wilmington Morning Star*, September 2, 1993, and May 26, 1994.

¹⁸ *Wilmington Morning Star*, May 26, 1994 (quotation); *Supplement to Brunswick Beacon*, June 1994 (quotation).

¹⁹ "CRC Refuses to Protect Bird Island, Allows Developers to Sandbag Coast," *Coastal Review* (Winter 1994): 7; *Wilmington Morning Star*, July 28, 1994, July 30, 1994, and September 23, 1994; Mike Lopazanski to North Carolina Coastal Resources Commission, July 9, 1998, North Carolina Department of Environment and Natural Resources (quotation).

was far longer. Initially, state officials overlooked the designation because Mad Inlet no longer looked like one. Although it was still active, the inlet was covered with plants and grasses. However, the Division of Coastal Management did not necessarily agree that the bridge met the definition of "structure."²⁰

In January 1995, the BIPS and the NCCF, aided by the Southern Environmental Law Center, petitioned the Coastal Resources Commission seeking a "declaratory ruling on the applicability of inlet hazard area of environmental concern development standards . . . to a proposed bridge across Mad Inlet." Besides having to deal with this problem, Mrs. Price had to deal with another government agency. Because the proposed bridges and causeways were to be erected across navigable waters, the U.S. Coast Guard had conduct its own review of the project.²¹

As the controversy continued, the BIPS even took the step of having Rees Poag join one of their tours of the island. At a luncheon before the tour, Poag, quoted in the *New York Times*, said, "I am the Devil. . . . These people think of me as the Devil." Poag's hyperbole notwithstanding, most preservationists believed that the Price family should receive compensation. The problem seemed to hinge on the actual value of the island. Some contended that the Price family did not want to develop Bird Island but only wanted the bridge and development permits and utilities because these would increase the land's value to between ten to twenty million dollars. Thus, they were hoping to force the state to pay more. Ultimately, any studies and fees would be paid by the

²⁰ *Wilmington Star News*, September 16, 1994, and October 9, 1994; Petition of North Carolina Coastal Federation and Bird Island Preservation Society for a Declaratory Ruling on the Applicability of a Rule, North Carolina Coastal Resources Commission, January 11, 1995, Vertical Files, New Hanover Public Library, Wilmington.

²¹ Petition of North Carolina Coastal Federation and Bird Island Preservation Society for a Declaratory Ruling on the Applicability of a Rule, North Carolina Coastal Resources Commission, January 11, 1995,

Prices, who would want to recover that money from the state if they sold the island. Another issue bothering some preservationists was the slowness of the Coastal Resources Commission in making a decision about the bridge permit.²²

In January 1995 conservationists found a friend in the U.S. Fish and Wildlife Service. The federal agency issued a ruling that prevented utility companies from providing services to Bird Island. Its decision was based on a 1982 law enacted by Congress that prohibited utility companies that received federal money from providing modern conveniences to newly developed barrier islands. The statute was designed to protect undeveloped barrier islands. Because of the Wildlife Service decision, the only way to the Price family could get electricity or telephone service to the island was to provide their own.²³

In March 1995 the Coastal Resources Commission decided that the Prices could not build their 120,000 square-foot-bridge across Mad Inlet. Its decision was based on two rules: one that prohibited structures over 5,000 square feet in an "inlet hazard area" and another that forbade development in the first line of stable vegetation in an "inlet hazard area." The vote on each rule was seven to five. The *News and Observer* noted that the closeness of the votes illustrated that "pressure from the owners may be making some headway." Poag saw the decision as a taking of his family's property. The Raleigh newspaper had this to say about the Price family's situation:

Janie Price of Greensboro and her family own the island, and to be fair to them, it's a tough rule against the rights of property owners who vow that the preservation of the natural resources means as much to them as it does to anybody.

Vertical Files, New Hanover Public Library, Wilmington (quotation); *Wilmington Star News*, October 9, 1994.

²² *New York Times*, January 2, 1995 (quotation); *News and Observer* (Raleigh), January 29, 1995.

²³ *Wilmington Morning Star*, January 25, 1995; *News and Observer*, January 29, 1995.

As a solution, the *News and Observer* urged the state to buy the island to end this dispute.²⁴

During May, the situation was to change in the Prices's favor. Early in the month, they filed a lawsuit against the Coastal Resources Commission. Ironically, the body in late May backed away from its earlier verdict. Commission member Tim Thornton, a Pasquotank County developer, introduced new rules that would allow a bridge to be erected over an inlet if one had been over the inlet previously. Thornton made clear that he had Bird Island in mind when he proposed the new regulations. Two public hearings were called so people could comment on the projected rules.²⁵

With the Coastal Resources Commission reversal of position, the controversy over the island only intensified. The Prices were fighting hard for their property rights. They contended that their plans would keep people from destroying the island. Poag said the following about his family's efforts to preserve the island:

We want to replace Joe Six-pack going over there on weekends with an environmentally sensitive development that will have less of an impact on the future of the inlet Without a bridge . . . it's difficult to maintain the island and prevent it from being overgrown with tourists. . . . In my judgement, the island is being destroyed by Jet Skiers, tour groups, campers, hunters, fishermen and even Para-sailers.

To add more fuel to the fire, the NCCF questioned the validity of the commission's reversal because Thornton had moved to Virginia in 1994. The NCCF said that state law allowed only two members to live outside North Carolina. Thornton's move brought the

²⁴ *Wilmington Morning Star*, March 25, 1995; *News and Observer* (Raleigh), March 29, 1995 (quotation).

²⁵ *Wilmington Morning Star*, May 27, 1995, and September 28, 1995.

number of non-N.C. residents to three. The Office of the Attorney General determined that Thornton could finish out his term.²⁶

At a September 29, 1995, hearing in Sunset Beach held by the Coastal Resources Commission, opponents to the bridge expressed their views. Linda Rimer, assistant secretary for environmental protection in the N.C. Department of Environment, Health and Natural Resources, argued that hazardous inlet areas should not have bridges. John Wells, director of the University of North Carolina's Institute for Marine Sciences, studied maps going back to 1873 and noted that within one hundred years Mad Inlet's location had changed one and one-half miles. He added that the "Bird Island in 1873 is not even the same piece of land that today we call Bird Island." In addition, Wells noted that the inlet had moved twenty-seven hundred feet since 1983. Sunset Beach property owners opposed the Prices's development because it would bring more noise and traffic. At the meeting nearly one hundred people showed up to support the anti-development forces. Around that time, approximately seven hundred people had written to the state to express their objection to the bridge proposal (See Appendix I).²⁷

Throughout the fall of 1995 and early winter of 1996, the battle over the small island continued. In October 1995, the *News and Observer* noted that the Price family had the resources to keep up its fight with the Coastal Resources Commission. The Raleigh newspaper urged the family and the state to come together with reputable land appraisers to get a fair price on the island that was agreeable for both sides, so it might be saved. At least one person sought a compromise. At a hearing in Kill Devil Hills in mid-November, Dare County planner Ray Sturza asked the commission to enact an inlet

²⁶ *Wilmington Morning Star*, September 28, 1995.

²⁷ *News and Observer* (Raleigh.), September 29, 1995 (quotation).

bridge grandfather clause that was to expire in 1998. His proposal would provide the Prices with two years to build the bridge and give preservations the same amount of time to raise money. Engineer John Ryder, who was working for the Price family, thought the idea would not work.²⁸

At the same Dare County meeting, Poag had no kind words for the BIPS and the NCCF. His words showed his frustration in this long running battle. He commented, "This pompous bunch of so-called preservationists want to keep using it for their private use." He complained about the BIPS tours of the island. Bill Ducker commented that the society only toured areas that were believed to be publicly owned. Poag urged the preservationists to use their time to fund raise instead of contesting the bridge. He declared his determination to fight by saying, "I'm in it for the long run I guess they won't believe it until they see bulldozers on the island."²⁹

In January 1996 following two hearings and over eight hundred comments (including children's petitions), the Coastal Resources Commission voted unanimously to forbid the construction of the bridge of over Mad Inlet. The commission also enacted a resolution calling on the state to purchase the island. Poag noted that the vote did not change his family's plans for the island. However, the state had just began talking with the Price family about purchasing the landmass. Poag felt that the commission's action tainted any negotiations by the state or preservation groups to acquire the island. He felt that the state used the rules to keep down the price of the land. Before the vote, two commissioners, Tim Thornton and Dave Adams, complained that preservation groups and state officials tried to lower the island's worth by using the regulations. Thornton,

²⁸ *News and Observer* (Raleigh), October 8, 1995; *Wilmington Morning Star*, November 17, 1995.

²⁹ *Wilmington Morning Star*, November 17, 1995 (quotation).

who supported the bridge but opposed development, felt that the administration was trying to influence the commission's decisions. Secretary Linda Rimer responded that "it's not unusual for state officials to express opinions to any regulatory commissions." Yet, she noted that no policymakers were involved in the talks about purchasing the island.³⁰

The state in 1995 started negotiations with the Price family. In that year, the Department of Environment and Natural Resources decided that Bird Island was worth buying because it was "a regionally significant natural area." The department started talking with the owner. It obtained a \$500,000 grant from the N.C. Natural Heritage Trust Fund (NHTF) in March 1996 to go toward the purchase. However, the grant required that the money to be returned if some action toward acquiring the island had not occurred within twelve months.³¹

Although the state was negotiating to buy Bird Island, the Price family continued moving forward with development plans. In August 1996 Bird Island Company, L.L.C. (a foreign limited liability corporation established under Virginia law) was established as a real estate business with Rees Poag as its registered agent. On August 30, 1996, Mrs. Price transferred to the Bird Island Company for the fee of one dollar the island and the associated Sunset Beach property. Four years later, the N.C. Department of Environment and Natural Resources dealt a blow to the Price family when it issued a "Declaration of Final Resolution of Claim to Submerged Lands" to the Bird Island Company. The document effectively reduced the size of the Price family's claim by excluding

³⁰ *Wilmington Morning Star*, January 27, 1996 (quotation); *Greensboro News and Record*, January 28, 1996.

³¹ Mike Lopazanski to North Carolina Coastal Resources Commission, July 9, 1998, North Carolina Department of Environment and Natural Resources (quotation).

submerged lands. The decision meant that any property below the mean high water mark was part of the public domain.³²

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No history of Bird Island would be complete without mentioning Frank Nesmith, the Kindred Spirt Mailbox, and nude sunbathers. Nesmith (pronounced *knee-smith*), who has been called the “mayor of Bird Island” and the “island keeper,” probably knows more about Bird Island than any other person. He retired from the insurance business in the Columbus County town of Tabor City. He moved permanently to Sunset Beach into a house situated along the Intracoastal Waterway. He has been a regular visitor to Bird Island for nearly half a century.³³

Nesmith first came to Bird Island for fishing and liked it because nobody else was around. As a young man, he spent weekends fishing, walking, and boating on or near the island. In time Nesmith began to offer free tours of the island during the spring and summer; he advertised on handmade signs at Sunset Beach access points. Nesmith has led people from all over America on these tours that are essentially nature walks with some history thrown in. When the Price family made plans to develop the island, Nesmith, naturally, became one of its most ardent defenders. On his tours, Nesmith would let the island tell its story, but he would put in a plug for the BIPS. Because of the

³² North Carolina Department of the Secretary of State, “Corporation Names: Bird Island, L.L.C.,” August 21, 1996, <<http://www.secretary.state.nc.us/Corporations/Corp.asp?4646233>> (June 14, 2002); North Carolina Department of the Secretary of State, “Annual Report: Bird Island Company, L.L.C.,” October 29, 1996, <<http://www.secretary.state.nc.us/Corporations/soskb/Filings.asp?4646233>> (September 16, 2002); Janie Pace Price to Bird Island Company, August 30, 1996, Brunswick County Deeds, Book 1108, pp. 763-776; Brunswick County Register of Deeds, Bolivia; Bird Island Company to State of North Carolina, February 24, 2000, Book 1364, pp. 431-432, Brunswick County Deeds, Brunswick County Register of Deeds, Bolivia; Bird Island Company to State of North Carolina, July 28, 2000, Book 1392, pp. 496-497, Brunswick County Deeds, Brunswick County Register of Deeds, Bolivia; Field Investigation Report, “Bird Island,” June 10, 1992, North Carolina Department of Environment, Health, and Natural Resources, Division of Coastal Management.

debate over the landmass, Nesmith kept his tours on the “wet beaches” that are a part of the public domain.³⁴

Nesmith has an affinity for the entire island. However, the “mayor of Bird Island” is most fond of the marsh that he described as “pretty as [the] Grand Canyon.” He even became the mascot for the BIPS because of his great devotion to the island. Lauren Kolodij of the NCCF noted that Nesmith was “the heart and soul and voice of the effort.” His way of talking of the development issue really got to people. When asked why he continued to come back to Bird Island, Nesmith stated:

Oh, Lord have mercy! It’s one of my favorite places in the world. And, too I guess the thing that really nailed me down was the Kindred Spirit mailbox and reading what people that wrote in it said; the general theme of it was “Oh, my goodness! Let this place stay like it is.”³⁵

The Kindred Spirit mailbox on Bird Island is a place where people record their thoughts in a journal. These reflections vary in their depth. Some are profound and deep covering topics that include death, love, child abuse, divorce, and spiritual matters. The main theme of the writers has been the desire to see the island remain in its natural state. Some journal entries are far less serious, such as “Dear Kindred Spirit, the only cool thing about this island was the naked lady,” and “Dear Kindred Spirit, help me to win the lottery.” People are welcome to read what others have recorded (See Appendix SS).³⁶

The tradition of the Kindred Spirit mail was established by an anonymous Hope Mills, North Carolina, woman who is a friend of Nesmith and is known only as the

³³ *Charlotte Observer*, May 11, 1993; *New York Times*, January 2, 1995; *News and Observer* (Raleigh), March 7, 1995; Nesmith, interview with author.

³⁴ Nesmith, interview with author; *News and Observer* (Raleigh), March 7, 1995; *New York Times*, January 2, 1995; *Wilmington Morning Star*, September 19, 1993.

³⁵ *New York Times*, January 2, 1995 (quotation); *News and Observer* (Raleigh), March 7, 1995 (quotation); Nesmith, interview with author (quotation).

Kindred Spirit. Following a dream she had about a mailbox at the edge of the ocean in May 1981, the woman set up a mailbox on a "little spit of sand" in Tubbs Inlet between Sunset Beach and Ocean Isle Beach. Nesmith indicated how the an anonymous woman came up with the term:

Well, this person thought that the only people that would write in the journal would be kindred spirits. But it sort of turned around to the place where people that write in the Kindred Spirit mailbox are writing to the Kindred Spirit like it's some being up in the sky that would grant wishes or whatever.

Access to the little spit was by boat or swimming. After three years, the spit washed away. Nesmith then came up with the idea of putting the mailbox on Bird Island.³⁷

When Mad Inlet still had water and people had to wade through it at low tide to get to the island, a year would elapse before a journal would be filled-up. When the inlet closed, people had easier access to the mailbox. The journals were written in more frequently, often filling in a month's time. Over the summer, five or six notebooks would be filled up. According to the Kindred Spirit, the mailbox's popularity can be attributed its special location that encouraged free expression of thought. Over the years, Nesmith gathered the journals and sent them to the Kindred Spirit. More recently, Nesmith has not gotten back to the island as much, but others retrieve the notebooks.³⁸

How long the Kindred Spirit mailbox will remain is an open question. A new mailbox is put up every few years. The last time Nesmith went to replace the mailbox he discovered someone had put one up. The Kindred Spirit hopes to erect a children's

³⁶ Bland Simpson, *Into the Sound Country: A Carolinian's Coastal Plain* (Chapel Hill: University of North Carolina Press, 1997), 174 (quotation); *Wilmington Morning Star*, August 6, 2001; *Charlotte Observer* (Carolinas Edition), May 11, 1993; Nesmith, interview with author.

³⁷ *Wilmington Morning Star*, August 6, 2001; Nesmith, interview with author (quotation).

³⁸ *Wilmington Morning Star*, August 6, 2001; Nesmith, interview with author.

museum to make the notebooks available via computer and in their original format.

Nesmith had the following to say about the future of the Kindred Spirit mailbox:

I'm sort of like letting nature wash the inlet away like it ought to be. Leave it alone and it will take care of itself. And, I [am] sort of in the notion of letting the Kindred Spirit take care of itself.³⁹

The closure of Mad Inlet in 1997 made it easier to access Bird Island but its drying up also created a problem. The island over time had been a popular place for nude sunbathing. However, as more people came to this unspoiled locale, they also encountered individuals who did not mind freely exposing themselves. An article in the September 7, 2001, of the *Wilmington Morning Star* stated the following:

Certainly many folks could care less about the nudity or are even pleasantly surprised. But tourists have reported having to cover their children's eyes during a stroll down Bird Island. And on occasion, people have wandered from Bird Island onto Sunset Beach in the buff. Town officials responded earlier this year by posting a sign where Mad Inlet used to be. It reads: Entering Sunset Beach. No Nudity Allowed.

The number of complaints forwarded to Sunset Beach Town Manager Linda Fluegel increased. After receiving a number of telephone calls about the problem, Fluegel contacted the Brunswick County Sheriff's Department. Deputies visited the island at least three times in 2001, arriving by boat. However, they found no naked people (See Appendix RR).⁴⁰

The nudity problem spurred interest among council members in having Sunset Beach annex Bird Island because the town had an ordinance barring public nudity. Annexation would allow Sunset Beach Police to patrol the island. Police Chief J. H. Kerr believed a few warnings would alleviate the predicament on Bird Island if it was

³⁹ *Wilmington Morning Star*, August 6, 2001; Nesmith, interview with author (quotation).

⁴⁰ William J. Cleary and Tara P. Marden, *Shifting Shorelines: Pictorial Atlas of North Carolina Inlets* (Raleigh: North Carolina Sea Grant, 1999), 48; *Wilmington Morning Star*, September 7, 2001.

annexed. In September 2002 by a vote of four to one, the town council decided not to annex the island at that time, but the Sunset Beach police would continue “to patrol the island on a sporadic as-needed basis.” Annexation of Bird Island would have meant adding two additional full-time policemen.⁴¹

* * * * *

As the 1990s were coming to a close, Bird Island remained in limbo, but the state and the Price family were talking. In early 1997 the island was appraised for \$3.5 million. The state offered that amount to the Price family, which they refused. The Prices held out for no less than \$8.5 million. Owing to the lack of an agreement, the state had to return the \$500,000 grant to the N.C. Natural Heritage Trust Fund. Two years later, a reassessment placed the value of Bird Island at five million dollars. In 2001 the state made an offer of \$4.2 million for the island. The Prices agreed to the price with the understanding that the state would come up with nearly half the money before the end of the year. By selling Bird Island for \$4.2 million, the Price family would be allowed to claim an \$800,000 charitable donation.⁴²

In August 2001 the real estate option was signed by the Prices with the state agreeing to pay two million dollars for a parcel of eighty upland acres during that year and \$2.2 million for a tract of sixty-seven upland acres in the next year. For government officials, the next major obstacle was obtaining the money. To fund the purchase, the Division of Coastal Management applied for a \$1.5 million dollar grant from the N.C.

⁴¹ *Wilmington Morning Star*, September 7, 2001, and November 14, 2001; Don Bordner, “Sunset Beach: Town Says No to Bird Island,” *Brunswick Beacon* (Shallotte), September 12-18, 2002, <<http://www.brunswickbeacon.com/headline%20web%20page/sunset.html>> (September 11, 2002).

⁴² Mike Lopazanski to North Carolina Coastal Resources Commission, July 9, 1998, North Carolina Department of Environment and Natural Resources; *Wilmington Morning Star*, July 7, 2001, and July 27, 2001.

Clean Water Management Trust Fund (CWMTF). In September Coastal Management also planned to apply for \$750,000 from the NHTF and two million dollars from the federal government's Land and Water Conservation Fund.⁴³

In the autumn of 2001, grants were received to go toward acquiring the island. The NHTF gave \$750,000 to Coastal Management during its fall grant awards. In November 2001 the CWMTF awarded \$2.75 million to the state agency. An editorial in the *Wilmington Morning Star* praised the work of Rep. E. David Redwine that made the purchase of Bird Island a reality and gave credit for Sen. Marc Basnight for making sure that appropriations for the Clean Water Management Trust Funds were not cut in 2001.⁴⁴

In December 2001, the hard work of preservationists and state officials began to bear fruit. On the twentieth, the Bird Island Company that was originally formed as foreign limited liability company and incorporated in Virginia, surrendered its right to transact business in North Carolina. On that same day, another Bird Island Company was formed as a limited liability company under North Carolina laws with Rees Poag as its agent. The next day, the original Bird Island Company presented a quitclaim deed for Bird Island to Janie Price and Rees Poag, thus, releasing its interest to the island. On that same day, Janie Price and Rees Poag and his wife Sara presented a deed to the reformed Bird Island Company. The company then sold one of two Bird Island parcels to the state. Robin Smith, assistant secretary of the Department of Environment and Natural

⁴³ North Carolina Division of Coastal Management, "Bird Island Becomes Coastal Reserve," *Coastal Management News, CAMAgram: Summer 2002*, July 8, 2002, <<http://dcm2.enr.state.nc.us/CAMAgram/Summer02/bird.htm>> (July 19, 2002); *Wilmington Morning Star*, September 4, 2001.

⁴⁴ "Natural Heritage Trust Fund: Fall 2001 Grant Awards," n.d., <<http://ils.unc.edu.parkproject/heritage/F01Awards.htm>> (June 24, 2002); "North Carolina Completes Purchase of Bird Island," *North Carolina Environmental Law Letter* 12 (May 2002): 7; *Wilmington Morning Star*, November 18, 2001; North Carolina Clean Water Management Trust Fund, "CWMTF 2001 Successes: Bird Island," n.d., <<http://www.cwmtf.net/birdisland.htm>> (September 17, 2002).

Resources called the purchase that consisted of eighty upland acres “a significant first step” (See Appendix OO).⁴⁵

As 2002 opened, the Division of Coastal Management still was looking to secure the second parcel of Bird Island. In January Coastal Management had \$1.3 million left from the CWMTF grant, but it still need to come up with \$700,000. The division looked to the N.C. Department of Transportation (DOT) as a possible source of funding. By February the remaining CWMTF money appeared to have escaped Gov. Mike Easley’s budget cuts, but at the time its standing was “still a bit cloudy.” The state had until May 31, 2002, to come up with the remaining money. If the state could not obtain the funding, the Price family had an option to buy back the first tract.⁴⁶

By the spring Coastal Management finally was able to buy the second tract. The Department of Transportation directed \$700,000 toward the purchase. In its April 11, 2002, issue, the *Wilmington Morning Star* took note of DOT’s “generosity”:

But DOT isn’t helping out to be charitable; in exchange for saving island wetlands from possible development, it will be allowed to fill wetlands elsewhere to built roads and bridges.

⁴⁵ North Carolina Department of the Secretary of State, “Application for Certificate of Withdrawal of Limited Liability Company: Bird Island Company, L.L.C., December 20, 2001, <<http://www.secretary.state.nc.us/Corporations/soskb/Filings.asp?4646233>> (September 16, 2002); North Carolina Department of the Secretary of State, “Articles of Organization of Bird Island Company, L.L.C.,” December 20, 2001 <<http://www.secretary.state.nc.us/Corporations/soskb/Filings.asp?5405098>> September 16, 2001; North Carolina Department of the Secretary of State, “Corporation Names: Bird Island Company, L.L.C.,” December 20, 2001 <<http://www.secretary.state.nc.us/Corporations/Corp.asp?5405098>> (June 14, 2002); Bird Island Company to Janie Pace Price and Rees Poag, December 21, 2001, Brunswick County Deeds, Book 1537, pp. 365-366, Brunswick County Register of Deeds, Bolivia; Janie Pace Price, Rees Poag, and Sara M. Poag, to Bird Island Company, December 26, 2001, Brunswick County Deeds, Book 1537, pp. 367-369, Brunswick County Register of Deeds, Bolivia; Bird Island Company to State of North Carolina, December 21, 2001, Brunswick County Deeds, Book 1537, pp. 372-373, Brunswick County Register of Deeds, Bolivia; *Wilmington Morning Star*, January 4, 2002 (quotation); ; North Carolina Department of Environment and Natural Resources, Division of Coastal Management, “State has Bird Island in Hand,” *Coastal Management News Releases*, May 13, 2002, <<http://dcm2.enr.state.nc.us/News/birdisland.htm>> (June 5, 2002).

⁴⁶ *Wilmington Morning Star*, January 4, 2002 and February 12, 1992 (quotation).

Not all conservationists are comfortable with such horse trading, but Camillia Herlevich of the N.C. Coastal Land Trust points out that this new approach assures the preservation of existing and valuable wetlands.

In the past, she [Herlevich] says, DOT money was spent only to create wetlands, often small and relatively insignificant patches, that soon were forgotten and at some point, possibly damaged.

The money was combined with the remaining CWMTF grant. On April 26, 2002, the second parcel that contained sixty-seven upland acres was acquired by the state. With the purchase, Bird Island would never be developed (See Appendix OO).⁴⁷

The newly purchased land was combined with tidal marsh and wetlands held in public trust to create a twelve-hundred acre coastal reserve. Bird Island became the tenth parcel to join the North Carolina Coastal Reserve Program. The Coastal Reserve Program was created in 1989 by the legislature to save special coastal areas for education, research, and recreation. The acquisition of Bird Island preserved not only open space, but an important habitat for wildlife. Regarding the state purchase of the island, Frank Nesmith said, "I can't explain to anybody how happy I am that the state has come along and has bought it and it's going to stay in its present state, hopefully forever."⁴⁸

With the sale of Bird Island, the state had possession of an island that it originally owned. In 1823 the state transferred Bird Island (100 acres) to William Frink for ten

⁴⁷ *Wilmington Morning Star*, April 11, 2002 (quotation); "North Carolina Completes Purchase of Bird Island," *North Carolina Environmental Law Letter* 12 (May 2002): 7; North Carolina Department of Environment and Natural Resources, Division of Coastal Management, "State has Bird Island in Hand," *Coastal Management News Releases*, May 13, 2002, <<http://dcm2.enr.state.nc.us/News/birdisland.htm>> (June 5, 2002); Bird Island Company to State of North Carolina, April 26, 2002, Brunswick County Deeds, Book 1584, pp. 712-715, Brunswick County Register of Deeds, Bolivia.

⁴⁸ North Carolina Department of Environment and Natural Resources, Division of Coastal Management, "State has Bird Island in Hand," *Coastal Management News Releases*, May 13, 2002, <<http://dcm2.enr.state.nc.us/News/birdisland.htm>> (June 5, 2002); North Carolina National Estuarine Research Reserve, "Reserve Information," n.d., <<http://www.ncnerr.org/pubsiteinfo/index.html>> (September 18, 2002); *Wilmington Morning Star*, May 14, 2002; Nesmith, interview with author.

dollars. Nearly 180 years later, the state brought back the island (147 upland acres) for \$4.2 million. The acquisition was the culmination of a long struggle. The Prices were not villains; they only wanted the right to develop their property that they had legally purchased. The state and preservationists desired to save one of the last undeveloped barrier islands. In the end, both sides came out as winners.

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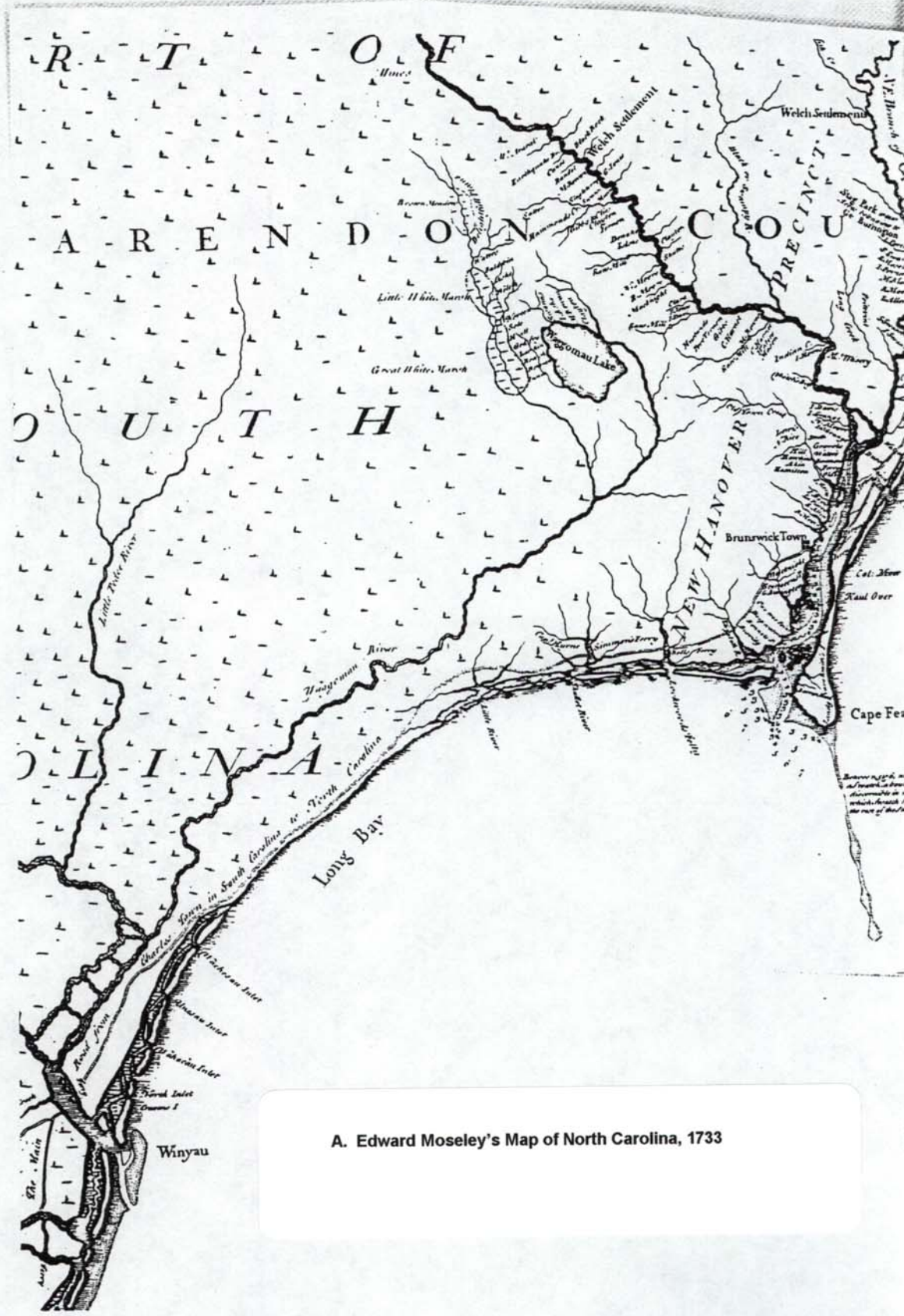
APPENDICES

Appendices

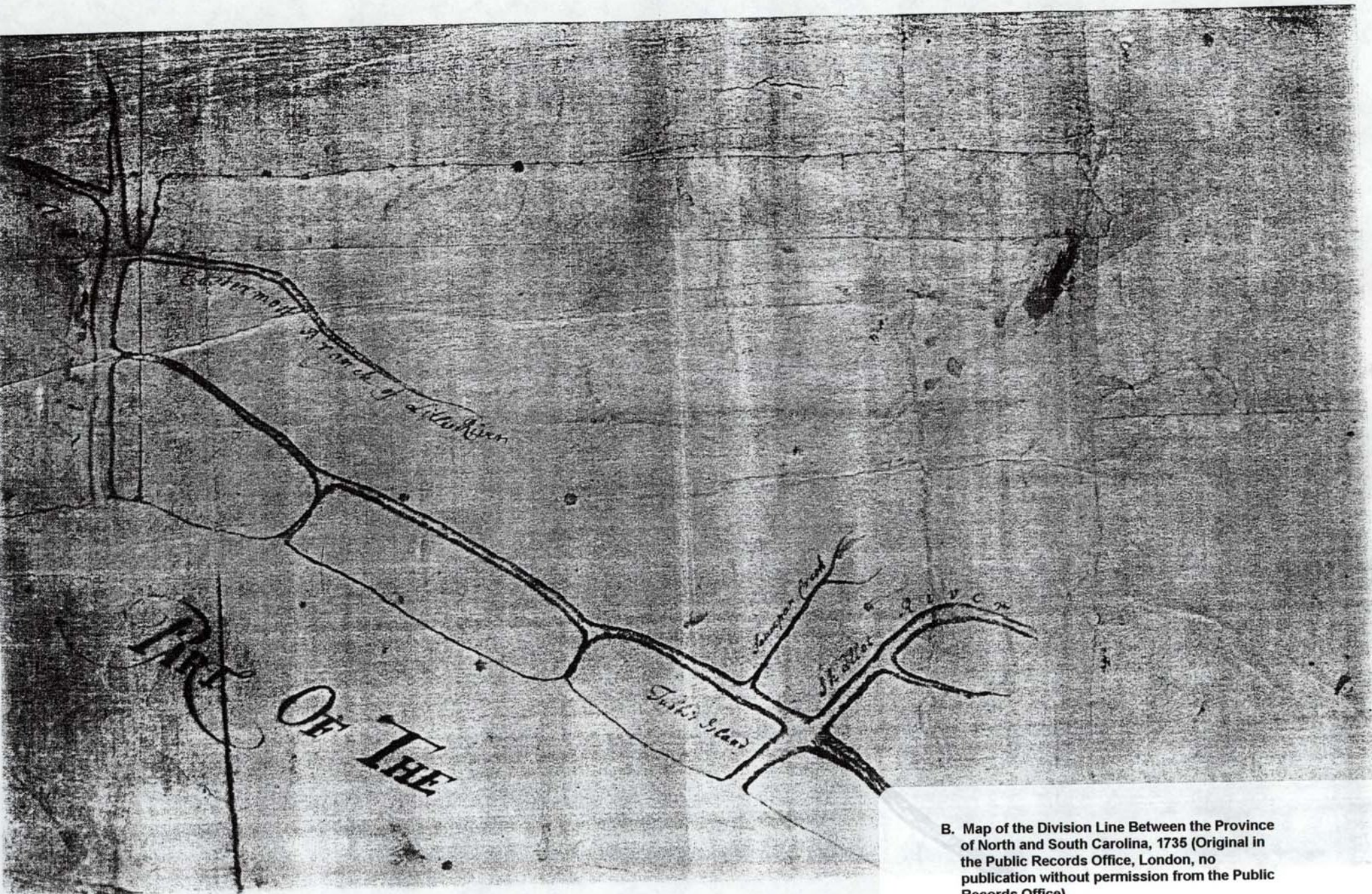
- A. Edward Moseley's Map of North Carolina, 1733
- B. Map of the Division Line Between the Province of North and South Carolina, 1735
(Original in the Public Records Office, London; no publication without permission from the Public Records Office)
- C. Chart of [Carolina], 1738 (Original in the Public Records Office, London; no publication without permission from the Public Records Office)
- D. Plan of the Temporary Boundary Line Between the Provinces of North and South Carolina, 1764
- E. John Collet's Map of North Carolina, 1770
- F. Survey Map "for Joseph Allston Two Hundred Acres of Marsh Land in Brunswick County between Mad Inlet and Little River Inlet," 1772
- G. Henry Mouzon's Map of North and South Carolina, 1775
- H. Survey Map "for Saml. Frink one Hundred Acres of Land, Beach," 1823
- I. U.S. Coast Survey Map of Little River and vicinity, South Carolina, 1873
- J. U.S. Coast and Geodetic Survey Coast Chart, Little River Inlet and part of Long Bay, South Carolina, 1888
- K. Charles H. Smith's Map of Brunswick County, 1910
- L. U.S. Army Corps of Engineers, Map of Intracoastal Waterway, [Proposed] Beaufort Inlet, N.C.-Little River S.C. Section, Sea Coast and Inland Routes, North Carolina, 1913
- M. U.S. Army Corps of Engineers, Map of Intracoastal Waterway, [Proposed] Little River Inlet, S.C.-Savannah, Ga. Section, Little River-Winyah Bay Route, South Carolina, 1913
- N. U.S. Coast and Geodetic Survey, Map of Little River Inlet to Winyah Bay Entrance, 1929
- O. U.S. Department of Agriculture, Soil Survey Map of Brunswick County, 1932
- P. U.S. Coast and Geodetic Survey, Map of North Carolina-South Carolina Intracoastal Waterway, Southport to Longitude 78° 58', 1936

- Q. Aerial photographs of Mad Inlet, 1938-1972 from Jay Langfelder et al.'s *A Historical Review of Some of North Carolina's Coastal Inlets* (1974)
- R. Jesse Metcalf (1887-1945)
- S. Aerial Photograph of Little River Inlet and Bird Island, 1949
- T. Ralph C. Price (1901-1989), ca. 1946
- U. Aerial Photograph of Little River Inlet and Bird Island, 1956
- V. Map showing property line between properties of Ralph C. Price and Mannon C. Gore, 1964
- W. Map of Ralph C. Price's "Proposed Causeway on Bird Island with Dredging in Mad Inlet," 1964
- X. Aerial Photograph of Little River Inlet and Bird Island, 1966
- Y. Aerial Photograph of Little River Inlet, Bird Island, and Mad Inlet, 1969
- Z. U.S. Geological Survey Map of Little River, 1971
- AA. U.S. Army Corps of Engineers, Little River Inlet, N.C. and S.C. [improvement plan], ca. 1972
- BB. Aerial Photograph of Little River Inlet and Bird Island, 1972
- CC. U.S. National Oceanic and Atmospheric Administration, Nautical Chart, Intracoastal Waterway, Myrtle Grove Sound and Cape Fear River to Casino Creek, 1976
- DD. Aerial Photograph showing Little River Inlet, Bird Island, Mad Inlet, and Sunset Beach, 1976, from William L. Barnhill's *Soil Survey of Brunswick County* (1986)
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- FF. Aerial Photograph of Bird Island, Mad Inlet, and Sunset Beach, 1989
- GG. Map of Janie Pace Price's proposed development of Bird Island showing potential bridges, causeways, and island development, 1992

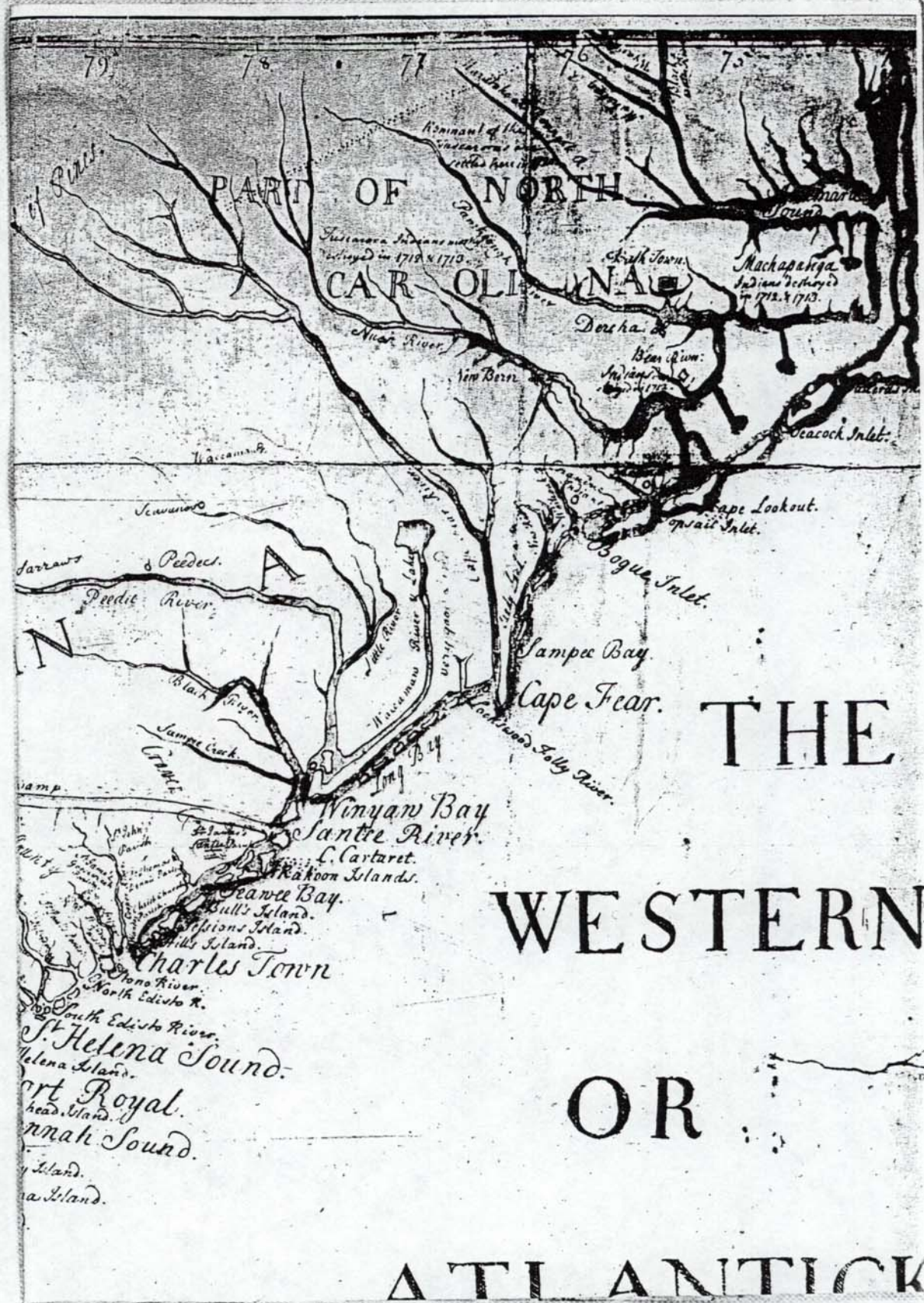
- HH. Map of Janie Pace Price's Sunset Beach property and planned replacement bridge, 1992
- II. Map featuring proposed bridges and causeways over Mad Inlet, 1992
- JJ. Drawing of potential pier for Bird Island, 1992
- KK. Drawing of proposed public beach access walkway for Price development, 1992
- LL. Map showing revised development plan for Bird Island, 1993
- MM. Topographical Map featuring Bird Island and the surrounding region, ca. 2000; printed from TopoZone.com, Maps a la carte, Inc.
- NN. Topographical Map showing Little River Inlet and Bird Island, ca. 2000; printed from TopoZone.com, Maps a la carte, Inc.
- OO. Survey Map of Bird Island, Brunswick County Register of Deeds, 2001
- PP. Photographs of Bird Island, 2002, Left to Right: 1. Bridge remnants at Sunset Beach; 2. Bridge remnants leading to island; 3. Causeway; 4. Looking toward Sunset Beach from Bird Island
- QQ. Photographs of the interior of Bird Island, 2002
- RR. Photographs of Bird Island, 2002, Left to Right: 1. Town of Sunset Beach sign on beach; 2. Reverse side of sign; 3. Jetties at Little River Inlet; 4. North Carolina/South Carolina boundary marker
- SS. Photographs of Bird Island, 2002, Left to Right: 1. Dunes; 2. Former inlet channel; 3. Sea turtle nesting site protected by fencing; 4. Kindred Spirit mailbox
- TT. Photographs of Bird Island showing remains of Ralph C. Price's development featuring pier and electrical poles with surrounding vegetation, 2002



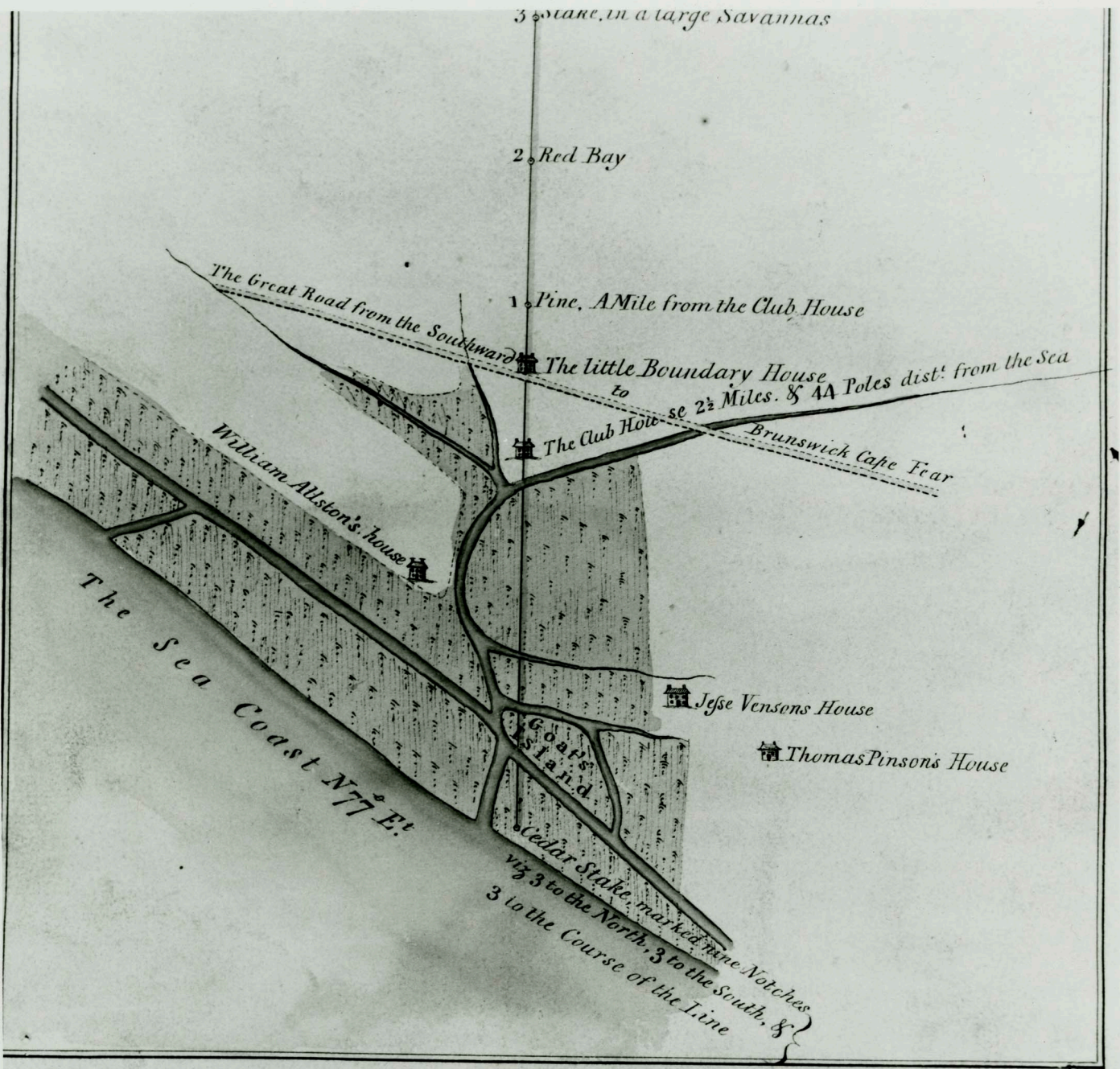
A. Edward Moseley's Map of North Carolina, 1733



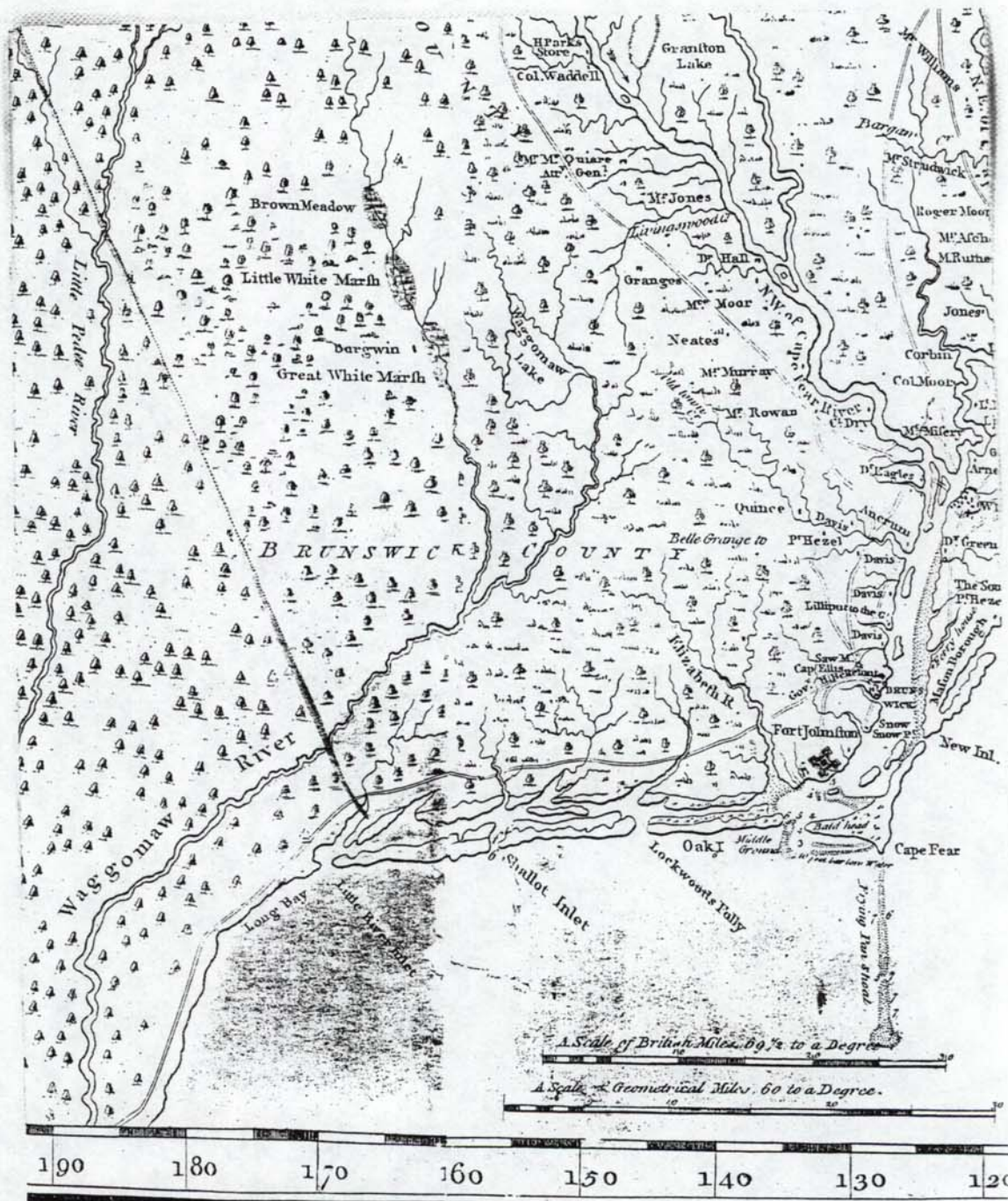
B. Map of the Division Line Between the Province of North and South Carolina, 1735 (Original in the Public Records Office, London, no publication without permission from the Public Records Office)



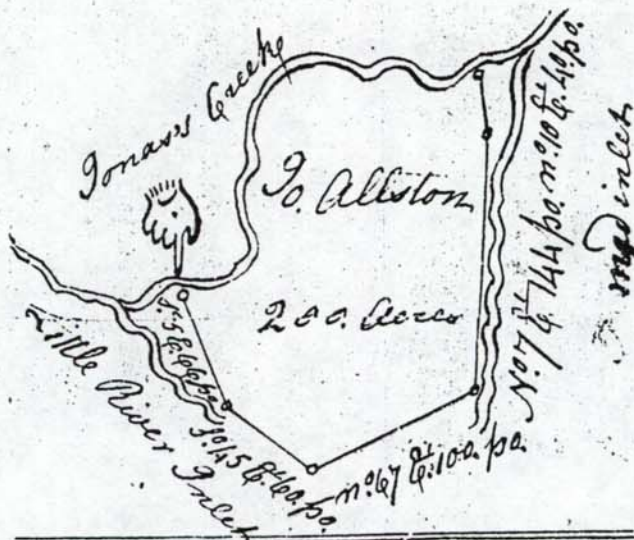
C. Chart of [Carolina], 1738 (Original in the Public Records Office, London, no publication without permission from the Public Records Office)



D. Plan of Temporary Boundary Line Between the Provinces of North and South Carolina, 1764

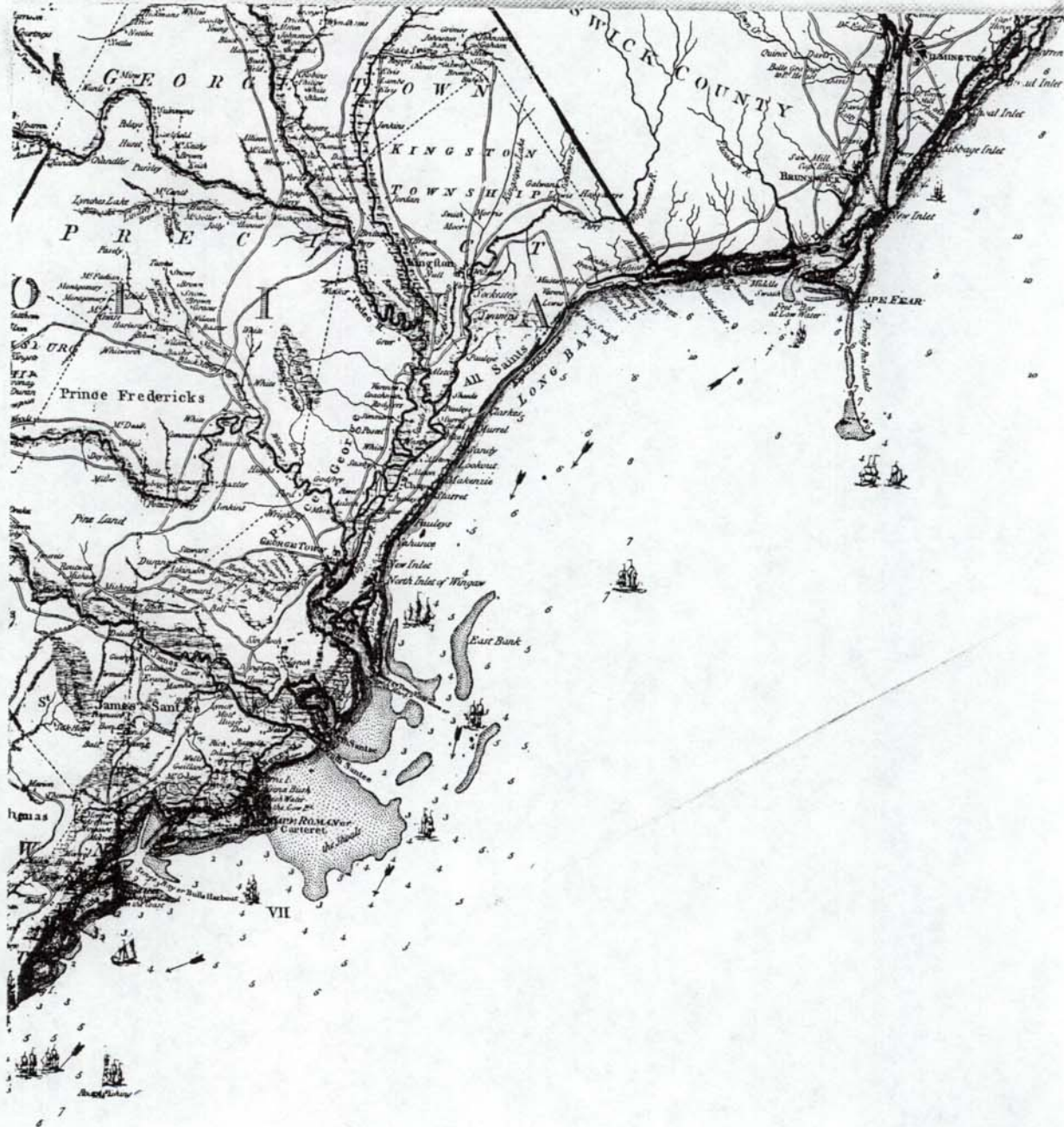


E. John Collet's Map of North Carolina, 1770

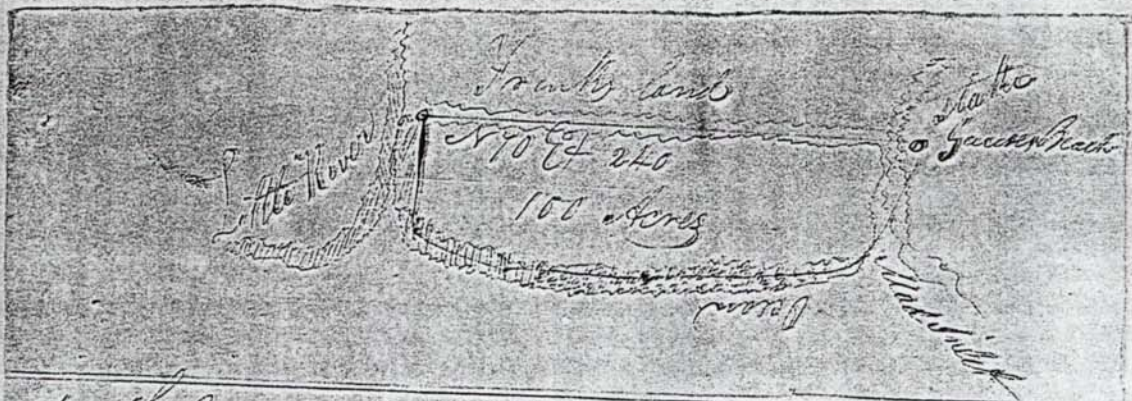


Surveyed for Joseph Allston Two hundred Acres of
 Marsh Land in Brunswick County between Mad
 Inlet and Little River Inlet beginning at a stake
 on Jonass Creek near the Province line by Little
 River thence along side of S^d River S^o 15 E. 66 pole to
 the Sea side thence along the Sea S^o 45 E. 60 pole then
 thence along the water N^o 67 E. 100 pole to mad inlet
 thence N^o 7 E. 115 pole thence N^o 10 E. 40 pole to a
 Little Creek thence along S^d Creek to Jonass Creek
 and with the same to the beginning 14th May 1771
 J. Dickson

F. Survey Map "for Joseph Allston Two Hundred
 Acres of Marsh Land in Brunswick County
 between Mad Inlet and Little River Inlet," 1772



G. Henry Mouzon's Map of North and South Carolina, 1775

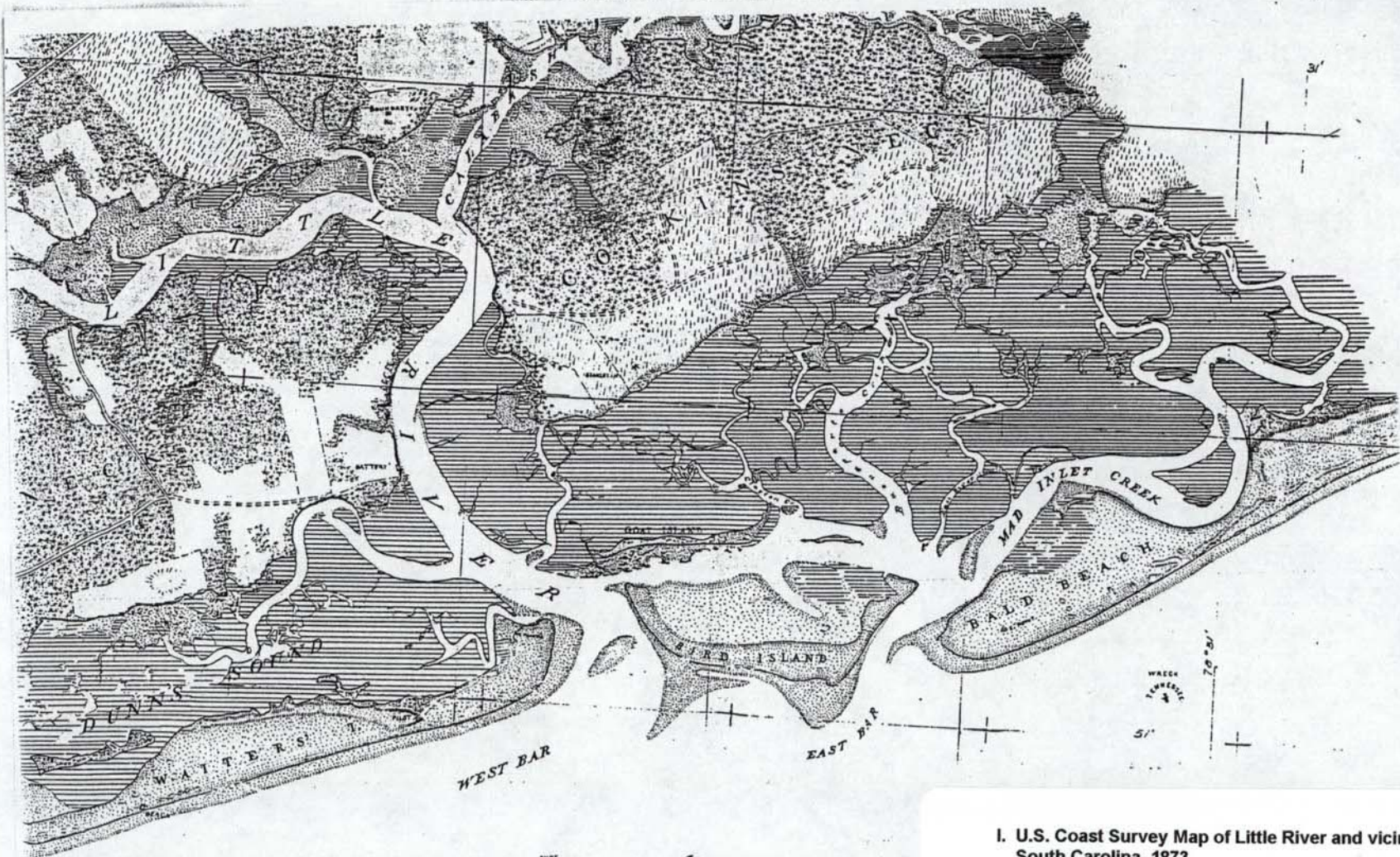


North Carolina (Survey for Saml. Frink one
 Brunswick County) Hundred Acres of Land, Beach
 joining his own Beginning on the East side of Little
 River in S. Frink's line turning thence South
 Seventy East two Hundred & forty Poles to west
 End of Bryant Gardner's Beach then Down a large
 Creek by the End of S. Beach to Mac Inlet then
 then with the Edge of the Ocean westwardly to
 Little River then up S. River to the Beginning

agreeable to his warrant No. 1557 Entered Sept. 21
 1822 Survey No. 5-1823

Thos. Singleton }
 John Mc Clama }
 By J. B. Holden of

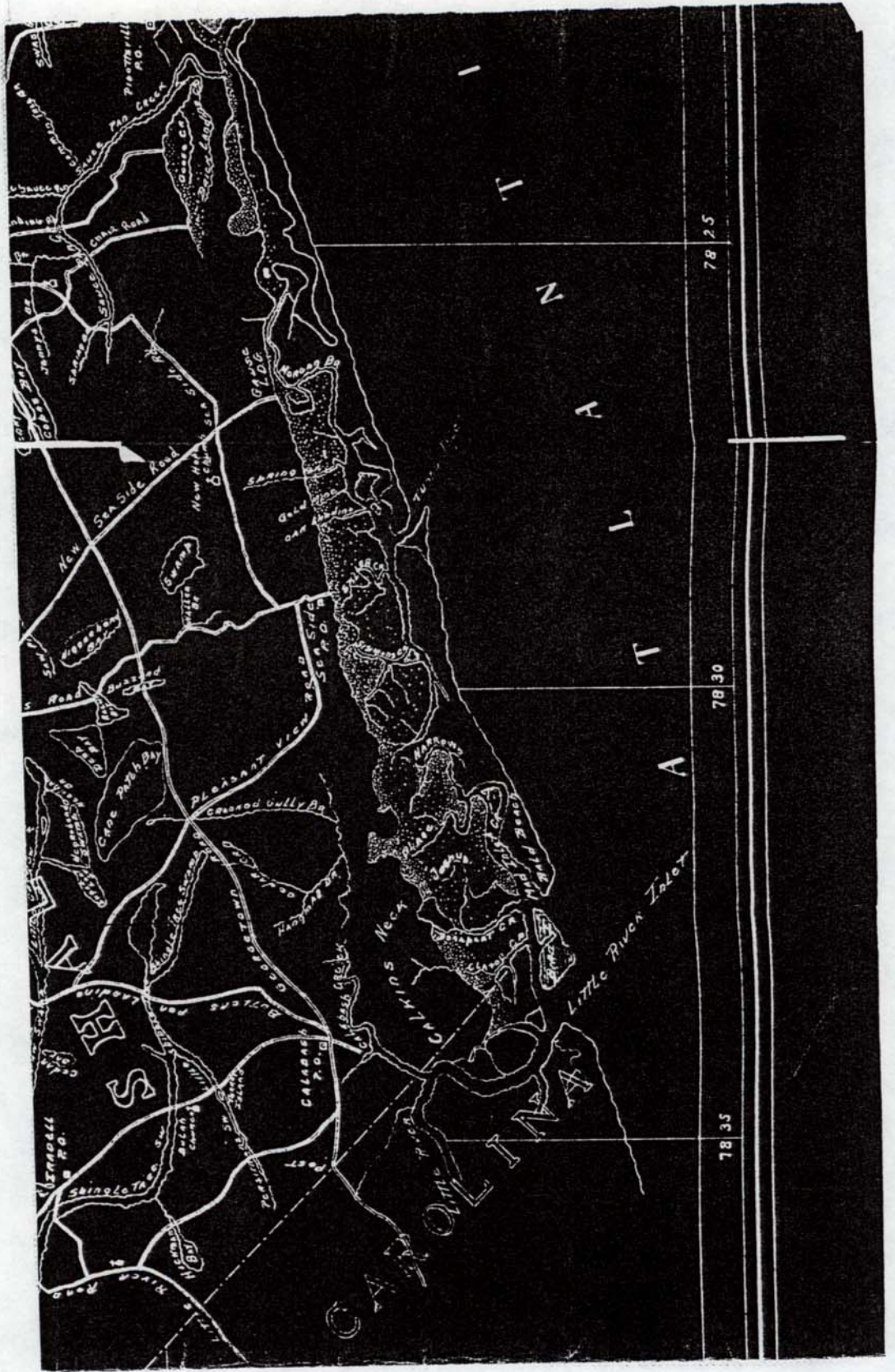
H. Survey Map "for Saml. Frink one Hundred Acres
 of Land, Beach," 1823



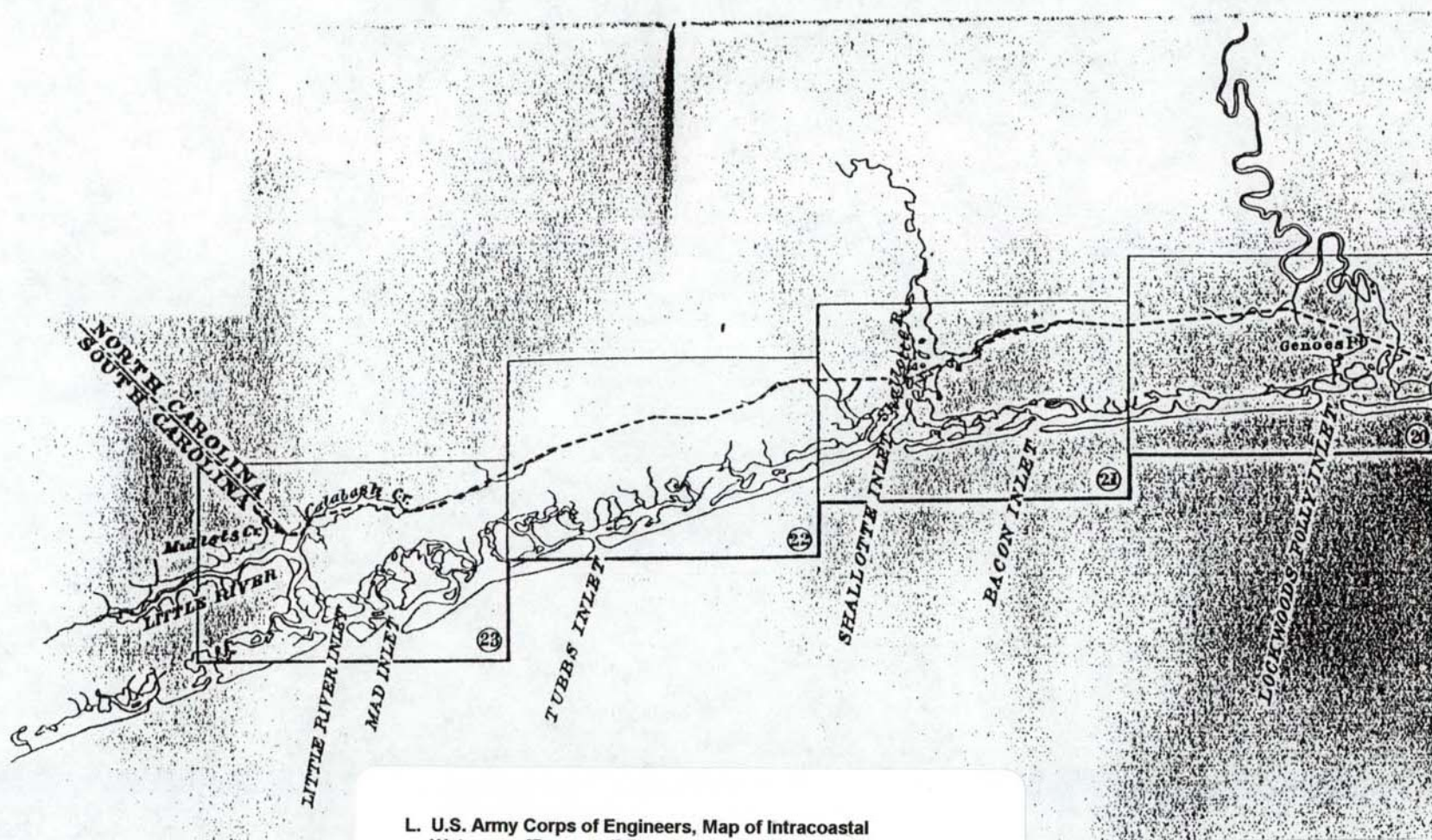
I. U.S. Coast Survey Map of Little River and vicinity,
South Carolina, 1873



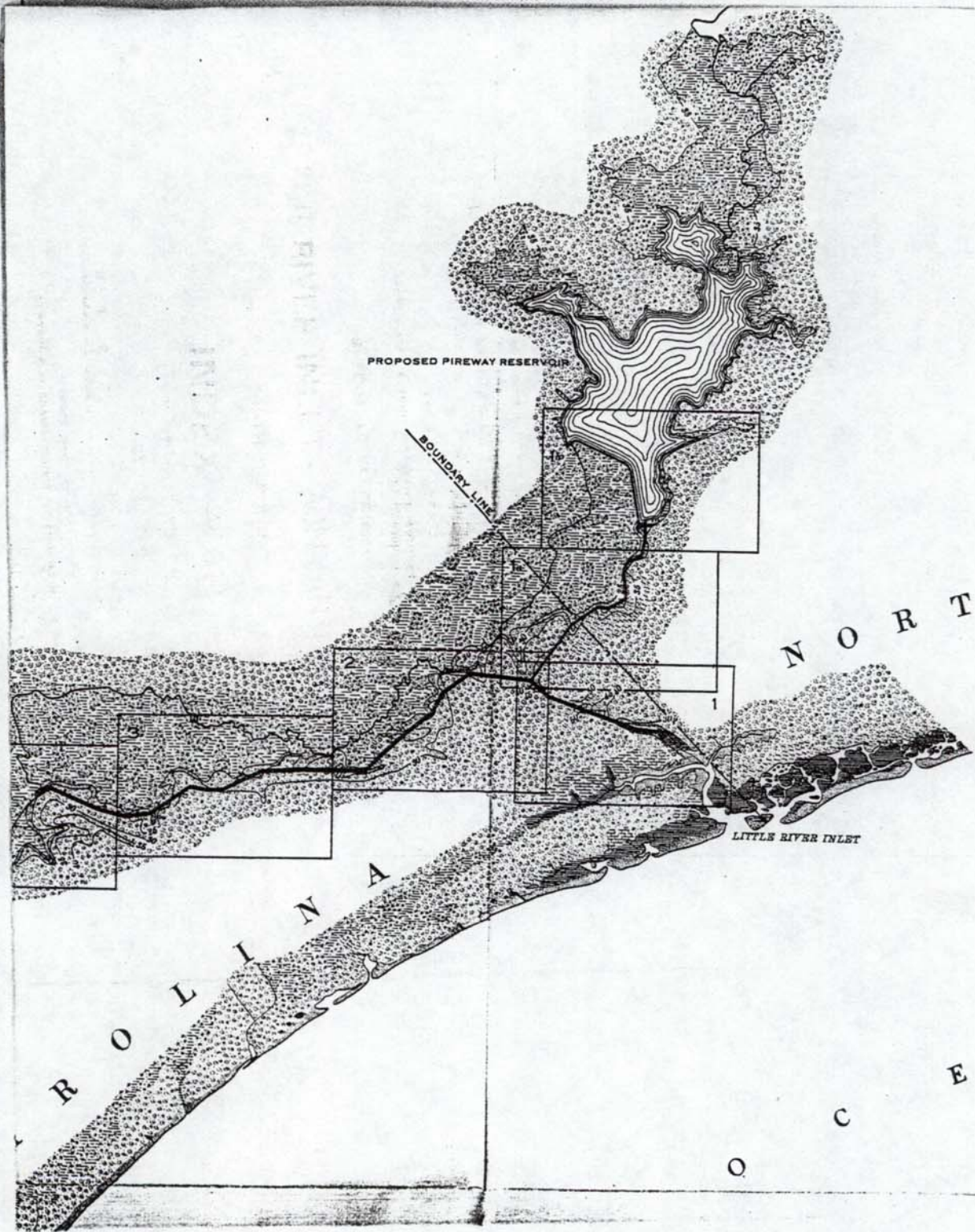
J. U.S. Coast and Geodetic Survey Coast Chart, Little River Inlet and part of Long Bay, South Carolina, 1888



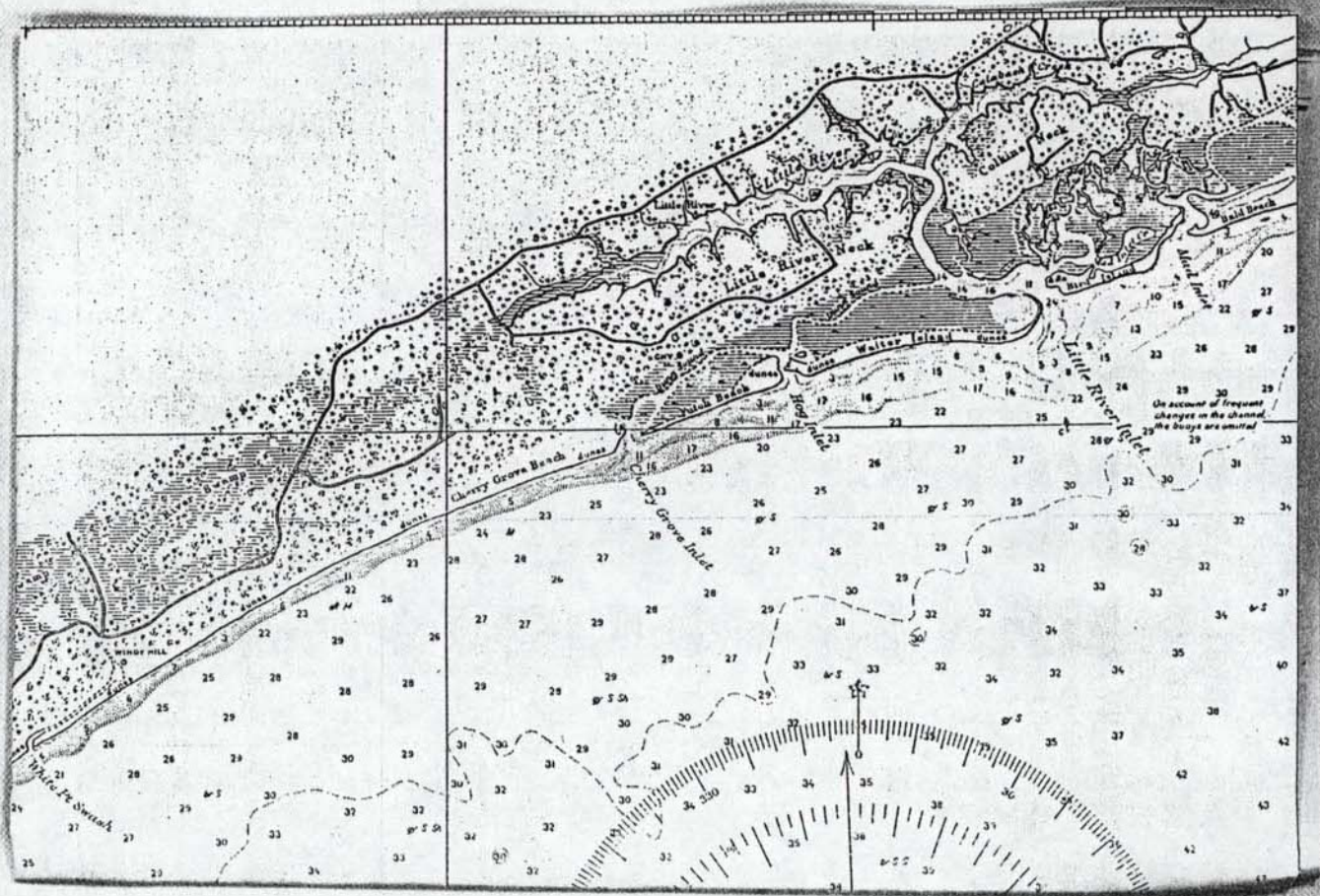
K. Charles H. Smith's Map of Brunswick County, 1910



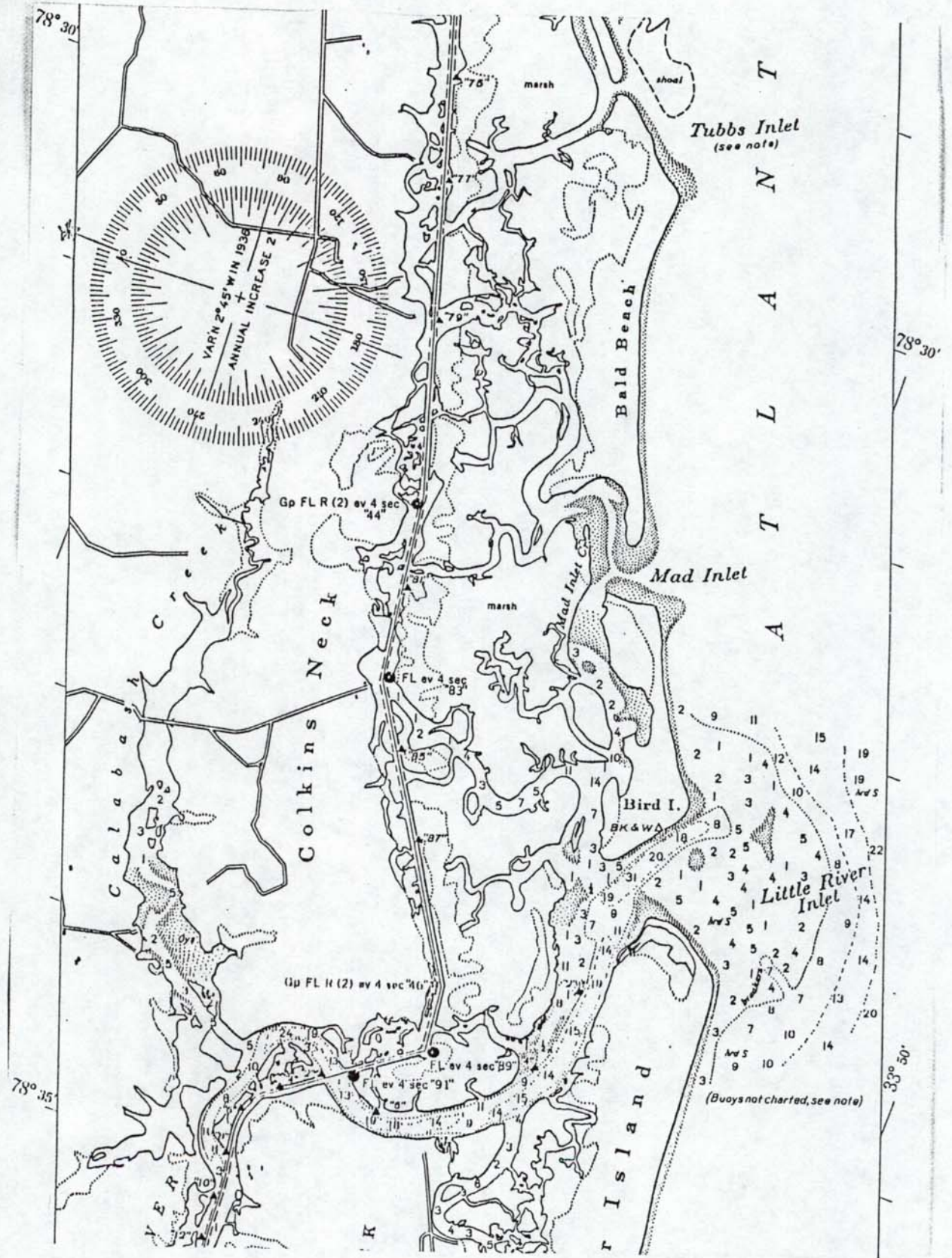
L. U.S. Army Corps of Engineers, Map of Intracoastal Waterway, [Proposed] Beaufort Inlet, N.C.-Little River, S.C. Section, Sea Coast and Inland Routes, North Carolina, 1913



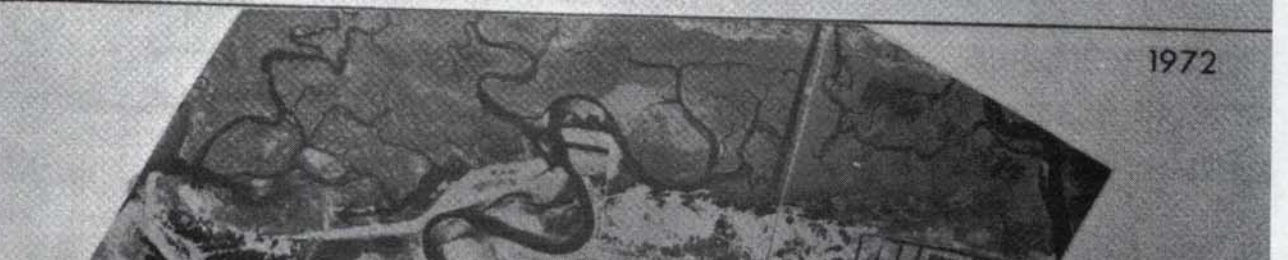
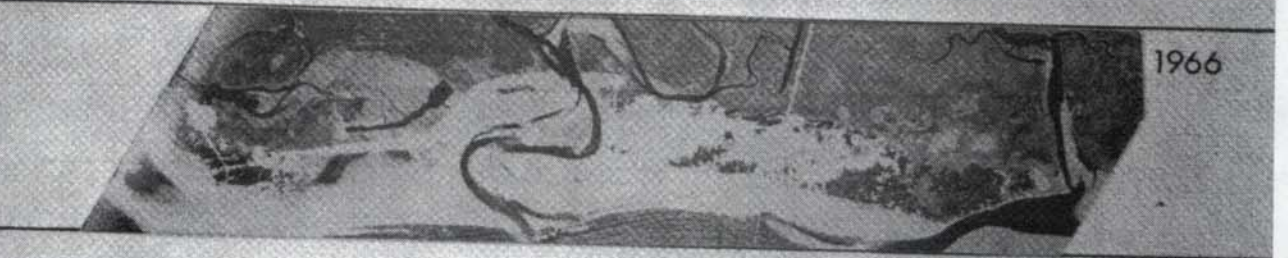
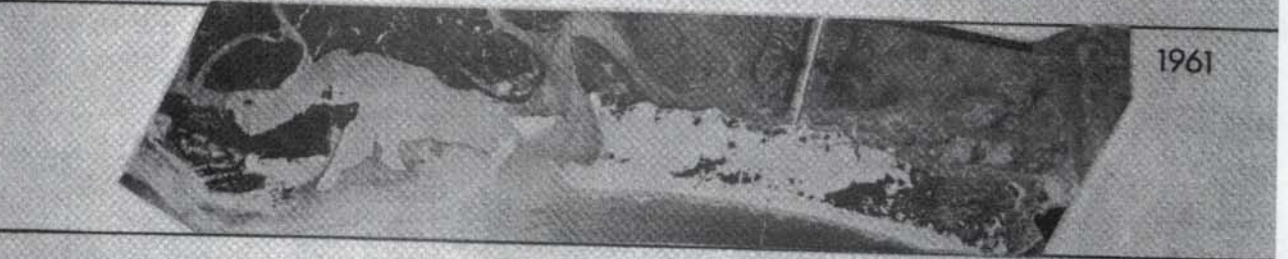
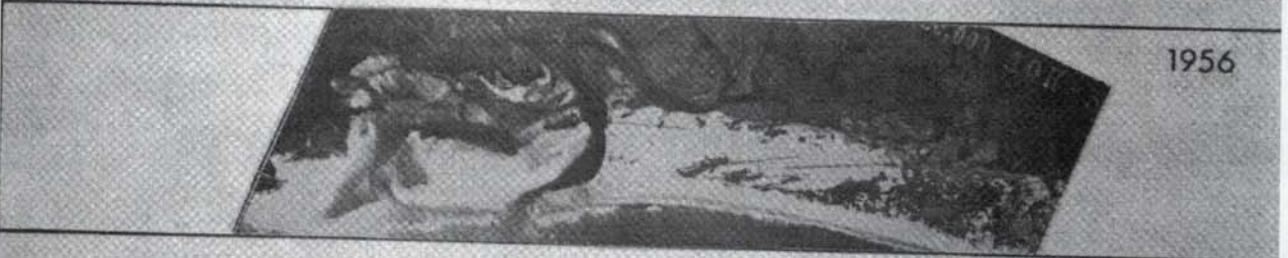
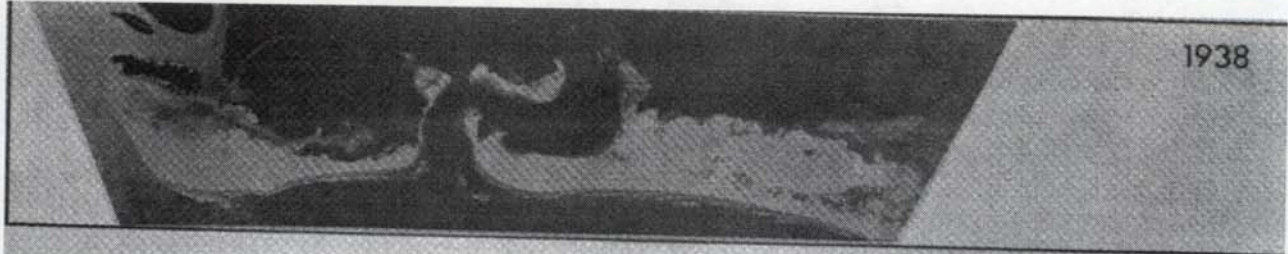
M. U.S. Army Corps of Engineers, Map of Intracoastal Waterway, [Proposed] Little River, S.C.-Savannah, Ga. Section, Little River-Winyah Bay Route, South Carolina, 1913



N. U.S. Coast and Geodetic Survey, Map of Little River to Winyah Bay Entrance, 1929



P. U.S. Coast and Geodetic Survey Map of North
 Carolina-South Carolina Intracoastal Waterway,
 Southport to Longitude 78°58', 1936



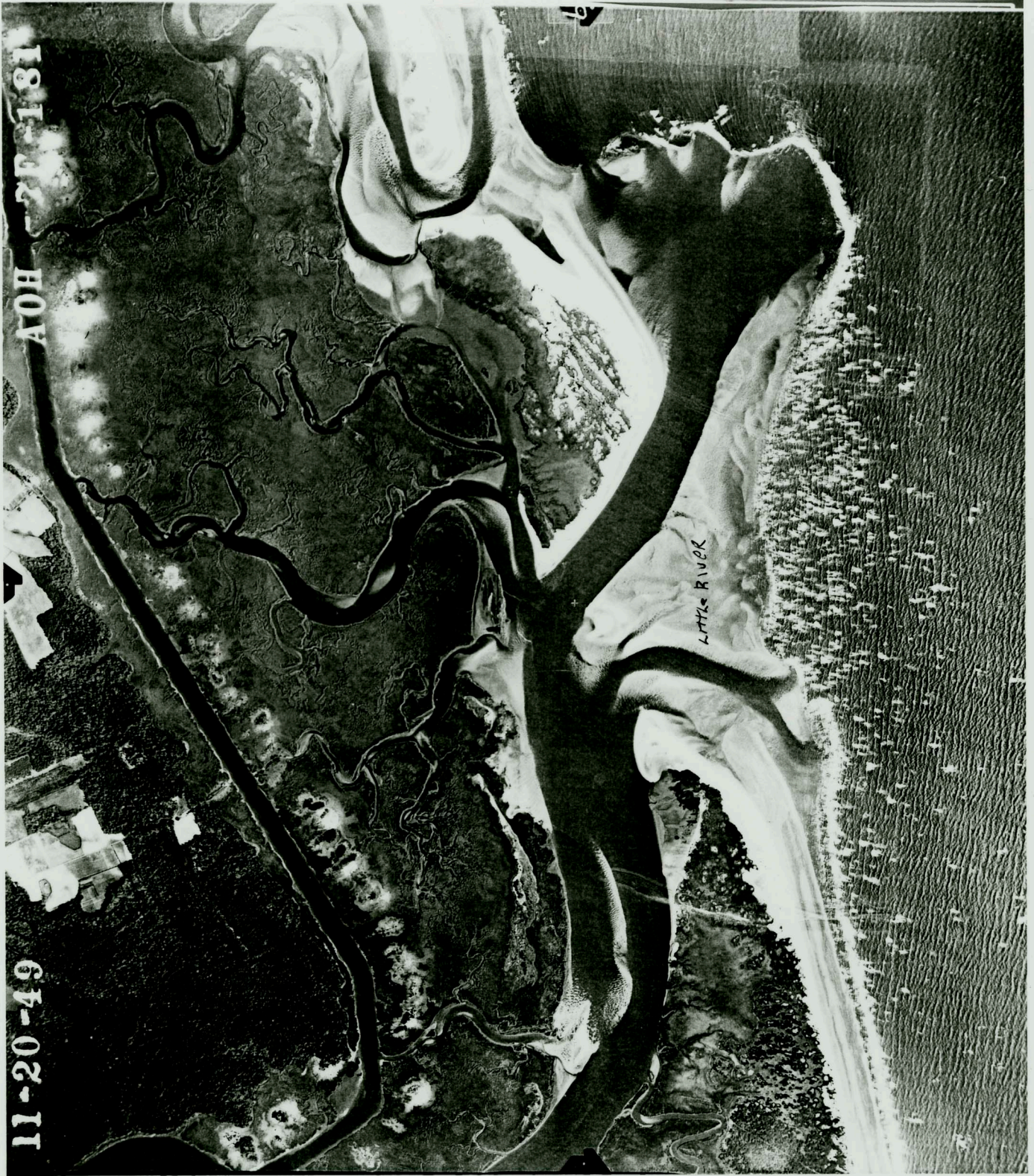
Q. Aerial photographs of Mad Inlet, 1938-1972 from Jay Langfelder et al.'s *A Historical Review of Some of North Carolina's Coastal Inlets* (1974)



The National Cyclopaedia of American Biography

Jesse Metcalf

R. Jesse Metcalf (1887-1945)



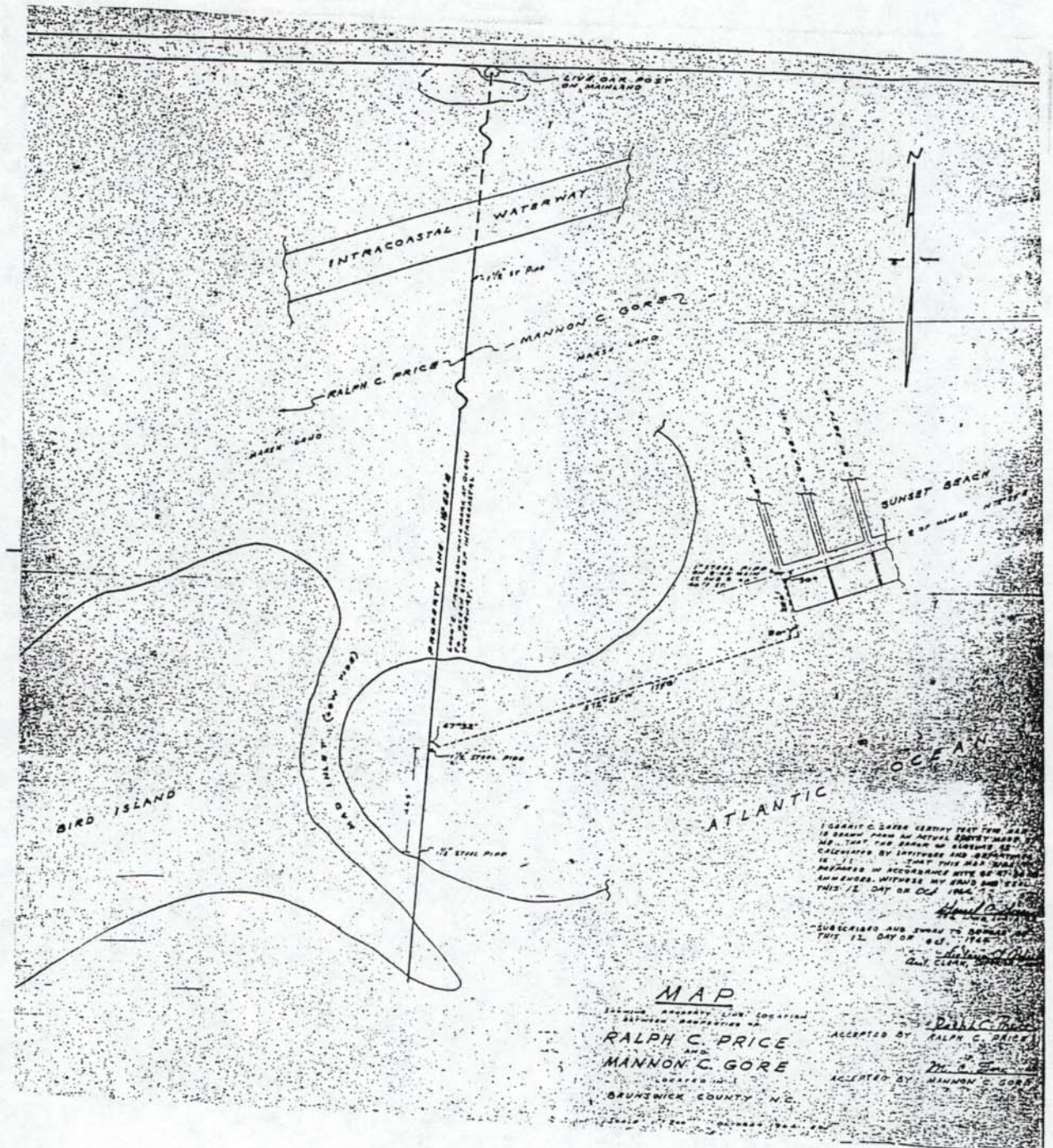
S. Aerial Photograph of Little River and Bird Island,
1949



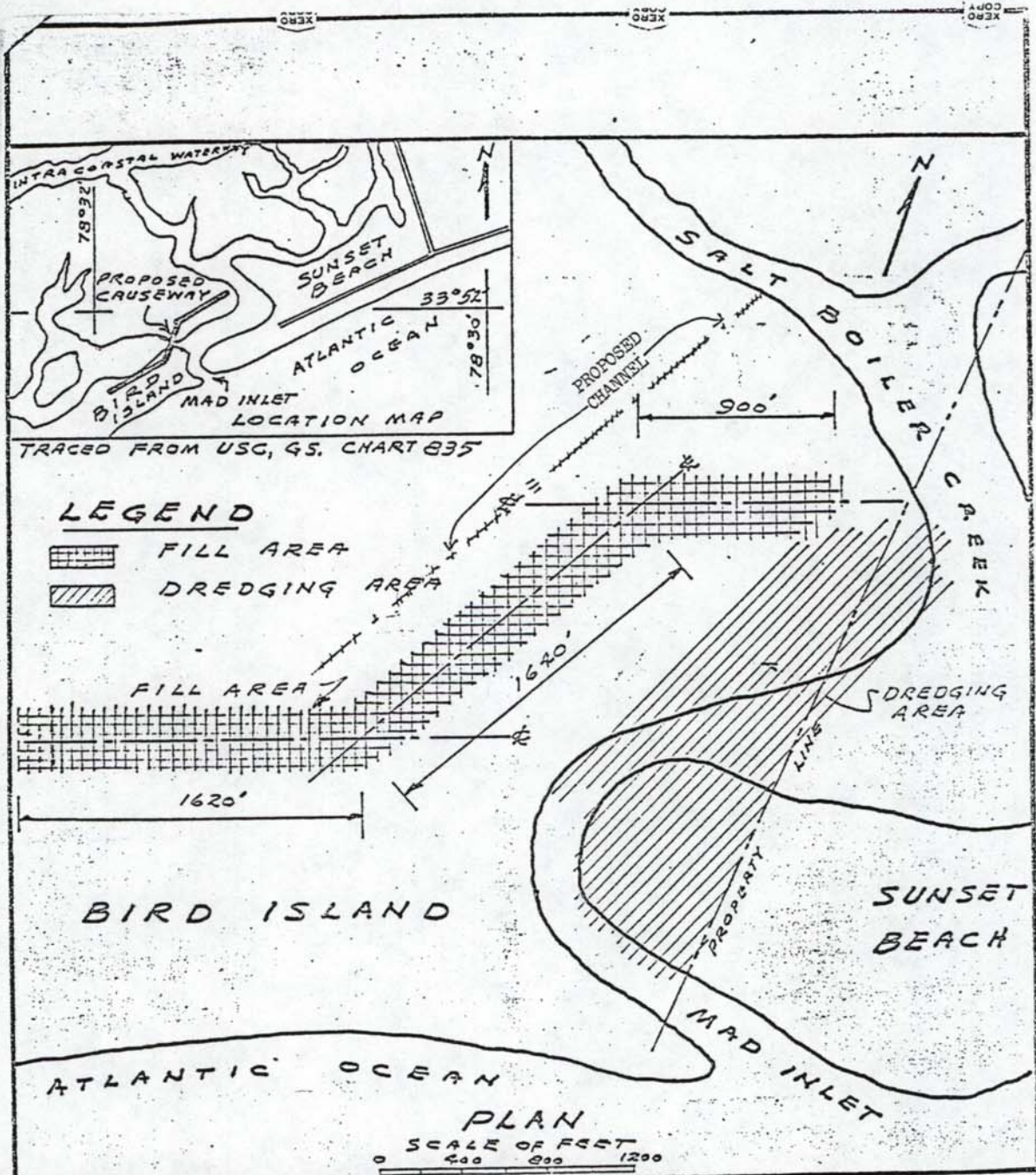
T. Ralph C. Price (1901-1989), ca. 1946



U. Aerial Photograph of Little River Inlet and Bird
Island, 1956

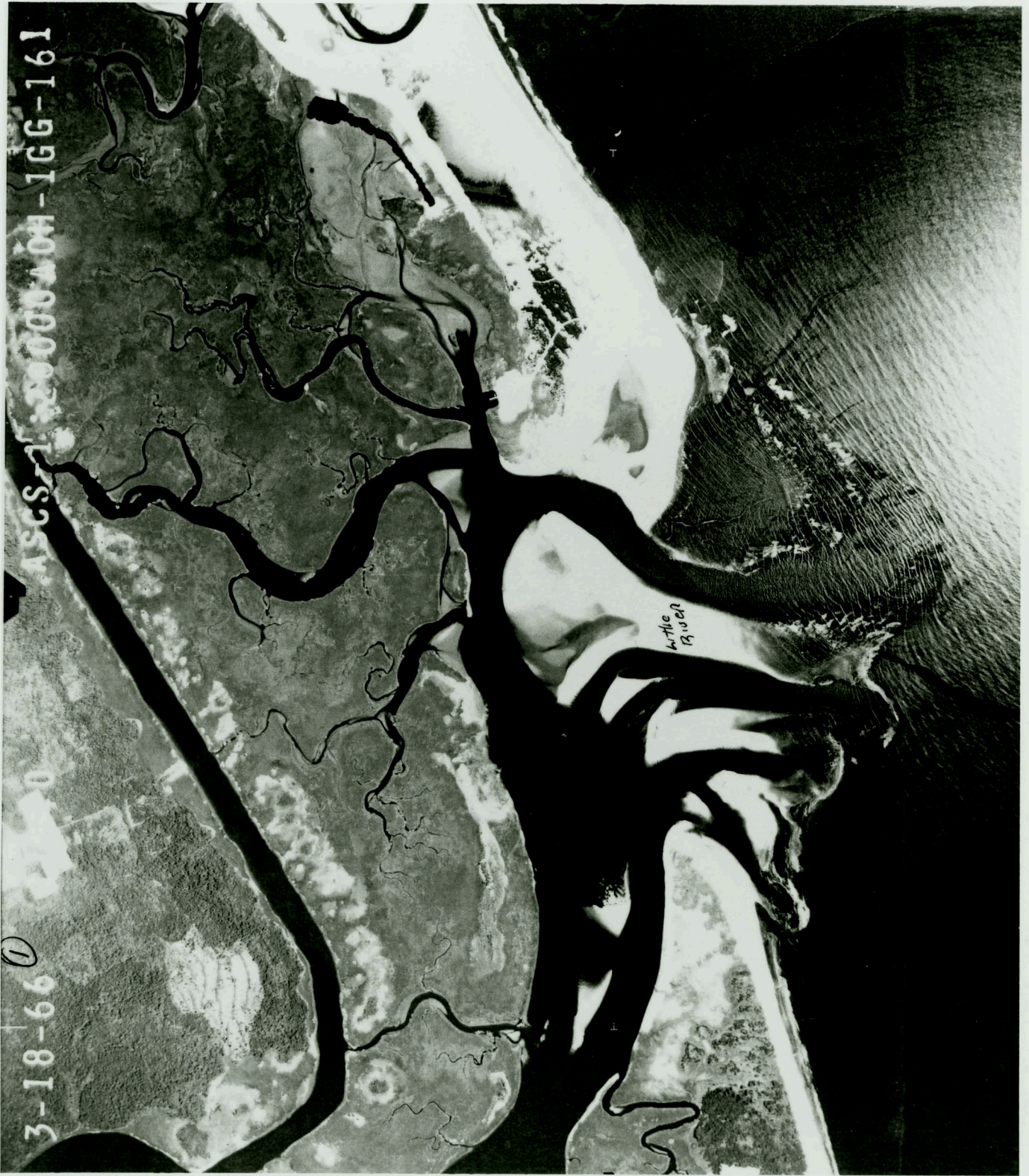


V. Map showing property line between properties of Ralph C. Price and Mannon C. Gore, 1964



PROPOSED CAUSEWAY
ON BIRD ISLAND WITH DREDGING IN MAD INLET
BRUNSWICK COUNTY, NORTH CAROLINA
APPLICATION BY: RALPH C. PRICE DEC. 4, 1964
PREPARED BY: ER JACKSON, THE CHASE B. HEWITT CO., INC. WASHINGTON, D.C.

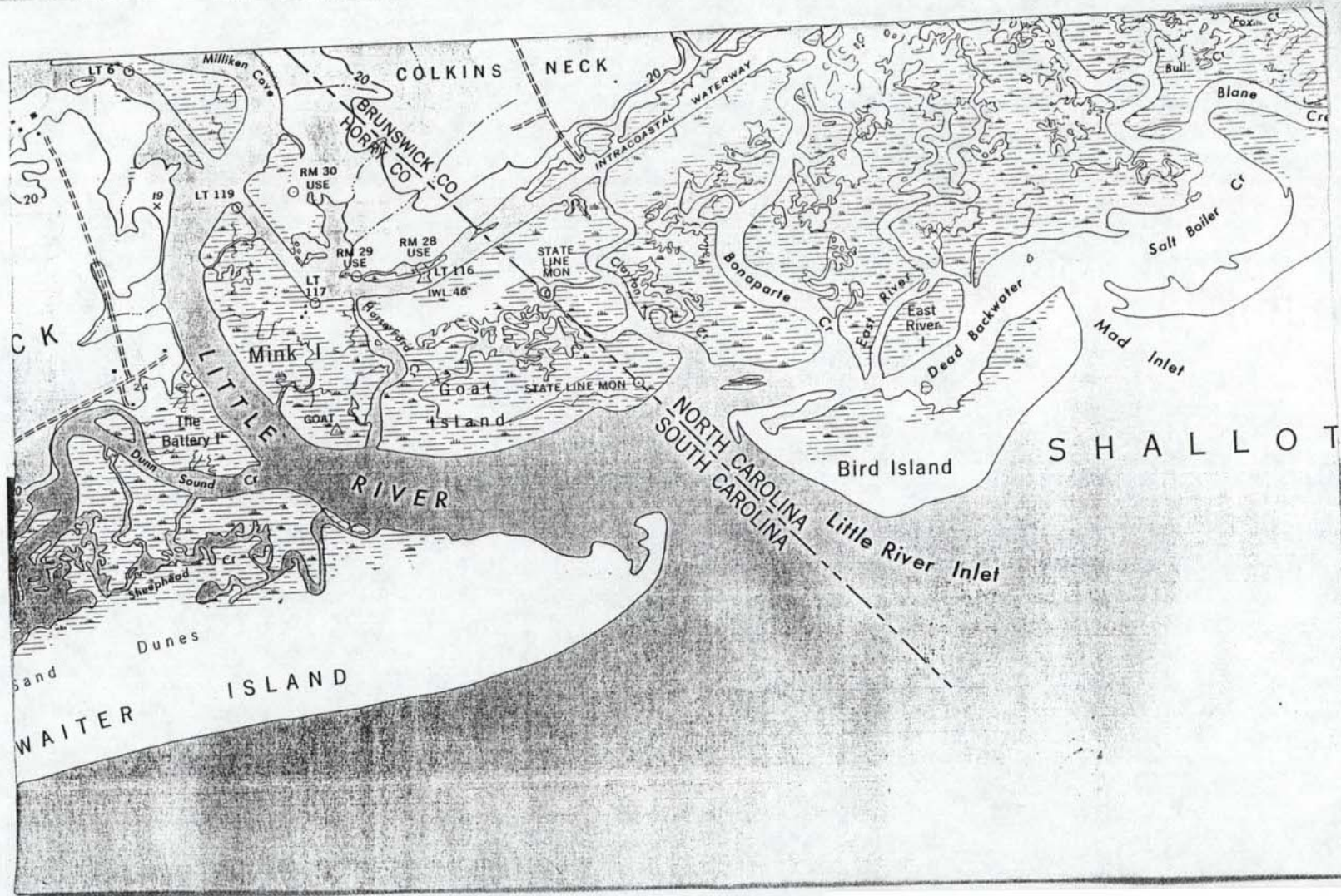
W. Map of Ralph C. Price's "Proposed Causeway on Bird Island with Dredging in Mad Inlet," 1964



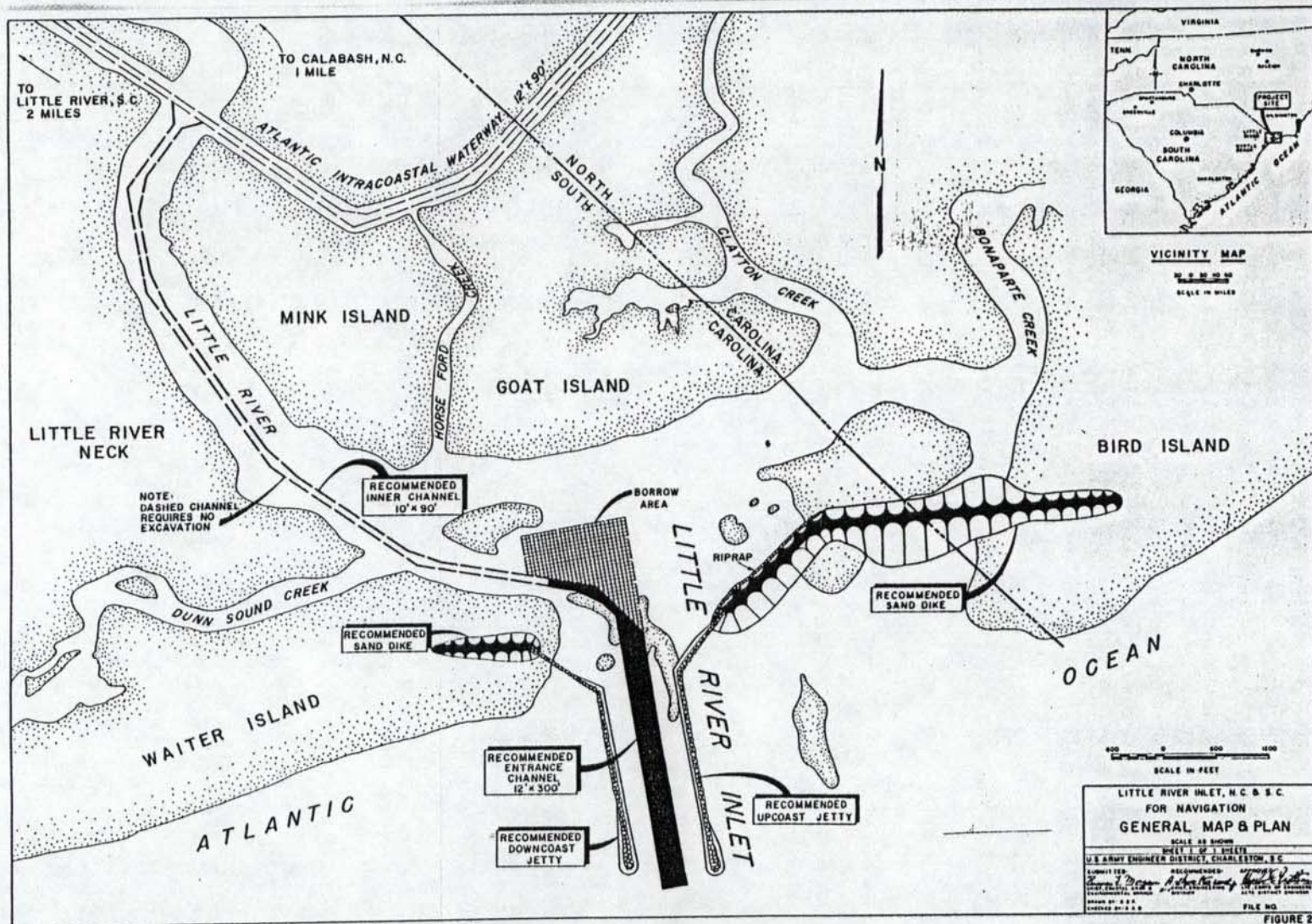
X. Aerial Photograph of Little River Inlet and Bird Island, 1966



Y. Aerial Photograph of Little River Inlet, Bird Island, and Mad Inlet, 1969



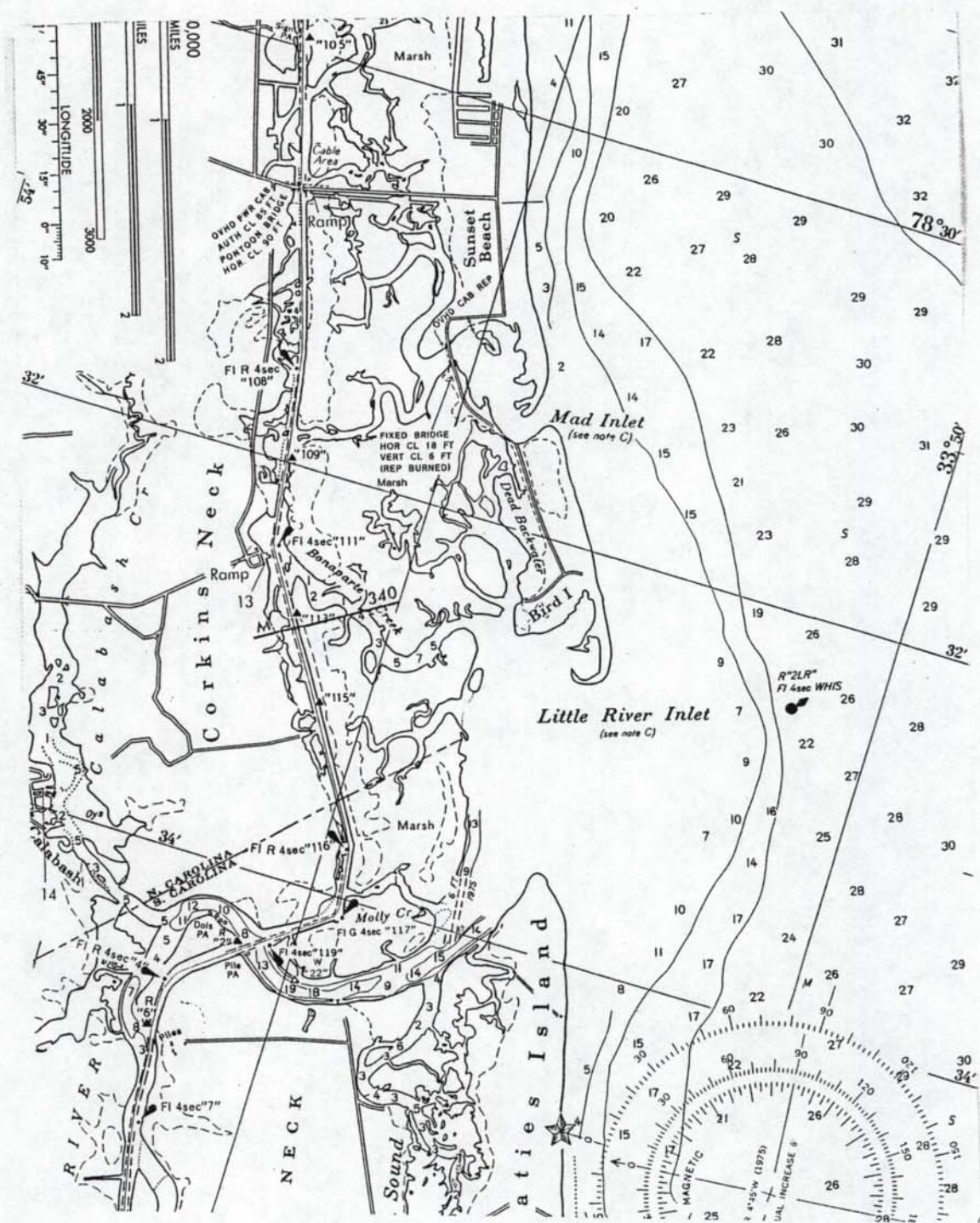
Z. U.S. Geological Survey Map of Little River,
1971



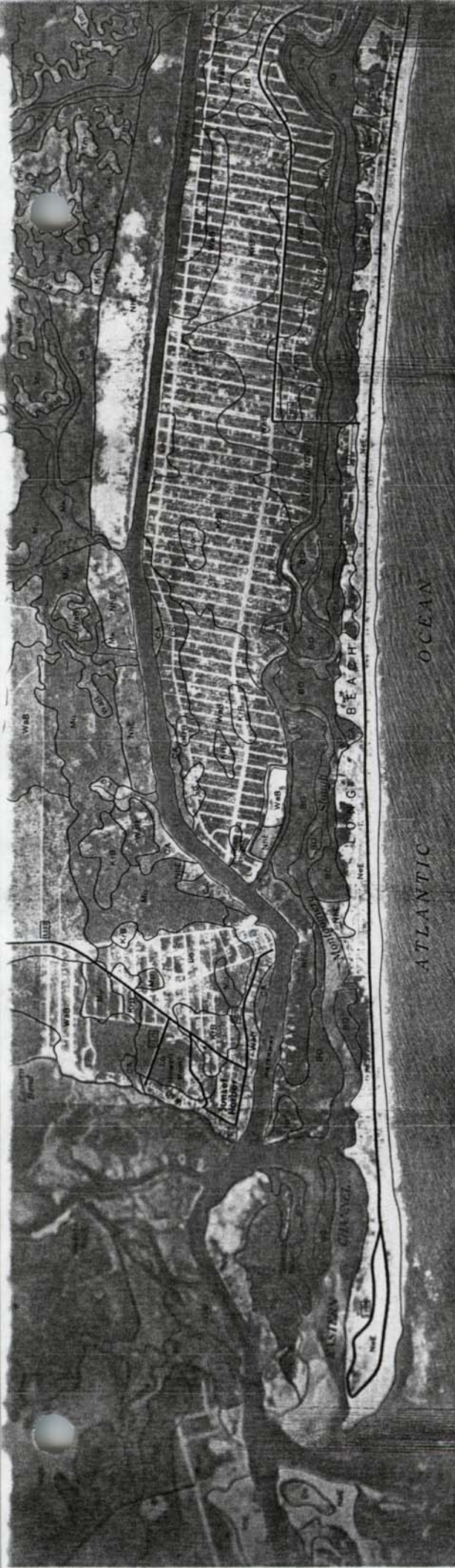
AA. U.S. Army Corps of Engineers, Little River Inlet, N.C. and S.C. [improvement plan], ca. 1972



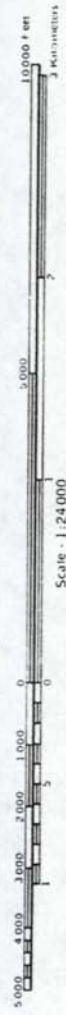
BB. Aerial Photograph of Little River Inlet and Bird Island, 1972



CC. U.S. National Oceanic and Atmospheric Administration, Nautical Chart, Intracoastal Waterway, Myrtle Grove Sound and Cape Fear River to Casino Creek, 1976

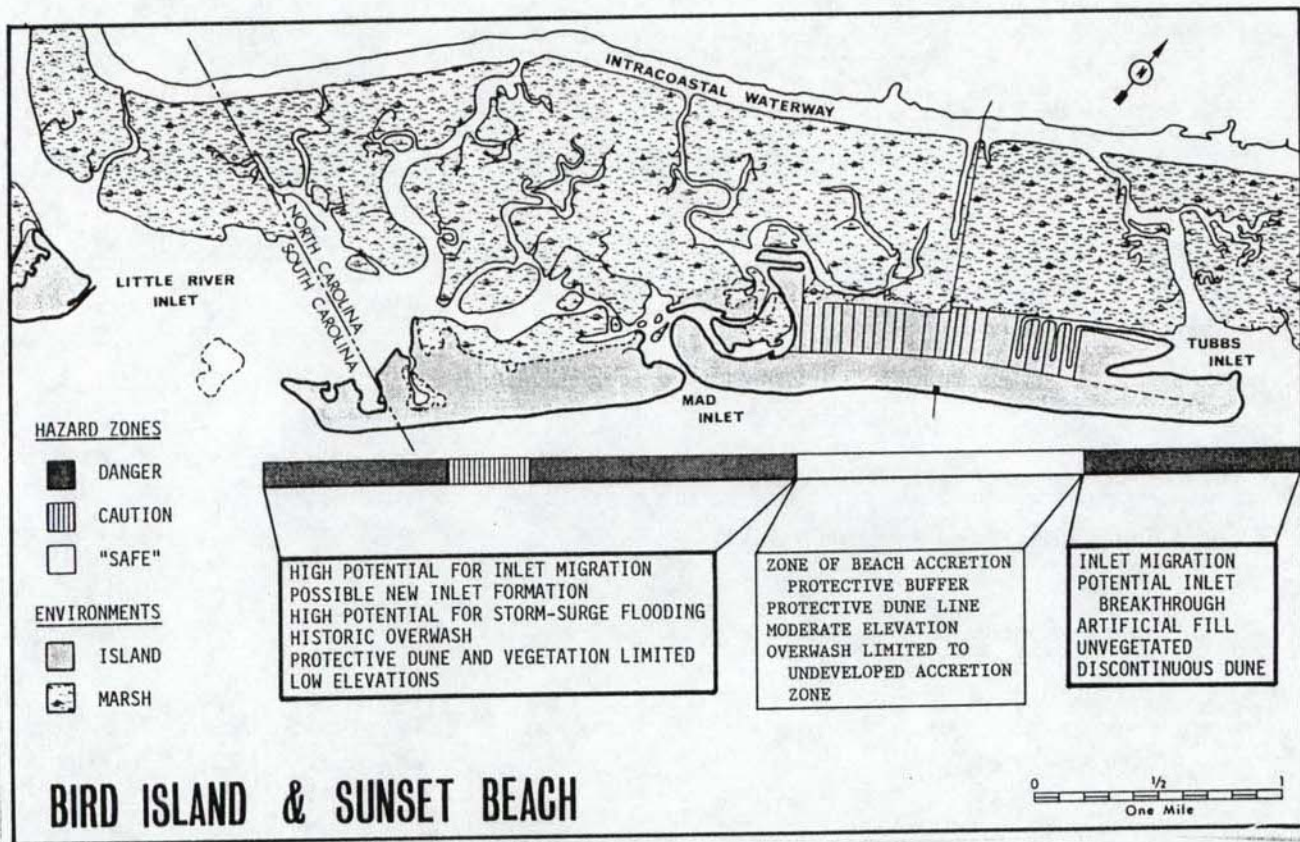


DD. Aerial Photograph showing Little River Inlet, Bird Island, Mad Inlet, and Sunset Beach, 1976, from William L. Barnhill's Soil Survey of Brunswick County (1986)



by the U. S. Department of Agriculture, Soil Conservation Service, maps are prepared from 1976 aerial photography. Coordinate grid shown, are approximately positioned.

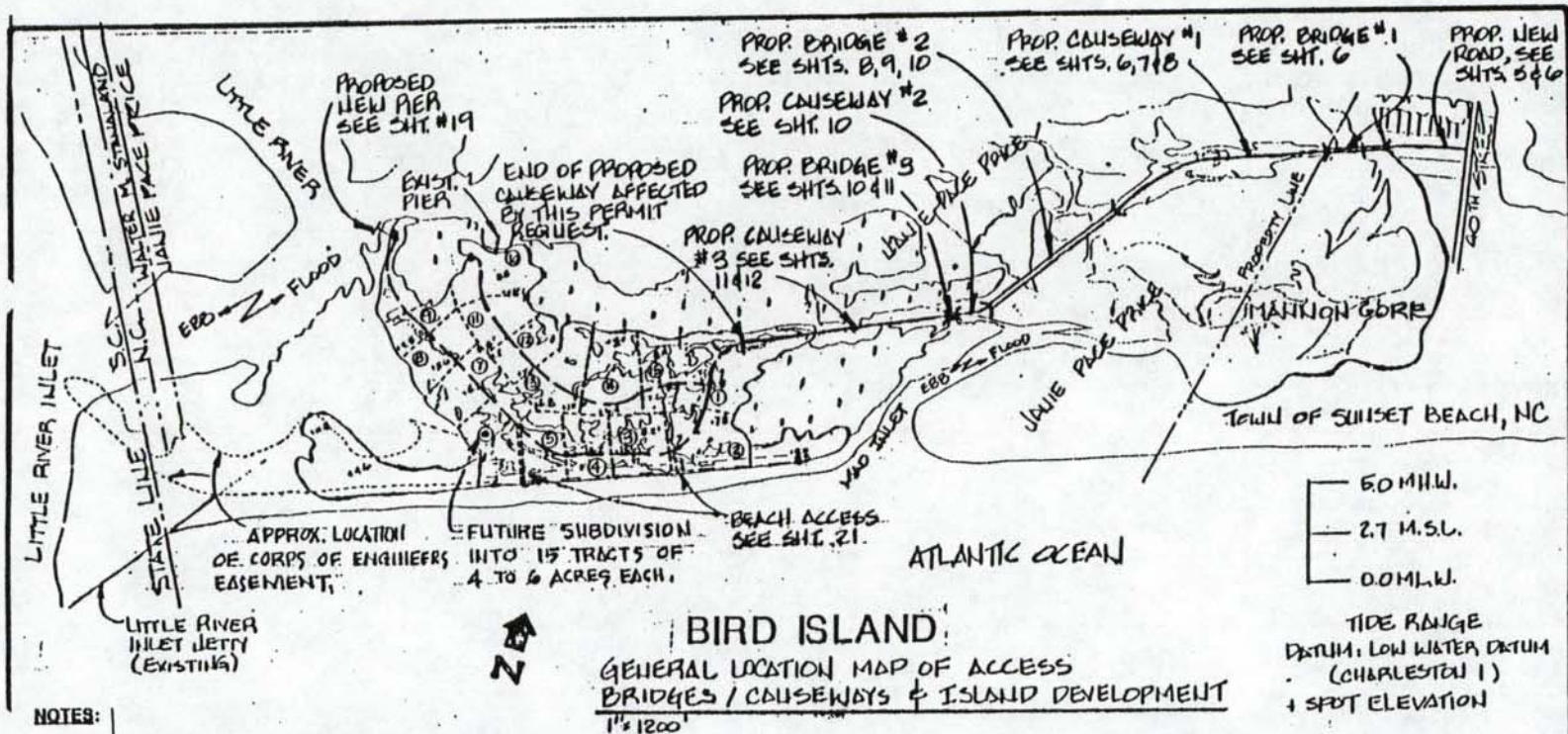
BRUNSWICK COUNTY, NORTH CAROLINA NO. 17



EE. Map of Bird Island and Sunset Beach from Orrin H. Pilkey Jr., William J. Neal, and Orrin H. Pilkey Sr.'s *From Currituck to Calabash: Living with North Carolina's Barrier Islands* (1978)



FF. Aerial Photograph of Bird Island, Mad Inlet, and
Sunset Beach, 1989



NOTES:

1. CURRENT CAMA OCEANFRONT EROSION SETBACK = 60 FT. FROM SEAWARD EDGE OF VEGETATION.
2. SETBACK IN OTHER AREAS OF ENVIRONMENTAL CONCERN = 75 FT.
3. ELEVATIONS SHOWN ARE FROM FIELD SURVEYS MADE FEB - MARCH, 1992.
4. PROPOSED CAUSEWAYS WILL BE CONSTRUCTED BY MAKING IMPROVEMENTS TO AN EXISTING RAILROAD BED.
5. FUTURE WASTEWATER SYSTEM WILL BE LOW PRESSURE SEPTIC TANK SYSTEM ON EACH LOT.
6. ALL UTILITIES (WATER, POWER, CABLE TV, ETC.) WILL BE UNDERGROUND EXCEPT OVER WATER AND WETLANDS WHERE THEY WILL CROSS VIA THE BRIDGES.
7. SUBDIVISION LAYOUT SHOWN IS PRELIMINARY ONLY. FINAL DESIGN WILL BE ADJUSTED TO MINIMIZE IMPACTS ON WETLAND.

RECEIVED

APR 21 1992

DIVISION OF
COASTAL MANAGEMENT

BRIDGE PERMIT APPLICATION
FOR
JANIE PACE PRICE
BIRD ISLAND, N. C.

JOHN R. OXENFELD, A.I.A. ARCHITECT
WILMINGTON, N. C. 28402

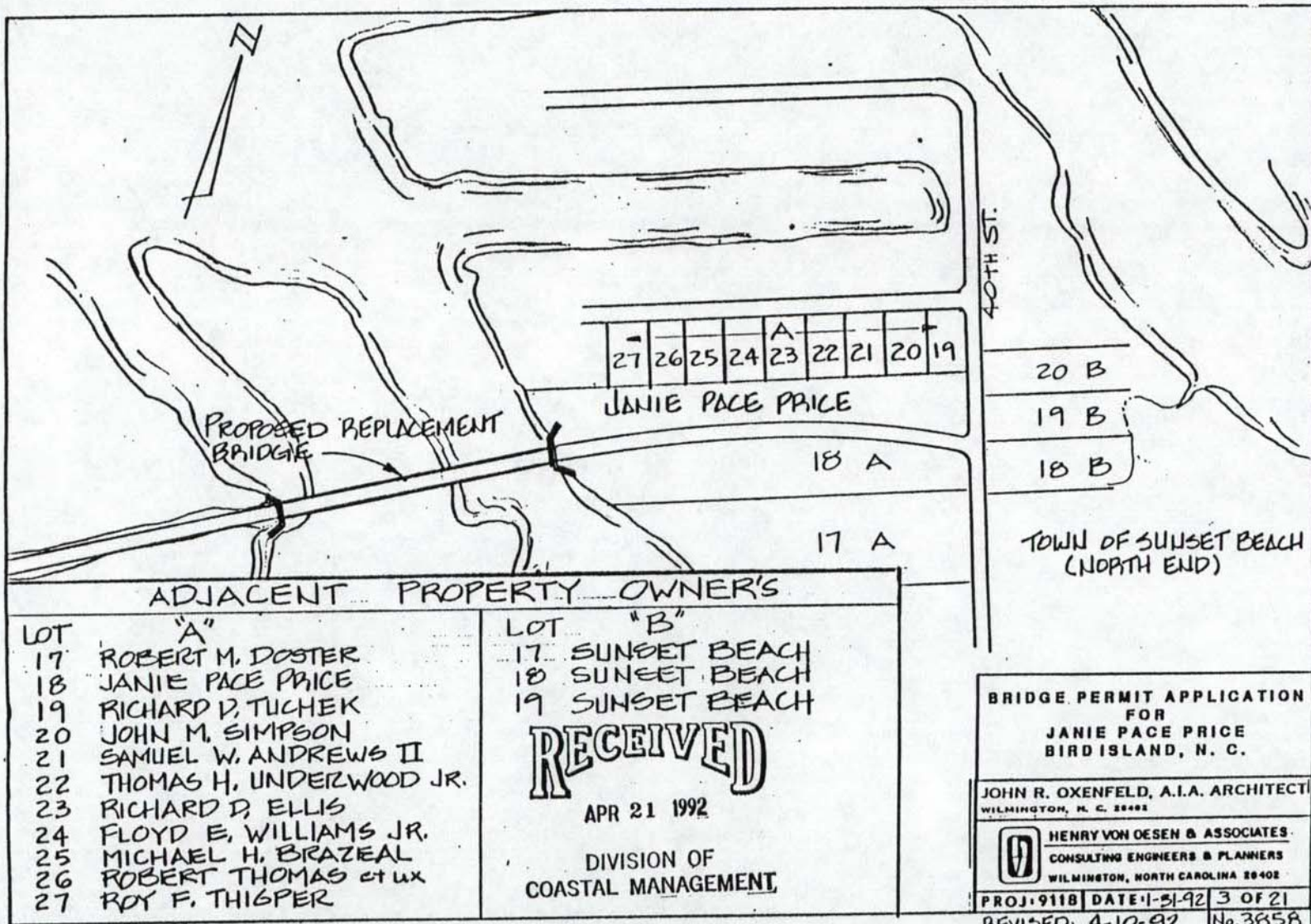


HENRY VON OESEN & ASSOCIATES
CONSULTING ENGINEERS & PLANNERS
WILMINGTON, NORTH CAROLINA 28402

PROJ. 9118 | DATE: 1-31-92 | 2 OF 21

REVISED: 4-10-92 | No. 3858

GG. Map of Janie Pace Price's proposed development of Bird Island showing potential bridges, causeways, and island development, 1992



ADJACENT PROPERTY OWNER'S	
LOT "A"	LOT "B"
17 ROBERT M. DOSTER	17 SUNSET BEACH
18 JANIE PACE PRICE	18 SUNSET BEACH
19 RICHARD D. TUCHEK	19 SUNSET BEACH
20 JOHN M. SIMPSON	
21 SAMUEL W. ANDREWS II	
22 THOMAS H. UNDERWOOD JR.	
23 RICHARD D. ELLIS	
24 FLOYD E. WILLIAMS JR.	
25 MICHAEL H. BRAZEAL	
26 ROBERT THOMAS et ux	
27 ROY F. THIGPER	

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APR 21 1992

DIVISION OF
COASTAL MANAGEMENT

BRIDGE PERMIT APPLICATION
FOR
JANIE PACE PRICE
BIRD ISLAND, N. C.

JOHN R. OXENFELD, A.I.A. ARCHITECT
WILMINGTON, N. C. 28402

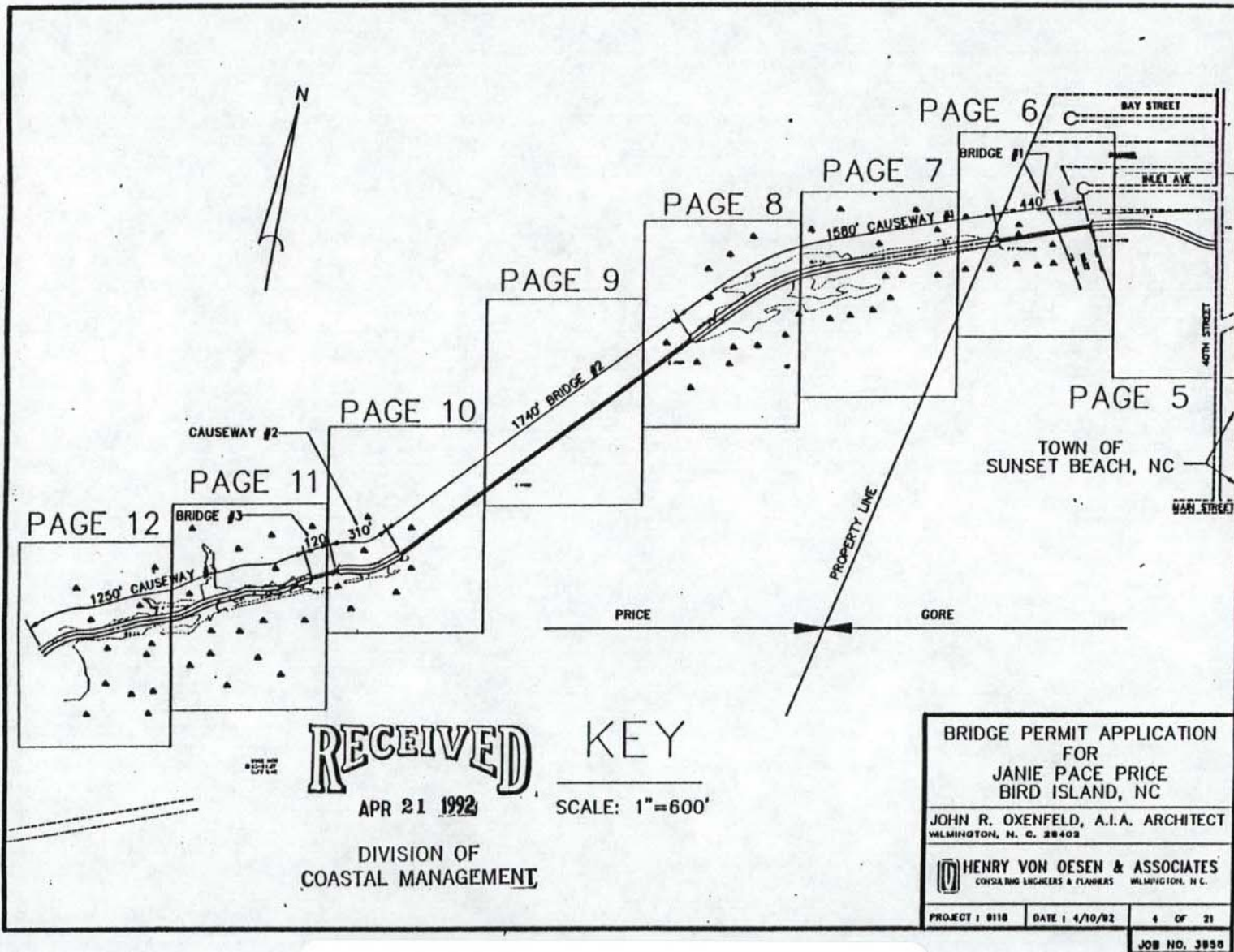


HENRY VON OESEN & ASSOCIATES
CONSULTING ENGINEERS & PLANNERS
WILMINGTON, NORTH CAROLINA 28402

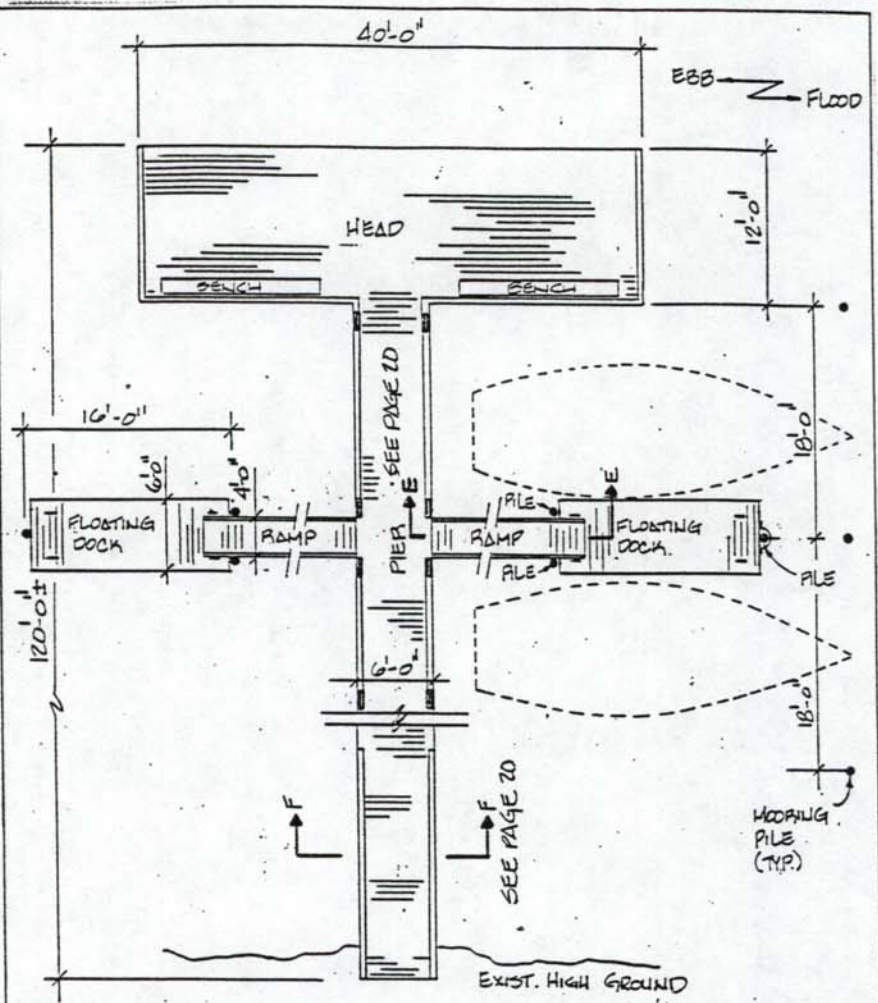
PROJ. 9118 | DATE: 1-31-92 | 3 OF 21

REVISED: 4-10-92 | No. 3858

HH. Map of Janie Pace Price's Sunset Beach property
planned replacement bridge, 1992



II. Map featuring proposed bridges and causeways over Mad Inlet, 1992



PLAN OF PIER
1"=10'


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APR 21 1992

DIVISION OF
COASTAL MANAGEMENT

NOTE: TOTAL NUMBER OF
BOAT SLIPS = 4
SEE SHEET #2 FOR
PROPOSED PIER LOCATION

BRIDGE PERMIT APPLICATION
FOR
JANIE PACE PRICE
BIRD ISLAND, N. C.

JOHN R. OXENFELD, A.L.A. ARCHITECT
WILMINGTON, N. C. 28405

 HENRY VON OESSEN & ASSOCIATES
CONSULTING ENGINEERS & PLANNERS
WILMINGTON, NORTH CAROLINA 28402

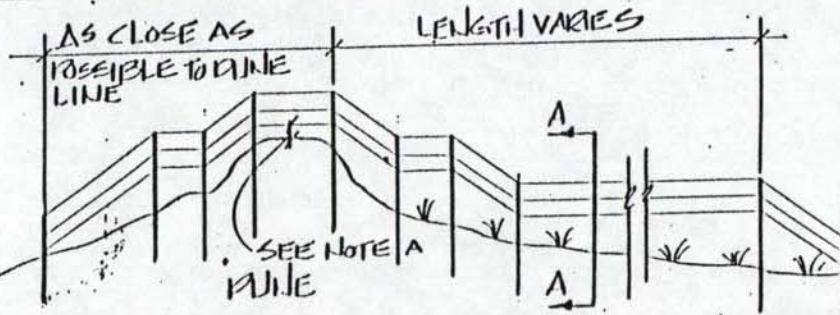
PROJ: 9118 | DATE: 1-3-92 | 19 OF 21
REVISED: 4-10-92 | No. 3858

JJ. Drawing of potential pier for Bird Island, 1992

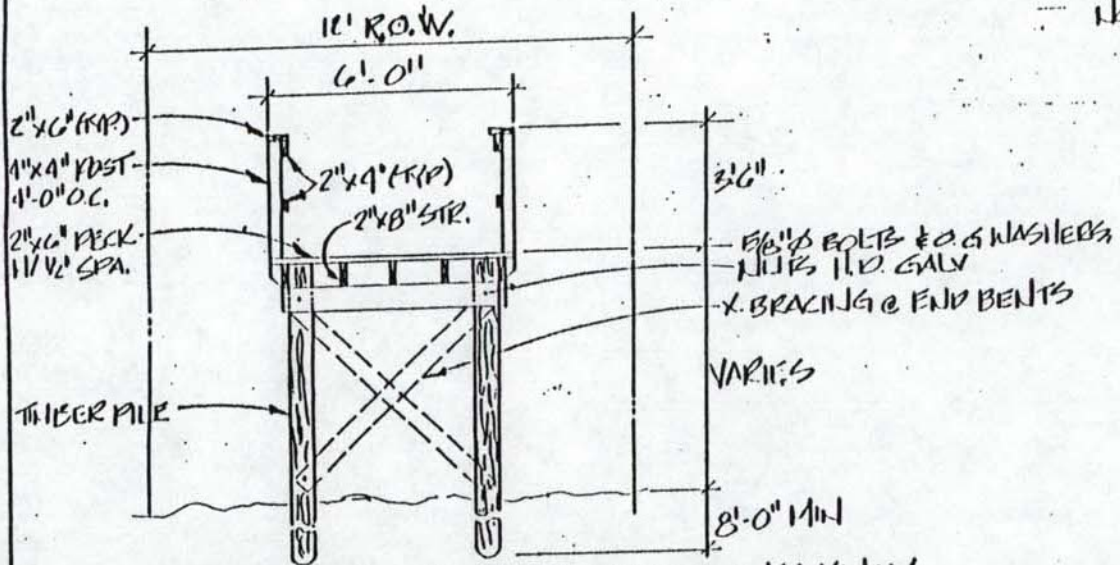
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APR 21 1992

DIVISION OF
COASTAL MANAGEMENT
ATLANTIC OCEAN



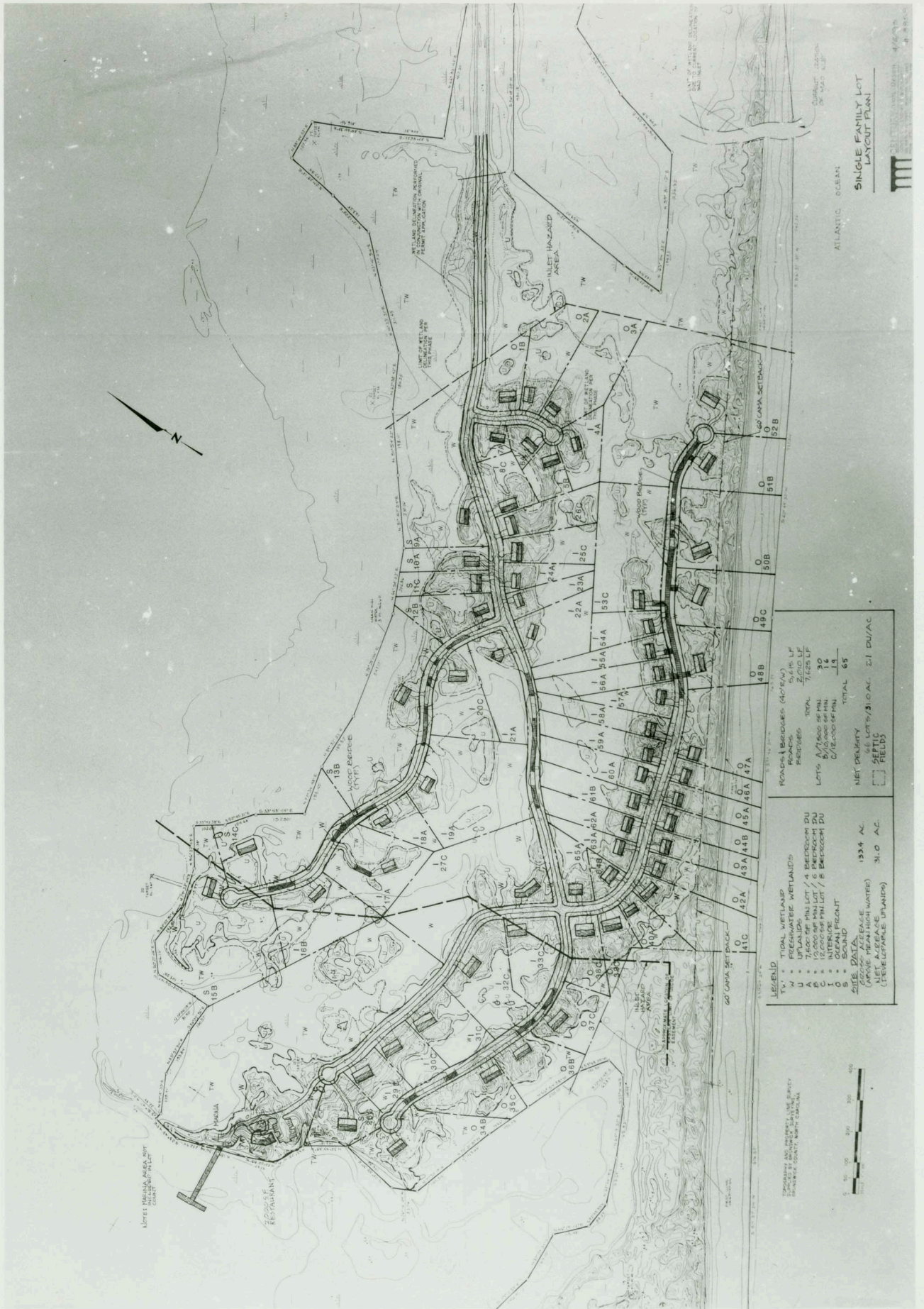
PROFILE OF BEACH ACCESS WALKWAY
FOR LOCATIONS - SEE SHEET 2
NOT TO SCALE



SECTION A-A TIMBER ACCESS WALKWAY
1/4" = 1'0"

NOTE A: MINIMUM OF 2' CLEARANCE BETWEEN TOP OF DUNE AND BOTTOM OF WALKWAY AT TIME OF CONSTRUCTION. ACTUAL ELEVATION OF TOP OF DUNE VARIES.

BRIDGE PERMIT APPLICATION FOR JANIE PAGE PRICE BIRD ISLAND, N. C.	
JOHN R. OXENFELD, A.I.A. ARCHITECT WILMINGTON, N. C. 28402	
HENRY VOH OESSEN & ASSOCIATES CONSULTING ENGINEERS & PLANNERS WILMINGTON, NORTH CAROLINA 28402	
PROJ: 9110	DATE: 1-31-92 21 OF 21
REVISED: 4-10-92 No. 3856	



LEGEND

- TW = TOTAL WETLANDS
- U = UPLANDS
- A = 7,000 SF PAVILION / 4 BEDROOM DU
- C = 12,000 SF PAVILION / 8 BEDROOM DU
- I = INTERIOR
- S = SOUND

STATISTICS

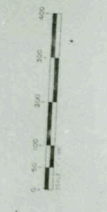
ROADS (BOROUGHS CIRCULAR) PACKAGES	7,000 LF
TOTAL	7,000 LF
LOTS	100
A/7,000 SF PAVILION	30
C/12,000 SF PAVILION	18
TOTAL	65

SITE DATA

NET DEVELOPMENT (66 LOTS/13.0 AC) 2.1 DU/AC

NET ACREAGE (AVAILABLE DRAINAGE) 31.0 AC

NET ACREAGE (AVAILABLE DRAINAGE) 13.4 AC



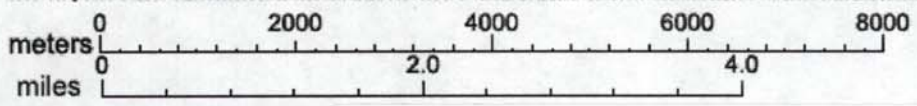
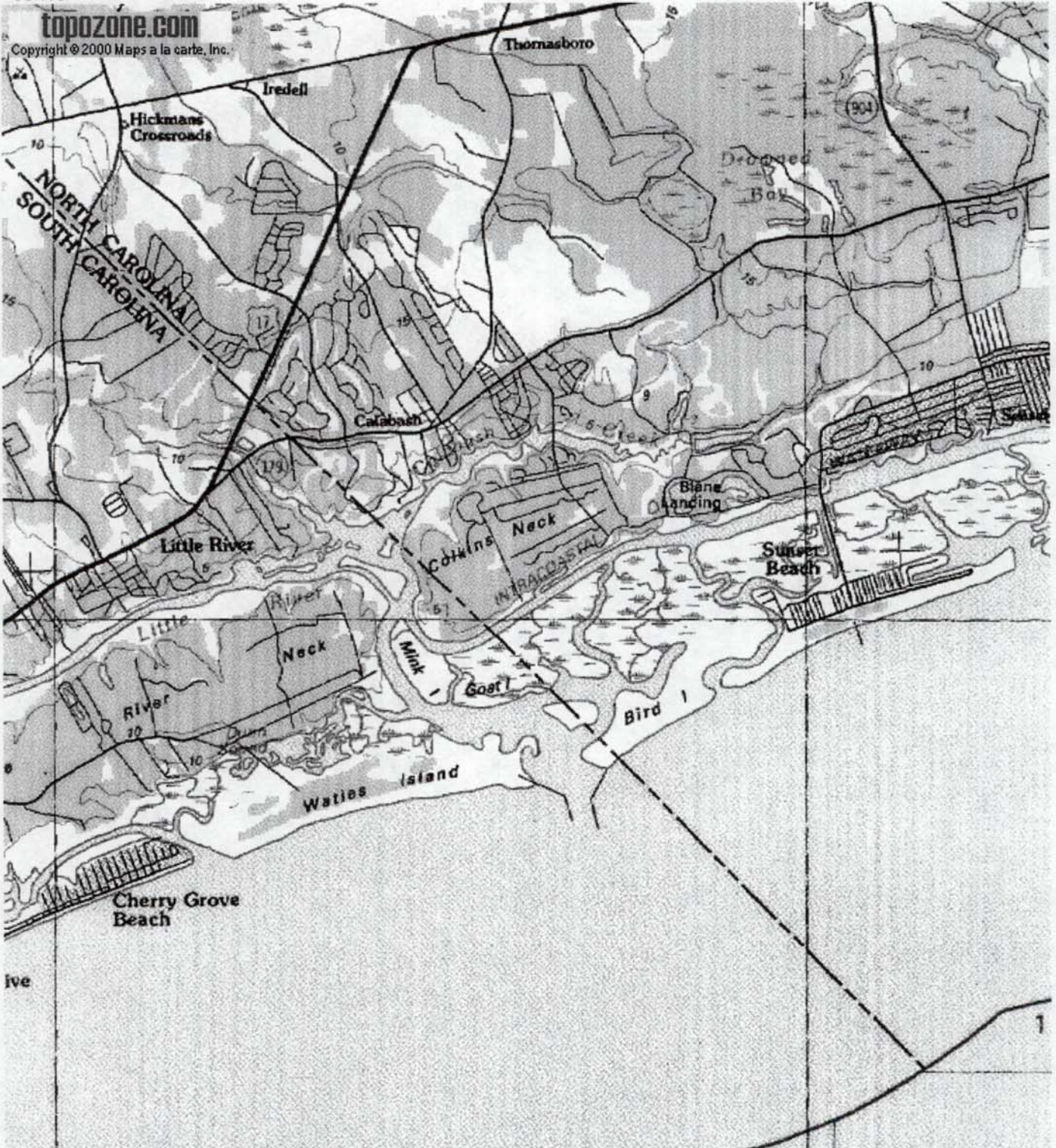
COMPASS AND BENCHMARK ARE SHOWN IN BIRD ISLAND, NORTH CAROLINA

ATLANTIC DESIGN
SINGLE FAMILY LOT LAYOUT PLAN

LL. Map showing revised development plan for Bird Island, 1993

TopoZone.com

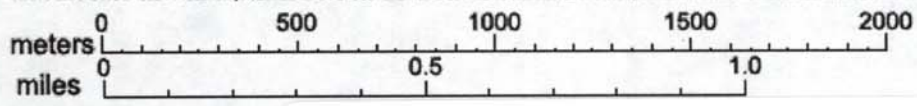
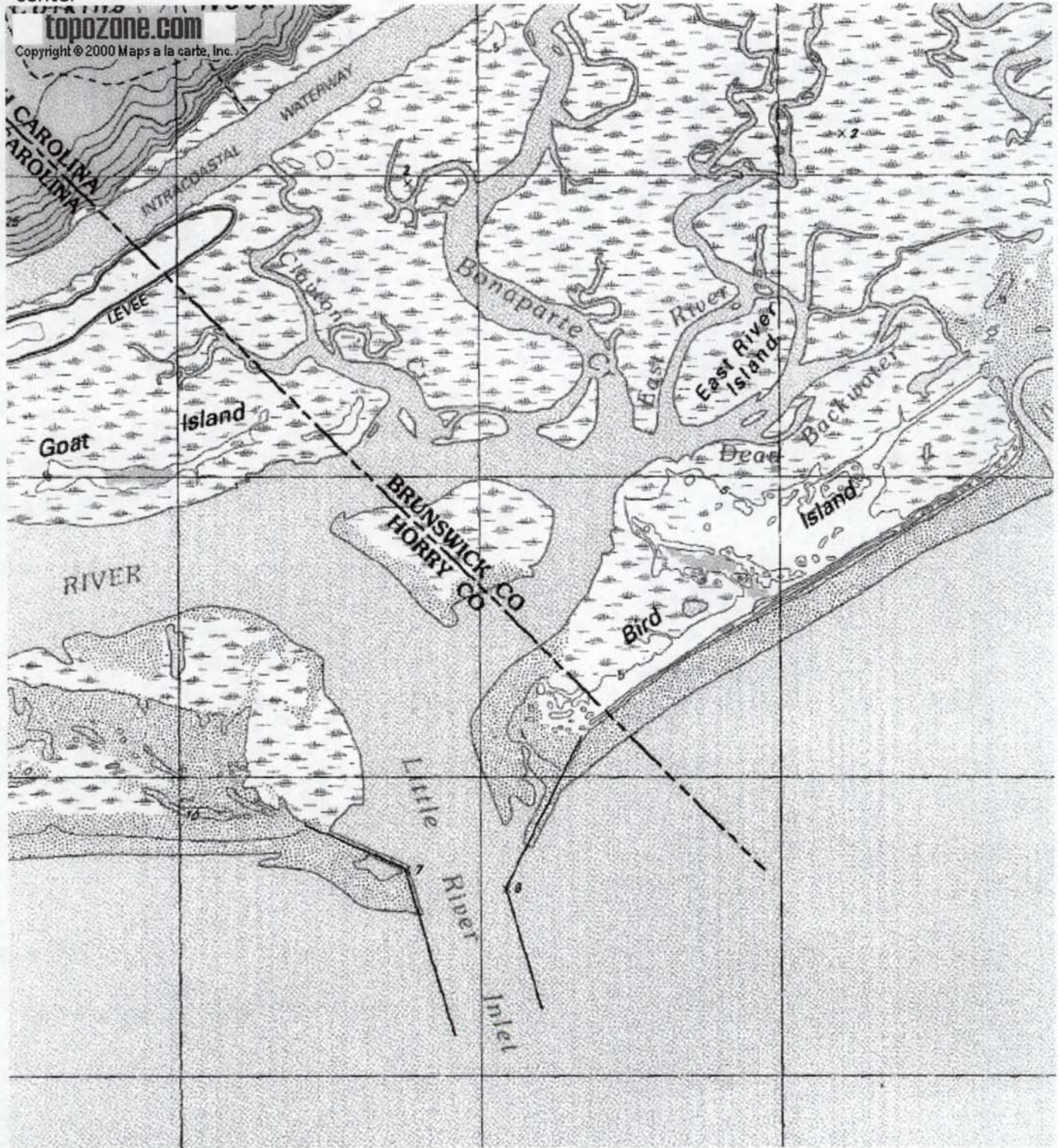
Map center



MM. Topographical Map featuring Bird Island and the surrounding region, ca. 2000; printed from TopoZone.com, Maps à la carte, Inc.

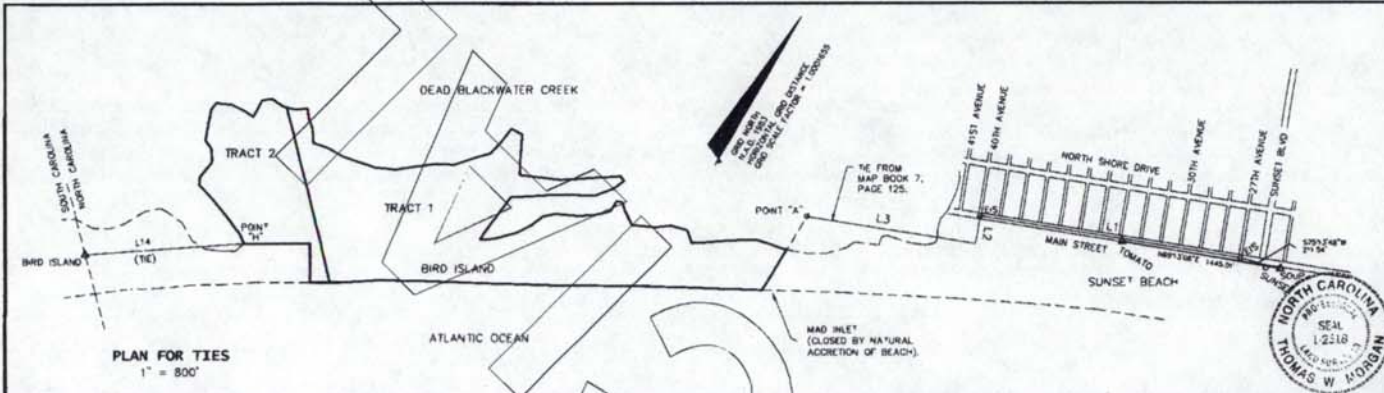


Map center



NN. Topographical Map showing Little River Inlet and Bird Island, ca. 2000; printed from TopoZone.com, Maps à la carte, Inc.

25/232



25/232

THOMAS W. MORGAN, P.L.S. COUNTY OF BRUNSWICK, N.C. REGISTERED PROFESSIONAL LAND SURVEYOR

THOMAS W. MORGAN, P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR

SEAL 12218

REVIEW OFFICER'S CERTIFICATE

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK, N.C.

I, THOMAS W. MORGAN, P.L.S. REVIEW OFFICER OF BRUNSWICK COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORD.

DATE: DEC 18, 2001

LEGEND:

ESP EXISTING IRON PIPE

ERB EXISTING REBAR

NRB NEW REBAR

ECM EXISTING CONCRETE MONUMENT

NCM NEW CONCRETE MONUMENT

USACE US ARMY CORPS OF ENGINEERS MONUMENT

NOTES:

REFERENCE DEED BOOK 577, PAGE 547.

MONUMENTS

*TOMATO N=43047.4300 E=2148270.4100

*SOLP N=43560.1275 E=2149621.4051

*BIRD ISLAND N=37577.3788 E=2139043.8523

*USACE 10 37 MONUMENT N=38726.5500 E=2141246.3000

CALCULATIONS:

TRACT 1 = 104.18 ACRES

TRACT 2 = 31.69 ACRES

OWNER: BIRD ISLAND COMPANY, LLC

Part of Survey for

STATE OF NORTH CAROLINA, BIRD ISLAND

MADE FROM DEED BOOK 577, PAGE 547 AND MAP BOOK 7, PAGE 125 AND FROM EXISTING PHYSICAL EVIDENCE.

BRUNSWICK SURVEYING, INC

Thomas W. Morgan
Professional Land Surveyor
North Carolina and South Carolina
1027 5660th Home Rd., SW
Supply, North Carolina 28462 (910)842-9392

400 0 400 800
1"=400'
SCALE FEET

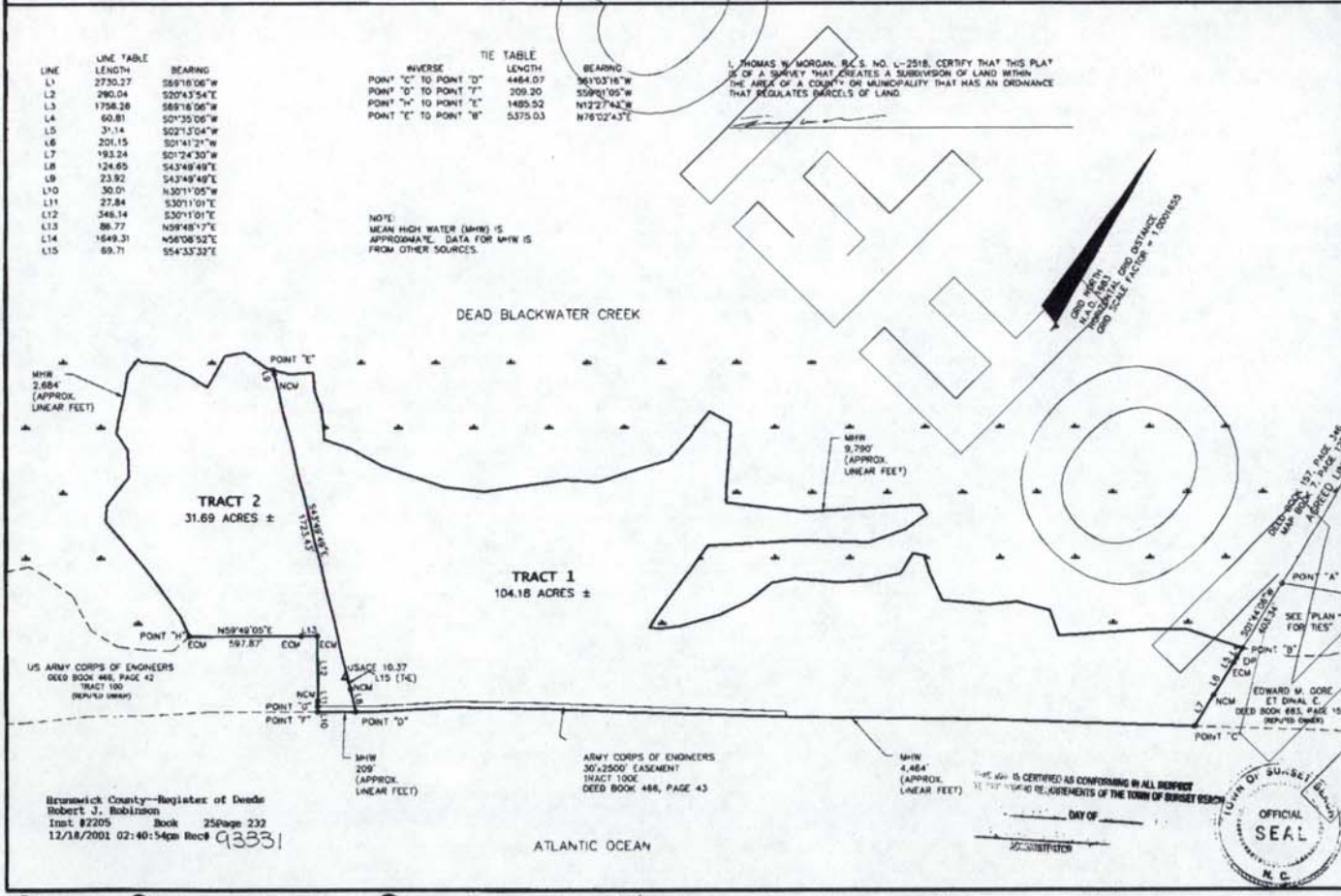
DESIGN BY: AA © 2001 BRUNSWICK SURVEYING, INC

SCALE: 1"=400' DATE: 12-10-01

TOWNSHIP: SHALLOTTE FIELD BOOK: ---

COUNTY: BRUNSWICK FILE: D1207

STATE: NORTH CAROLINA JOB NO.: D1207



LINE	LINE TABLE	BEARING	LENGTH	INVERSE	LENGTH	BEARING
L1	2730.27	S89°18'06"W	4464.07	POINT "C" TO POINT "D"	4464.07	S0°03'16"W
L2	290.04	S20°43'54"E	309.20	POINT "D" TO POINT "E"	309.20	S59°01'05"W
L3	1758.28	S89°18'06"W	1485.52	POINT "E" TO POINT "F"	1485.52	N122°42'42"E
L4	60.81	S01°35'06"W	5375.03	POINT "F" TO POINT "G"	5375.03	N76°02'43"E
L5	31.14	S02°13'04"W				
L6	201.15	S01°41'21"W				
L7	193.24	S01°24'30"W				
L8	124.65	S43°49'49"E				
L9	23.92	S43°49'49"E				
L10	50.01	N30°11'01"E				
L11	27.84	S30°11'01"E				
L12	346.14	S30°11'01"E				
L13	86.77	N59°48'57"E				
L14	1449.31	N59°48'57"E				
L15	89.71	S54°33'32"E				

NOTE: MEAN HIGH WATER (MHW) IS APPROXIMATE. DATA FOR MHW IS FROM OTHER SOURCES.

L. THOMAS W. MORGAN, P.L.S. NO. L-2518, CERTIFY THAT THIS PLAN IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

Brunswick County-Register of Deeds
Robert J. Robinson
Inst. #2205 Book 25/page 232
12/18/2001 02:40:54pm Rec# 93331

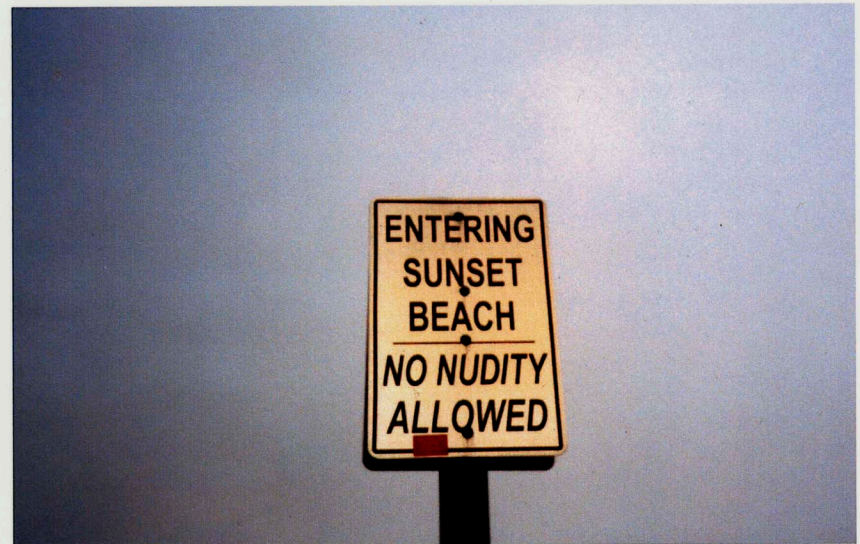
00. Survey Map of Bird Island, Brunswick County Register of Deeds, 2001



PP. Photographs of Bird Island, 2002, Left to Right: 1. Bridge remnants at Sunset Beach; 2. Bridge remnants leading to island; 3. Causeway; 4. Looking toward Sunset Beach from Bird Island



QQ. Photographs of the interior of Bird Island, 2002



RR. Photographs of Bird Island, 2002, Left to Right: 1. Town of Sunset Beach sign on beach; 2. Reverse side of sign; 3. Jetties at Little River Inlet; 4. North Carolina/South Carolina boundary marker



SS. Photographs of Bird Island, 2002, Left to Right: 1. Dunes; 2. Former inlet channel; 3. Sea turtle nesting site protected by fencing; 4. Kindred Spirit mailbox



TT. Photographs of Bird Island showing remains of Ralph C. Price's development featuring pier and electrical poles with surrounding vegetation, 2002

Smead

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BE 129



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