

The Establishment of  
Cape Hatteras National Seashore

by

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This thesis examines the land acquisition process used during the creation of Cape Hatteras National Seashore (CHNS). It analyzes the role of both North Carolina's state government and the federal government in the creation of CHNS. It evaluates research regarding the landowners who refused to sell their land (thus forcing legal action), their arguments speaking to their opposition, and the National Park Service's mission to protect and preserve this land. The methodology used included examination of media and literature published during that time period, exploration of recorded interviews with residents, and investigation of the federal government's plans to create a national seashore.

The thirty-one year journey to acquire land for CHNS was unnecessarily painful, frustrating to inhabitants of the Outer Banks, and far more expensive than it should have been. Yet, it served as a learning experience that shaped the National Park Services' performance post-CHNS.



The Establishment of  
Cape Hatteras National Seashore

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In Partial Fulfillment of the Requirements for the Degree  
Masters of Arts in History

by

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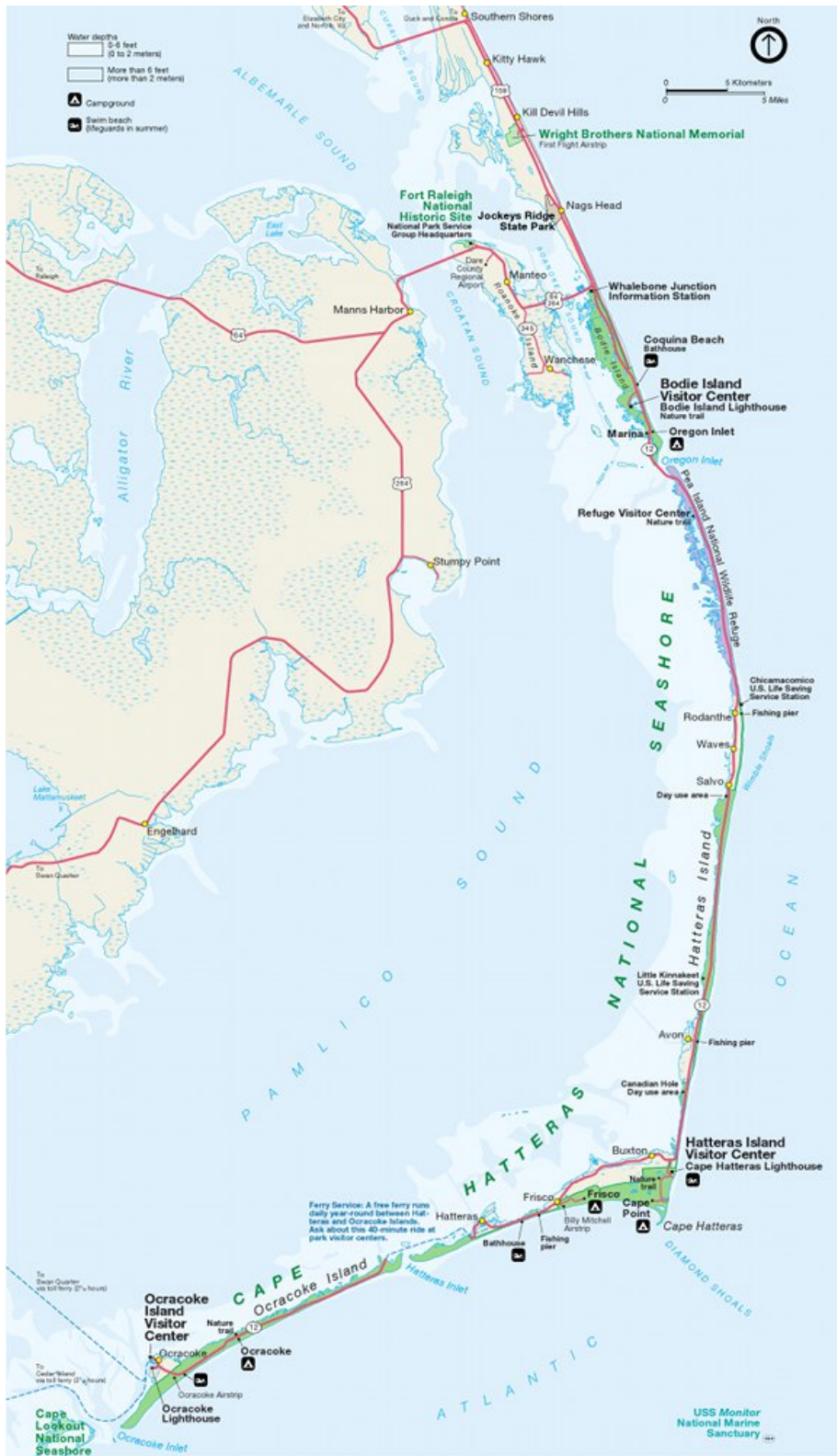


Fig. 1 Cape Hatteras National Seashore.  
 (Cape Hatteras. Washington, DC: GPO, 2005.)

## **Chapter 1**

### **The Outer Banks: Potential Parkland**

Congress authorized the establishment of Cape Hatteras National Seashore (CHNS) on August 17, 1937. The creation of CHNS spanned a period of thirty-one years, from the initial congressional act until the final land acquisition payment. The establishment act stipulated that the federal government not access public money to purchase any of the land, and a minimum of ten thousand acres be obtained before the National Park Service (NPS) could begin administrating, protecting, and developing the seashore.<sup>1</sup>

All land within the seashore would need to be obtained through donations, financial benefactors sponsoring the purchase of tracts, or condemnation. The State of North Carolina was responsible for acquiring land and, upon obtaining ten thousand acres, transferring the land to the federal government. Once the federal government had ten thousand acres, the NPS would assume administrative responsibility.<sup>2</sup> The NPS's inability to begin administration immediately upon establishment, coupled with the prohibition of federal appropriation funds, resulted in a costly national seashore, set the foundation for negative NPS sentiment among Outer Banks residents, yet served as a learning experience that improved the performance of the NPS post-CHNS.

The stipulations in the establishment act were not uncommon for authorization of parks in the east. Much of the land was privately owned, and Congress was not financially prepared to provide funding to purchase these lands. They required the state to acquire land and transfer it to the federal government. States relied on private land donations and fund raising campaigns or on wealthy benefactors to donate funds to purchase needed land. Condemnation suits would be

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<sup>1</sup> *An Act to Provide for the Establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for Other Purposes*, 75th Cong., (Washington DC: GPO, August 17, 1937).

<sup>2</sup> Ibid.

filed against landowners if they could not agree on a price. These means were used to acquire land for the Great Smoky Mountains National Park in the mountains of North Carolina and Tennessee established in 1926. In 1934, enough land had been obtained to authorize full establishment of the park and its transfer to the federal government. Once the federal government had title to the land, the NPS began administrative duties and development of the Great Smoky Mountains National Park.<sup>3</sup>

In the case of CHNS, the NPS would use the same avenues to acquire land if all of the needed land were not obtained when they were granted administration authority. The 1888 Condemnation Act allowed the government to use eminent domain, obtaining private property for public use. The Fifth Amendment provided for the financial loss of landowners by giving them the right to just compensation for their property. The NPS would have the property appraised and use the recommended value to attempt to negotiate with owners. If negotiations failed, a Declaration of Taking would be filed and the NPS would deposit the appraisal amount with the court. A Declaration of Taking initiates the condemnation case and allows the federal government to take control of the property. The court begins the process of determining just compensation of the property.<sup>4</sup> If the court awards a greater amount than the deposit, the NPS would pay the difference and any interest accrued. This is the scenario the NPS faced as they began administration of CHNS.

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<sup>3</sup> H. Tyler Blethen, "Great Smoky Mountains National Park," in *Encyclopedia of North Carolina*, ed. William S. Powell (Chapel Hill: University of North Carolina Press, 2006), 532-533.

<sup>4</sup> Steven A. Hemmat, "Parks, People, And Private Property: The National Park Service And Eminent Domain," *Environmental Law* 16 (1986): 936.

## National Park Service Interest in the Outer Banks

The Cape Hatteras area was an ideal location for the nation's first national seashore park. The coast was isolated, unique in landform, and rich in historical significance. The Outer Banks were separated from the North Carolina mainland by several sounds: Pamlico, Albemarle, Croatan, and Currituck. Until well into the twenty-first century, residents relied solely on boats to get to the mainland. During the 1920s, the state government built two bridges connecting the islands to the rest of North Carolina. This extended period of isolation helped to preserve the Outer Banks.

When the NPS became interested in the Outer Banks, less than one percent of the United States coastline was under control of the federal government.<sup>5</sup> The NPS recognized the importance of preserving seashores. The primitive nature of the coast was capable of providing large areas for fishing, boating, and swimming. Protection of this area and development of a national park would allow future generations an opportunity to experience the same recreational activities and scenic beauty.

The significance of the Outer Banks in American history was of equal importance to the NPS. The first English settler born in America, Virginia Dare, was born on Roanoke Island. She was part of the Lost Colony, which settled Fort Raleigh in 1587, and mysteriously disappeared by 1590. Initially, Fort Raleigh, on Roanoke Island, was planned to be part of CHNS. It was later determined that it would be best suited to receive designation as a Historic Site. Although not within CHNS final boundaries, Fort Raleigh and the nearby Wright Brothers National Memorial fell under the administration of the NPS.

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<sup>5</sup> U.S. Congress, Committee on Public Lands, *Establishment of Cape Hatteras National Seashore in the State of North Carolina*, 75<sup>th</sup> Cong., 1<sup>st</sup> Sess., Report, HR 7022, (Washington DC: GPO, July 19, 1937), 2.

The site of the Wright Brother's first flight was also part of the original CHNS boundaries. In 1903, Orville and Wilbur Wright successfully flew their experimental plane on the sand in Kill Devil Hills. The Kill Devil Hills National Monument was established March 2, 1927 and the name of the monument was changed to Wright Brothers National Memorial in 1953.<sup>6</sup>

The string of historic lighthouses along the Outer Banks was also of interest to the NPS. Ocracoke Lighthouse, Cape Hatteras Lighthouse, Bodie Island Lighthouse, and Currituck Lighthouse were recognized as important architectural structures and significant to American history. The lighthouses were responsible for guiding ships along the coast and away from danger. Currituck was eventually excluded from the final boundaries of CHNS. Ocracoke was built in 1823; and, in 1854, the more efficient, and newly developed, Fresnel lens was installed. Confederate troops removed the lens during the American Civil War. Fortunately, Union troops reinstalled it in 1864. Ocracoke Lighthouse continues to operate.<sup>7</sup> A lighthouse was built on Cape Hatteras in 1802. The current Cape Hatteras Lighthouse replaced it in 1870. Erosion was a constant threat and, in 1999, Cape Hatteras Lighthouse was moved 2,900 feet to protect it from the ocean.<sup>8</sup> Bodie Island Lighthouse was built three times. The first structure, built in 1847, was unstable and replaced in 1859. Confederate soldiers destroyed the second Bodie Island Lighthouse during the American Civil War. The current lighthouse was built in 1871.<sup>9</sup>

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<sup>6</sup> United States Department of Interior. National Park Service. National Register of Historic Places. *Wright Brothers National Memorial*. Ronald G. Warfield. December 5, 1976. <http://www.hpo.ncdcr.gov/nr/DR0014.pdf>.

<sup>7</sup> "Ocracoke Light Station," Cape Hatteras National Seashore, National Park Service: U.S. Department of Interior, March 4, 2016, <http://www.nps.gov/caha/planyourvisit/ols.htm>.

<sup>8</sup> Louis Torres, *Historic Resource Study of Cape Hatteras National Seashore* (Denver: Branch of Planning, Southeast/Southwest Team, U.S. Dept. of the Interior, National Park Service, Denver Service Center, 1985), 118-119; Rodney D. Barfield, "Lighthouses," in *Encyclopedia of North Carolina*, ed. William S. Powell, (Chapel Hill: University of North Carolina Press, 2006), 674-676.

<sup>9</sup> "Bodie Island Light Station," Cape Hatteras National Seashore, National Park Service: U.S. Department of Interior, March 3, 2016, <http://www.nps.gov/caha/planyourvisit/bils.htm>.

In addition, the Outer Banks also claimed multiple illustrious events, including Blackbeard's famous demise near Ocracoke, Reginald A. Fessenden's successful transmission of wireless messages in 1901, enemy submarine threats during both world wars, and numerous shipwrecks that led to the nickname, "Graveyard of the Atlantic."<sup>10</sup>

In the 1930s, the Outer Banks of North Carolina was an ideal location for a national park. The area was historically significant, undeveloped, unique to the National Park System, and sparsely populated. Land values on this stretch of coast were nominal. The NPS had an opportunity to quickly establish a park with little effort or objection. Their failure to do so was indicative of the absence of financial support from Congress and the NPS' lack of authority during the early years of the seashore project.

Although much has been written detailing the history of the Outer Banks, and several pieces of literature are available about the NPS, very little has been written about the establishment of CHNS. Louis Torres wrote a historic resource study in 1985. This short piece focused on the history of the area encompassed by CHNS rather than the establishment process. Torres does give a brief two-page summary of legislation enacted to create CHNS.

In 2007, Cameron Binkley of the Cultural Resource Division of the National Park Service published an administrative history. *The Creation and Establishment of Cape Hatteras National Seashore* was a detailed work that looks at many different forces that contributed to the first national seashore. This work provided a foundation that helped understand the many different dynamics that were involved in establishing a national park on the coast of North Carolina.

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<sup>10</sup> Kathy Carter, "Outer Banks," in *Encyclopedia of North Carolina*, ed. William S. Powell, (Chapel Hill: University of North Carolina Press, 2006), 858.

Binkley used park reports, NPS correspondence, newspaper articles, and oral interviews to compile his book.<sup>11</sup>

The creation of CHNS, the first national seashore, was a complicated process. The NPS was creating a type of park that had never been established before. They had to redefine their purpose in setting aside land for the public. Officials with the NPS, Department of the Interior, and Congress needed to understand the purpose of a national park before they could define a national seashore.

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<sup>11</sup> Binkley, 4.

## Chapter 2

### The National Park Idea

The idea of the federal government protecting a tract of land for the benefit of the public evolved during the 1800s. This concept surfaced because of growing pains experienced by the United States during its early years of existence. Much like a teenager in modern culture, America was trying to establish its identity and remove itself from the shadow of England, the mother country. Exploration of the

West revealed impressive features that rivaled, and often surpassed, European landmarks. Sites such as the giant sequoia trees near Yosemite, geysers in Yellowstone, and the Grand Canyon were comparable to Stonehenge, Windsor Castle, and the Cliffs of

Dover. The federal government set these areas aside to protect them from destruction and allow all

citizens the opportunity to experience these sources of pride.



Fig. 2 Sequoia National Park, c.1890  
(*Stage Coach Travel*, 1890s, Historic Photos Collection, National Park Service, Harpers Ferry Center, WV)



## Cultural Anxiety

Alfred Runte, an environmental historian, argued in his book, *National Parks: The American Experience*, that the primary motivation for the initial establishment of national parks was an attempt to reduce America's sense of inferiority to European standards.<sup>12</sup> Runte referred to this as "cultural anxiety." The United States did not have medieval castles, cathedrals, or the Swiss Alps. The lack of these historic and inspirational icons created a feeling of inadequacy among Americans. Cultural anxiety was a result of not having an "established past," particularly in areas of art, architecture, and literature. Runte argued that westward expansion created the path to remedy cultural anxiety.

Runte also believed the influence of the Romantic era led to the national park idea. Romanticism encouraged people to view nature as important to their personal welfare. The unpopulated western frontier provided hope for experiencing nature to the fullest. Influenced by "Romantic tradition," the wonders of the western United States relieved America of its inferiority complex and helped establish a climate of national pride.<sup>13</sup> The influence of the Romantic era led to a solution to the problem of being under the European shadow. Congress, as a way to showcase America's natural treasures and elevate the nation's cultural identity, supported the national park idea.

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<sup>12</sup> "Alfred Runte," The National Parks: America's Best Idea, PBS.org, 2009, <http://www.pbs.org/nationalparks/people/commentators/3/> ; Alfred Runte, *National Parks: The American Experience* (Lincoln, University of Nebraska Press, 1979), 7.

<sup>13</sup> Runte. *National Parks*, 7-8.

## **Influence of the Romantic Era**

William C. Everhart, former National Park Service historian, believed the roots of the national park idea were much more complex. He stated, “Tracing the origin of the national park idea is like nailing jelly to the wall.”<sup>14</sup> Everhart agreed that the United States felt inferior to Europe’s cultural achievements and had a need to establish a national identity. He also acknowledged that Americans recognized that they could not compare to Europe’s cultural possessions and began looking to the West for reassurance that they had an enriching contribution to make to the world. Everhart argued that the Romantic era played an equal role in developing the national park idea.<sup>15</sup> Unlike Runte, who believed the emphasis on nature stemming from the Romantic era led to a cure for America’s inferiority complex, Everhart believed the Romantic Era was an equal and separate factor in developing the national park idea.

During the first half of the nineteenth century, the Romantic influence drove artists and writers to seek nature for inspiration. According to Everhart, published essays by transcendentalists, such as Henry David Thoreau and Ralph Waldo Emerson, encouraged people to pursue nature to restore their quality of life. New Englanders living in industrial towns were especially receptive to Thoreau’s and Emerson’s doctrine as these people had seen “the convergence of once lovely villages into grimy factory towns.”<sup>16</sup> People began to appreciate the West and the importance of protecting the natural state of its unique landscape. The desire to protect the West was not an attempt to elevate the nation’s cultural contribution, but a sincere desire to protect a unique wilderness that was vital to public welfare.

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<sup>14</sup> William C. Everhart, *The National Park Service* (Boulder, Colorado: Westview Press, 1983), 5.

<sup>15</sup> Everhart, 6.

<sup>16</sup> Ibid.

Joseph Sax, former counselor to the Secretary of the Interior, argued that there were several factors that contributed to the national park idea.<sup>17</sup> Sax agreed that ideals born during the Romantic era encouraged preservation of scenic landscapes. He noted that romantic idealism evident in the arts, the writings of Thoreau and Emerson, and the “early nostalgia for what was obviously the end of the untamed wilderness,” were themes recognized nationwide.<sup>18</sup> This resulted in a desire to protect areas that appealed to naturalists.

Sax also agreed that America yearned to be compared to European cultural standards. He noted that, in early congressional debates, several comments were made regarding the Western American attractions that were capable of matching European scenery.<sup>19</sup> The language during these debates demonstrated the presence of cultural anxiety and a desire to be out from under the European shadow. Sax explained that the national park idea was a combination of the Romantic era influence, cultural anxiety, and three additional factors: rapid settlement of the West, the “worthlessness” of potential park land, and past desecrations of natural resources.<sup>20</sup>

## **Worthless Lands**

The settlement of the West saw a rapid decrease in large parcels of land. Congress passed the Homestead Act in 1862, encouraging migration to the West. This act allowed individual settlers to acquire 160 acres of land for a minimal cost.<sup>21</sup> The Homestead Act increased the migration pace to the West. A fear developed that unique landscapes would fall into private hands. Sax related a story of an English nobleman, Lord Dunavan, which illustrated

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<sup>17</sup> “Joseph L. Sax,” *Natural History*, 2008-2016, <http://www.naturalhistorymag.com/author/joseph-l-sax>.

<sup>18</sup> Joseph L. Sax, *Mountains Without Handrails* (Ann Arbor, The University of Michigan Press, 1980), 7.

<sup>19</sup> Sax, *Mountains*, 9.

<sup>20</sup> *Ibid.*, 7-9.

<sup>21</sup> Homestead Act, Library of Congress, March 19, 2015, <https://www.loc.gov/rr/program/bib/ourdocs/Homestead.html>; By 1900, 80 million acres of land had been distributed.

that this fear could become a reality. Lord Dunavan wanted a private hunting preserve and acquired over fifteen thousand acres by hiring drifters to file land claims. Fortunately, other homesteaders in the region disapproved and encouraged Lord Dunavan to sell his hunting playground. Dunavan's hunting preserve is now part of the Rocky Mountain National Park.<sup>22</sup>

Sax noted that most of the potential parks were located in remote areas and of little commercial value. He stated that Congress wanted to be assured that these potential parklands were worthless.<sup>23</sup> Runte also emphasized this belief and, in his book, devoted an entire chapter to "worthless lands," arguing that Congress had an unwritten policy "that only 'worthless' lands might be set aside as national parks."<sup>24</sup> Runte's claim was controversial. Prior to the release of a second edition, he defended his original analysis that Congress was interested in only establishing national parks that were otherwise "worthless." Runte stated that the term, "worthless," was the actual word that was used during Congressional debates about potential parks. Runte emphasized that the term referred to "the absence of natural resources of known commercial value."<sup>25</sup> Congress would not be willing to establish a national park on land that had economic benefits. Congress did not consider tourism an economic benefit at that time. In fact, the exploitation of national wonders for the purpose of financial gain had created problems in the past.

## **Exploitation and Vandalism**

Sax surmised that desecration of scenic wonders by people exploiting them to make a profit was one of the factors that contributed to the national park idea. He tells of promoters

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<sup>22</sup> Sax, *Mountains*, 8-9.

<sup>23</sup> *Ibid.*, 9.

<sup>24</sup> Runte, 48.

<sup>25</sup> Alfred Runte, *National Parks: The American Experience*, 2<sup>nd</sup> ed., (Lincoln, University of Nebraska Press, 1987), preface.

cutting pieces of bark off the large sequoia trees in California during the mid 1800s. The entrepreneurs set up an exhibit in London, charging a fee, but it failed. The bark was so large that the Englishmen did not believe it was real and accused the exhibitors of fraud.<sup>26</sup> The British referred to it as “a Yankee invention,” and claimed trees that large were unable to grow in America. This further perpetuated America’s desire to culturally surpass Europe.<sup>27</sup> Another exploitation scheme, more widely known and publicized, was the Niagara Falls calamity.

Niagara Falls, one of the United States’ first tourist attractions, was completely overrun by commercialization on the American side by 1860. There were no spots available for people to view the falls without paying a fee to one of the many fortune hunters. Private entrepreneurs had seized the opportunity to make money by capitalizing on this grand and magnificent natural



Fig. 3 Hot Springs Reservation, 1870  
(Deluxe Studios, *Corn Hole—Ladies’ Hour*,  
1870, Historic Photos Collection, National Park  
Service, Harpers Ferry Center, WV)

resource.<sup>28</sup> To make matters worse, Niagara Falls was frequently visited by Europeans who “condemned the commercialization” of the area. This was an embarrassment to America, further feeding its cultural anxiety.<sup>29</sup> The debasement of Niagara Falls reinforced the idea of the importance of protecting natural resources found in the United States. Niagara Falls was a significant motivator in the beginning of the push to establish national parks.

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<sup>26</sup> Sax, *Mountains*, 7.

<sup>27</sup> Runte, 29

<sup>28</sup> Everhart, 5.

<sup>29</sup> Runte, 6.

## The First National Park

There is some debate over which park should be considered the first national park. Though the national park idea evolved over many decades, an initial attempt to protect land for the benefit of the public began in the early part of the nineteenth century. The first Congressional Act reserving land was enacted for Hot Springs, Arkansas, in 1832. Hot Springs was known throughout the nation for its mineral spring water that, reportedly, had healing properties. People began settling in the area and establishing private spas. The territorial assembly of Arkansas petitioned Congress as early as 1820 to allow public access to the springs by preventing private ownership. Hot Springs Reservation was created in 1832 for the purpose of preventing abuse of the springs. There were no plans to develop it for the benefit of the people, only to preserve it. Hot Springs was placed under the administration of the Department of the Interior.<sup>30</sup> It was another three decades before Congress would again approve protection for land.

In 1864, California Senator John Connes proposed legislation to protect Yosemite Valley and the Sierra redwoods. Connes was acting on behalf of a small group of constituents who were concerned that the area would be abused. In his speech introducing the bill, Connes reminded Congress that the British claimed that the bark from the Sierra redwoods were fraudulent and they did not believe trees that large could grow in America.<sup>31</sup> His speech, playing on cultural anxiety, was effective as Congress granted Yosemite Valley and the Sierra trees to the state of California for “public use, resort, and recreation.”<sup>32</sup>

The act stipulated that California was responsible for protection and management of the area. Parts of the land could be privately leased for up to ten years, and any income derived from

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<sup>30</sup> Hot Springs was given National Park status in 1921. Cameron Jenks, *The National Park Service: Its History, Activities, and Organizations* (New York, D. Appleton and Company, 1922), 5-6.

<sup>31</sup> Runte, 28-29.

<sup>32</sup> Lary Dilsaver, ed., *America's National Park System: The Critical Documents* (Lanham, Maryland: Rowman & Littlefield Publishers, Inc., 1994), 11.

the leases was to be used to make improvements to the land.<sup>33</sup> President Abraham Lincoln signed the bill on June 30, 1864. The idea of a national park (preservation for “public use, resort, and recreation”) was present in this bill, but management was turned over to the state. Giving California administrative responsibility of Yosemite Valley and the Sierra redwoods removed it from federal authority, negating the idea of a “national” park. California encouraged commercialization of Yosemite and it was misused, much like Niagara Falls had been. It was also subject to livestock grazing and logging.<sup>34</sup> In 1890, Congress preserved the area surrounding the state park and established Yosemite National Park. The valley in the center of the national park remained under the control of the state of California until 1905, when it was returned to the federal government and absorbed by Yosemite National Park.<sup>35</sup>

### **Yellowstone National Park**

Yellowstone National Park, located in the Wyoming and Montana territories, was traditionally recognized as the first official national park.<sup>36</sup> Unlike Yosemite, which was located in the state of California, Yellowstone was carved from territorial land and remained under federal jurisdiction.<sup>37</sup> Congress had been aware of the possibilities of “curiosities” on this tract of land for several years. Rumors of magnificent scenery, geysers, and hot springs began reaching the east coast during the early nineteenth century. Many believed the accounts were exaggerations and initially dismissed the reports. Finally, after the Civil War, several expeditions were organized to explore Yellowstone. Published reports from these explorations

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<sup>33</sup> Ibid.

<sup>34</sup> Dyan Zaslowsky, *These American Lands: Parks, Wilderness, and Public Lands* (New York: H. Holt, 1986), 13.

<sup>35</sup> Ibid., 18.

<sup>36</sup> Jenks, 1; Runte, 33.

<sup>37</sup> Janet McDonnell and Barry Mackintosh, *The National Parks: Shaping the System* (Washington, D.C.: U.S. Dept. of the Interior, 2005), 13.

encouraged the federal government to send a group to explore the area in 1871. The Geological Survey and Army Corps of Engineers studied and photographed the area. Their findings encouraged Congress to create a national park. President Ulysses S. Grant signed the Yellowstone National Park Act on March 1, 1872. Two million acres were protected to be used “as a public park or pleasuring ground for the benefit and enjoyment of the people.”<sup>38</sup> This same terminology would be used in future acts establishing national parks, including Cape Hatteras National Seashore. The unique features of Yellowstone, such as the geysers and canyons, demanded protection from exploitation and Yellowstone was considered “the world’s finest example of large-scale wilderness preservation for all people.”<sup>39</sup>

Congress initially did not appropriate any funding for Yellowstone National Park, as they believed it would be self-supporting once tourists began to visit.<sup>40</sup> They also failed to provide legislation that would legally protect the park from vandals or poachers.<sup>41</sup> Yellowstone was placed under the supervision of the Department of the Interior. In 1883 Congress authorized the Secretary of the Interior to seek help from the Secretary of War, to protect the landscape.<sup>42</sup> On August 17, 1886, United States troops began protecting Yellowstone National Park, where they remained for thirty-two years.<sup>43</sup> As more parks were created, the War Department was charged to provide protection to several others as well, including Yosemite National Park, Sequoia National Park, and General Grant National Park.<sup>44</sup>

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<sup>38</sup> Everhart, 8.

<sup>39</sup> Conrad Louis Wirth, *Parks, Politics, and the People* (Norman, Oklahoma: University of Oklahoma Press, 1980), 42.

<sup>40</sup> Zaslowsky, 15.

<sup>41</sup> Everhart, 9.

<sup>42</sup> McDonnell, 13, 15.

<sup>43</sup> Everhart, 9.; Zaslowsky, 17.

<sup>44</sup> Zaslowsky, 17.



## Evolution of the National Park Movement

Yosemite, Sequoia, and General Grant National Parks were the first permanent parks established within nearly twenty years of the creation of Yellowstone.<sup>45</sup> Congressional action continued to be the only avenue to have land areas designated as national parks, and Congress would only authorize a park if they could be convinced the land was worthless. Since parks were preserved for aesthetic purposes, Congress wanted to be certain that no economic benefit could be found on the land.<sup>46</sup> Most of the parks preserved were uninhabitable and lacked mineral



Fig. 4 Theodore Roosevelt and John Muir, 1906, Yosemite Valley, California.  
(*Theodore Roosevelt and John Muir on Glacier Point, Yosemite Valley, California, 1906*, Historic Photos Collection, National Park Service, Harpers Ferry Center, WV)

resources. In 1906, Congress was convinced, after hearing reports of significant vandalism to ancient Indian ruins, that national parks should be established for reasons other than scenic value.

Widespread looting of the cliff dwellings and pueblo ruins in the Southwest encouraged Congress to pass the Antiquities Act in 1906, protecting ruins and artifacts found on federal land. The punishment was a fine of up to five hundred

dollars or imprisonment for up to ninety days. This act also gave the President of the United States the power to establish national monuments on federal land as “historic landmarks, historic

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<sup>45</sup> Congress established Mackinac National Park in Michigan in 1875. It was decommissioned in 1895 and transferred to the state of Michigan. McDonnell, 14.

<sup>46</sup> Ibid.

and prehistoric structures, and other objects of historic or scientific interest.”<sup>47</sup> The Antiquities Act strengthened the national park movement because it created an additional authority for land protection that avoided complicated politics. President Theodore Roosevelt designated eighteen monuments before the end of his term in 1909.<sup>48</sup>

Cameron Jenks, in his book, *The National Park Service: Its History, Activities, and Organizations*, explained the difference between a national park and a national monument:

The object of a monument is the preservation from destruction or spoliation of some object of historic, scientific, or other interest. The object of a park is that and something more; namely, the development of the area reserved for its more complete and perfect enjoyment by the people. It might be said that a monument is park raw material, because many of the existing monuments, in all probability, will receive park status when their development as parks is practicable.<sup>49</sup>

### **Organization of the National Park Service**

Despite the growth of national parks, the system was still poorly organized. There was no central agency responsible for the administration of the parks, as their management was divided among the War Department, Department of Agriculture, and Department of the Interior.<sup>50</sup> Legislation, introduced in 1900 to authorize a single organization to administer all national parks failed.<sup>51</sup> In 1912, President Taft encouraged Congress to create a Bureau of National Parks, but opposition from the Department of Agriculture prevented that from occurring. The Forest Service, under the umbrella of the Department of Agriculture, felt they should be given the duty of managing all national parks.<sup>52</sup> The national park system continued to

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<sup>47</sup> Dilsaver, 40.

<sup>48</sup> McDonnell, 15.

<sup>49</sup> Jenks, 8.

<sup>50</sup> Dilsaver, 2.

<sup>51</sup> Runte, 98.

<sup>52</sup> Everhart, 13.

be haphazardly managed for a few more years. Two events led to a formal change in the national park administration.

The first event was the damming of Hetch Hetchy Valley in Yosemite National Park in 1913. The city of San Francisco was in search of a fresh water supply, and Hetch Hetchy Valley was determined to be the best place to create a reservoir. Despite opposition from preservationists, Congress approved the request and the valley was flooded. The preservationists of the nation considered this a major defeat, but the attention it received made the public more aware of the necessity of a single organization to manage and protect the nation's national parks.<sup>53</sup>

Shortly after the Hetch Hetchy controversy, the Secretary of the Interior, Franklin K. Lane, received a letter from Stephen T. Mather complaining about the deplorable conditions experienced while camping in Yosemite National Park and Sequoia National Park. Mather was a wealthy businessman, a former newspaper reporter for the *New York Sun*, and an outdoorsman. According to legend, Lane's response was, "Dear Steve, If you don't like the way the national parks are being run, come on down to Washington and run them yourself." Mather assumed duties of managing the national parks in 1915.<sup>54</sup>

Mather, with the help of an assistant, Horace Albright, focused on getting a bill passed that would place all future national parks under the umbrella of the Department of the Interior. Mather and Albright launched an intense public relations campaign. They answered objections by emphasizing that the development of parks as popular tourist attractions would reap immense economic benefits. *The National Geographic* and *The Saturday Evening Post* published articles promoting the establishment of a national park bureau. Financial assistance from seventeen

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<sup>53</sup> Runte, 78-79; McDonnell, 20.

<sup>54</sup> Everhart, 14.

western railroad companies paid for *The National Parks Portfolio*, an extravagant brochure that was delivered to every congressman. The campaign was successful and Congress approved the National Park Service Act on August 25, 1916.<sup>55</sup>

The National Park Service Act, also known as the Organic Act, outlined the structure of the National Park Service (NPS) and provided funding to support it. It also defined the purpose of national parks: "...to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."<sup>56</sup> Once the national park system was under the administration of a single organization, the focus turned toward strengthening the system. Mather understood that the NPS needed support from the East to continue protecting parks in the West. He felt that establishing national parks in the East would encourage Congressmen from the east to support all national parks. The challenge was that most of the land in the east was privately owned. Only one eastern national park, Maine's Acadia National Park, had been established when Mather created a search committee to uncover potential parks east of the Mississippi River in the early 1920s.<sup>57</sup>

As the NPS developed uniform standards and sought to meet the goal of conserving potential areas for the benefit of the people, their criteria for preservation changed. This adjustment corresponded to a transition in American behavior, and the determination to create parks easily accessible to all people, including the heavily populated East. The push to strengthen the national park system, and the search for eastern land worthy of national park

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<sup>55</sup> McDonnell, 21.

<sup>56</sup> Dilsaver, 10, 46-47.

<sup>57</sup> Zaslowsky, 25.; McDonnell, 19. Acadia National Park was initially designated Sieur de Monts National Monument in 1919. The name changed to Lafayette when it was designated a national park in 1919. It was renamed Acadia National Park in 1929.

status, was the beginning of the path that led to NPS interest in the North Carolina coast; specifically, the Cape Hatteras region.

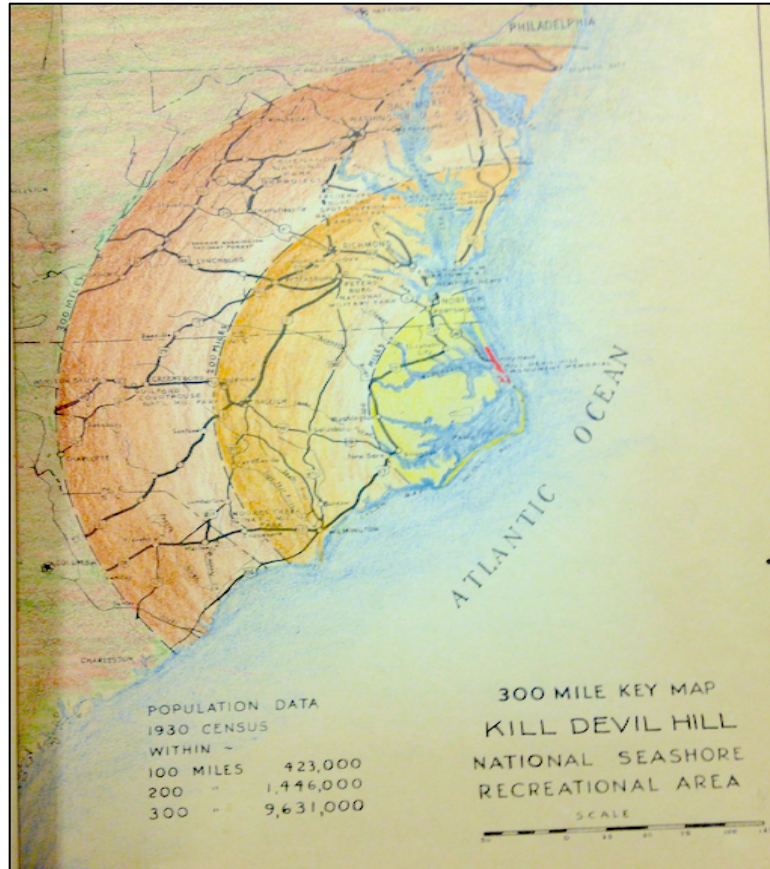


Fig. 5 1930s Map of Population Distribution Within 300 Miles of NC Coast.

(Conrad Wirth, "Study of A National Seashore Recreational Area," CAHA 5417, Box 10, Folder 8, Early Establishment Records, Fort Raleigh, Manteo, N.C.)

## **Chapter 3**

### **Establishing Cape Hatteras National Seashore**

#### **Changes in the American Lifestyle**

Interest in creating a national park occurred not only during an era when the NPS was being strengthened and national parks in the east were being established, but during a period when there was a significant shift in the American lifestyle. The effects of the Great Depression had redefined the average workweek for most Americans. A forty-hour workweek became common during the 1930s, which provided Americans with more leisure time, almost two times as much as they had experienced in the 1890s.<sup>58</sup>

As more people experienced an increase in free time, sociologists began proclaiming that leisure time was a positive for Americans as it “counteracted ill health, mental instability, and crime.”<sup>59</sup> Americans began seeking ways to fill their non-working days. The federal government began focusing on the importance of recreation and its responsibility to promote and encourage American leisure.

In addition, the automobile allowed families to travel in a way that had never before been possible. In 1914, approximately two million American owned automobiles. By the 1930s, that number had jumped to almost twenty-five million. This meant that more than two-thirds of the families throughout the country owned a vehicle.<sup>60</sup> The automobile allowed Americans to spend their leisure time traveling to new and previously difficult to access destinations.

#### **A Federal Focus on Recreation**

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<sup>58</sup> Foster Rhea Dulles, *America Learns To Play: A History of Popular Recreation, 1607-1940* (New York: D. Appleton-Century Company, 1940), 366.

<sup>59</sup> *Ibid.*, 367.

<sup>60</sup> *Ibid.*, 313-314.

In 1924, President Calvin Coolidge supported a National Conference on Outdoor Recreation. The purpose of the conference was to develop a national recreation policy and a plan to conserve natural resources.<sup>61</sup> A report, written in 1928 by the American Forestry and NPS, followed the theme of the conference and emphasized the idea of federal responsibility for recreation resources in the United States. The report proclaimed that the federal government had an obligation to provide recreation as one of the uses for public land. According to the report, it is "...the great responsibility of the Federal Government to provide those forms of outdoor life and recreation which it alone can give and which are associated only with the wilderness."<sup>62</sup>

The NPS began looking at ways to incorporate this new American lifestyle into the use of national parkland. The purpose of establishing a national park began to shift from solely preserving scenic features to allowing the public access for recreational purposes. A change in the nation's political scene further encouraged the NPS's role in developing recreational opportunities.

### **FDR's Influence on the National Park System**

In 1933, Franklin D. Roosevelt became the thirty-second President of the United States. His New Deal program brought promises of projects intended to develop a financially strong country. Roosevelt signed the Federal Unemployment Relief Act on March 31, 1933. This act was designed to relieve widespread unemployment by creating job opportunities on public land.<sup>63</sup> That summer, President Roosevelt signed two executive orders that reorganized the NPS.

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<sup>61</sup> Harlan D. Unrau and G. Frank Williss, *Expansion of the National Park Service in the 1930s: Administrative History* (Denver: Branch of Planning, Southeast/Southwest Team, U.S. Dept. of the Interior, National Park Service, Denver Service Center, 1983), 1.

<sup>62</sup> *Ibid.*, 139.

<sup>63</sup> John C. Paige, *The Civilian Conservation Corps and the National Park Service, 1933-1942: An Administrative History* (National Park Service, U.S. Dept. of the Interior, 1985), 1.

These executive orders, the Organization of Executive Agencies, Executive Order Numbers 616 and 6228, increased the responsibilities of the NPS and placed national cemeteries, military battlefields, and national monuments (including the Wright Brothers National Memorial) under NPS supervision.<sup>64</sup> The shift in federal focus to recreation, the increased responsibility of the NPS, the development of the Civilian Conservation Corps (a result of the Federal Unemployment Relief Act), and a developing concern for the rapid commercialization of coastal areas set the stage for the NPS interest in the Outer Banks.

### **Recommending Preservation of the Outer Banks**

Frank Stick wrote an article addressing the need to preserve the Outer Banks beaches in the *Elizabeth City Independent* during the summer of 1933. Although not the first recommendation for the protection of the Outer Banks, this article put the idea of a public park project in motion.<sup>65</sup> Stick was an artist, realtor, conservationist, and architect who first came to the Outer Banks in the early 1920s on a hunting and fishing expedition.<sup>66</sup> He eventually invested in several real estate developments and permanently settled in Dare County in 1929.<sup>67</sup> Stick's

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<sup>64</sup> Cameron Binkley, *The Creation and Establishment of Cape Hatteras National Seashore the Great Depression through Mission 66* (Atlanta, Georgia: Cultural Resources Division, Southeast Regional Office, National Park Service, 2007), 9-10

<sup>65</sup> Torres indicates that prominent papers "like the *New York Times*," suggested public recreation lands be designated on the Outer Banks. Louis Torres, *Historic Resource Study of Cape Hatteras National Seashore* (Denver: Branch of Planning, Southeast/Southwest Team, U.S. Dept. of the Interior, National Park Service, Denver Service Center, 1985), 155; Binkley relays that the publisher of the *Independent* had mentioned the idea "years before," and was supportive of Stick's plan. Binkley, 10.

<sup>66</sup> Michael F. Mordell, *Frank Stick: Splendid Painter of the Out-of-doors* (Tucson, Arizona: Settlers West Galleries, 2004), 91.

<sup>67</sup> *Ibid.*, 94-95.



impact on the North Carolina Outer Banks was considerable and remains evident today throughout several communities along the northern North Carolina coast.<sup>68</sup>

“A Coastal Park of North Carolina and the Nation” outlined Stick’s reasoning behind his support of preservation of the Outer Banks. It encouraged the creation of a national park on the Outer Banks and proposed beach restoration projects to reverse erosion damage and provide employment to the locals. He believed that such a park would “satisfy the esthetic and recreational need of the people, aid in the conservation of migratory wildlife and allow for the better defense of an open and unprotected coastline in event of war.”<sup>69</sup> *Elizabeth City Independent* Editor W.O. Saunders wrote an accompanying editorial supporting Stick’s proposal.<sup>70</sup>

A week later, the Masons of the Albemarle area met in Chowan County for their annual picnic. They adopted a resolution supporting the idea of a National Park. They requested all other civic organizations to join them. In addition, they requested that state representatives pass necessary legislation to make the idea of a park a reality.<sup>71</sup>

The North Carolina Coastal Park Commission was created soon after. There are no official records for this commission. Stick’s son, David, believed Frank Stick created it on his own accord for the purpose of appearing more official in his efforts to build support for the park idea. This would give him “more clout than he would have had as an individual.”<sup>72</sup>

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<sup>68</sup> Stick’s contributions to the Outer Banks included encouraging a bridge to be built from Roanoke Island to Nags Head in 1929, donating land to create the Wright Brother’s Memorial, a restoration project at Fort Raleigh, developing Southern Shores, and acquiring donations of land to be included in the Cape Hatteras National Seashore.

<sup>69</sup> Binkley, 6.

<sup>70</sup> David Stick Narratives, 33MSS-35-9, Outer Banks History Center, Manteo, N.C., U.S.A., 2.

<sup>71</sup> Ibid.

<sup>72</sup> D. Stick Narratives, 2.

A similar article, also written by Frank Stick, reached a wider audience when it was published later that year in *The State* magazine. “A Coastal Park for North Carolina” argued for an urgent need for protection of the coast:

It is worthy of note, also, that this is the last ocean frontage of any extent in the East, if not all America, which may be thus perpetuated for public use and enjoyment; a territory which may be retained in its natural aspects and attractions; unspoiled by unsightly cottages, pavilions and hot dog stands; unpolluted by industrial waste and municipal filth.<sup>73</sup>

Calling it a “land of promise,” Stick wrote that a national park or national forest would provide “health, rest, and recreation” to approximately thirty million people who lived within a day’s journey to the area.

He argued that the public land would benefit the local people as well. It would include the employment of one to two thousand people in sand fixation, reforestation, and highway construction. Their work would halt erosion (protecting the property of over two thousand residents,) prevent tidal inundation on the mainland, and rejuvenate a fishing industry that had declined. It would also allow mosquito control work to begin and restore vegetation to most of the area, possibly leading to scientific and controlled lumbering operations.

Stick also wanted to include the zoning of one hundred thousand acres of federal waters as waterfowl and commercial fish sanctuaries in an effort to preserve migratory game birds.<sup>74</sup> He envisioned the national park as being almost one hundred miles of coastland, stretching from

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<sup>73</sup> Frank Stick, “A Coastal Park for North Carolina,” *The State*, November 18, 1933, 18, 22.

<sup>74</sup> Pea Island Migratory Waterfowl Refuge was established by executive order # 7864 on April 8, 1937. This would, later, become part of the Cape Hatteras National Seashore. Franklin D. Roosevelt, Executive Order 7864, “Establishing Pea Island Migratory Waterfowl Refuge; North Carolina,” *Federal Register* 3 (April 12, 1938): 863.

the Virginia state line to below Cape Lookout, and including the historic sites of Fort Raleigh, Wright Brothers Memorial, Cape Hatteras Lighthouse, and Cape Lookout Lighthouse.<sup>75</sup>

Stick's initial article resulted in R. Bruce Etheridge, head of the North Carolina State Department of Conservation and Development, initiating an active investigation into the possibility of a coastal park. A series of meetings were held that increased statewide support for the idea. Representative Lindsay Warren requested Governor J.B.C. Ehringhaus to appoint a commission to further study and make recommendations. Governor Ehringhaus appointed Stick as chairman.<sup>76</sup> Other than Stick's involvement, very little is known about the efforts of the commission.

### **Federal Interest In the Outer Banks**

The federal government was concerned about preservation of the nation's coastlines. In the 1920s, it became popular to build summer homes on the oceanfront, especially in Florida, along the Gulf Coast, and along the east coast. Developers removed or leveled dunes in order to build these homes.<sup>77</sup> An article in Raleigh's *News and Observer*, in 1929, reported that men who promoted Florida beach resorts had shown a "keen interest" in the Outer Banks. The article described Dare County as "North Carolina's first and last frontier, about to be invaded by outsiders, perhaps who see its possibilities."<sup>78</sup> The Great Depression temporarily curtailed the nation's beach boom, but the desire for oceanfront development remained a threat. An effort to

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<sup>75</sup> Stick, "A Coastal Park for North Carolina, *The State*, 22.

<sup>76</sup> Etheridge included the State Highway Department in the meetings. In reference to building a road, the representative, H.D. Panton, responded that, "the road building program is not near so hard as one might think...and the building of it so it will stay here is only a matter of good engineering." Binkley, 9-10.

<sup>77</sup> Conrad Louis Wirth, *Parks, Politics, and the People* (Norman, Oklahoma: University of Oklahoma Press, 1980), 192.

<sup>78</sup> Carolyn L. Reynolds, "North Carolina's First and Last Frontier," *The News and Observer*, January 27, 1929.

preserve remaining undeveloped beaches encouraged the NPS to launch a shoreline study in 1934. The purpose of the study was to determine potential areas for inclusion in the national and state park systems.<sup>79</sup>

While the national shoreline study progressed, Conrad Wirth, Assistant Director of the NPS, focused on evaluating the coast of North Carolina. The idea of developing a new national park that emphasized recreational opportunities seemed possible on the Outer Banks. The NPS authorized five detailed studies within two years to help determine the attainability of this area. The studies varied in boundaries and sometimes contradicted each other. Once the studies were completed, the NPS shared the results of the reports with residents. The isolation of the Outer Banks would have made it difficult for NPS officials to obtain information without their knowledge. Certainly, the local people were curious about a series of strangers evaluating their island. This situation appeared to have created a sense of suspicion among locals, aimed toward the NPS.

A Progress Report of November 1934, by NPS landscape architect Louis Croft, favored the NPS acquiring land in North Carolina for the purpose of a national park. Croft recommended the park should include land from "...Whalebone Inlet to and beyond Cape Lookout, including Shackleford Banks and Fort Macon." He estimated that the cost would be approximately one and a half million dollars for the 82,000 acres.<sup>80</sup>

An additional report by Croft was also favorable to creating a seashore park along the coast of North Carolina. This report was undated, but likely done between 1933 and 1935.<sup>81</sup> The

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<sup>79</sup> Wirth, 192.

<sup>80</sup> Louis Croft, "Progress Report, November 1934: Study for a National Seaside Including Kill Devil Hills, Duck, Hatteras, Cape Lookout, Fort Macon Area," December 3, 1934, CAHA 5417, Box 9, Folder 1, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>81</sup> Secretary of the Interior, Harold L. Ickes, authorized the report and assumed his position in 1933. The report also mentions that grazing was still allowed in the area. Grazing was outlawed in part of the study area in

study analyzed the area from Virginia Beach to Hatteras Inlet and included the Dismal Swamp. Croft favored developing the area for a national park on the basis of a large amount of water to provide fishing and boating opportunities. He felt that the large sounds and isolated beach would be an asset to the NPS. Croft wrote "...water seems to be everywhere— and it is not difficult to imagine, the waves rolling over to the sound—in the writer’s opinion, there is a place in our national park system for a type of topography capable of producing such an experience.”<sup>82</sup>



Fig.6 Potential Park Land, 1930s.  
 (Louis P. Croft, “Study for a National Seashore Park Covering in a General Way the Region From Virginia Beach to Hatteras Island and the Dismal Swamp and Specifically Reporting on the Area From Kitty Hawk to Ocracoke Inlet,” CAHA 5417, Box 9, Folder 8, Early Establishment Records, Fort Raleigh, Manteo, N.C.)

Croft felt that the whole region, from Virginia Beach to Morehead City and including the Dismal Swamp, should be developed into a seashore park because the

“area represents a unit” and it would be difficult to separate one section from another. He believed that some areas should not be included within the proposed national park, including the small fishing villages dotting the island, a development in Kitty Hawk, and the town of Manteo.

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early 1935. “Study for a National Seashore Park Covering in a General Way the Region from Virginia Beach to Hatteras Inlet and the Dismal Swamp,” CAHA 5417, Box 9, Folder 8, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>82</sup> “Study for a National Seashore Park Covering in a General Way the Region from Virginia Beach to Hatteras Inlet and the Dismal Swamp,” CAHA 5417, Box 9, Folder 8, Early Establishment Records, Fort Raleigh, Manteo, N.C.

He was also in favor of acquiring the beach cottages in Kill Devil Hills and removing them. In addition, there were approximately forty families living on Collington Island. Croft recommended that island either be excluded or the people “rehabilitated.”<sup>83</sup>

Unlike the Great Smoky Mountains National Park, the CHNS would not require removal of people from their homes. From the beginning, the NPS was only interested in land outside the villages. To the credit of the NPS, they decided to leave enough property on the outskirts of the communities to allow growth. The NPS felt that the local residents familiarity with the land would be an asset to the new seashore by providing services to tourists.

Croft’s study acknowledged that the NPS was unsure of the best method to categorize or develop a coastal park. He expressed concern that the sounds, especially the Pamlico, were too large for inclusion in a seashore park because they encompassed so much more area than the land. He stated: “This, however, will depend on the developed meaning of a seashore park.”<sup>84</sup> The NPS would have to develop the idea of a national seashore. Much like Yellowstone National Park in its early years, this new type of parkland would prove to be difficult to define and shape.<sup>85</sup>

In addition to Croft’s reports, another report was submitted on December 29, 1934.<sup>86</sup> It estimated that an area of approximately thirty thousand acres, stretching from Hatteras to Kill Devil Hills, could be obtained for \$360,000. It recommended exclusion of the villages from park boundaries. The detailed report favored establishing a “national ocean beach” on the Outer Banks because it was primitive, sparsely developed, had a good climate, had good recreational

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<sup>83</sup> Ibid.

<sup>84</sup> Ibid.

<sup>85</sup> Langdon Smith, "Cape Hatteras: Birth of the National Seashore," *Historical Geography* 35, (June 2007):1.

<sup>86</sup> “Study of a National Seashore Recreation Area,” CAHA 5417, Box 9, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C.

opportunities, and was close to large populations. It reported that the isolation of the area would keep land costs to a minimum and allow for simple land acquisition.<sup>87</sup>

It is possible that Roger W. Toll, Superintendent of Yellowstone National Park, prepared the December 1934 report for CHNS. He had helped with the national shoreline survey that was conducted by the NPS. The completed shoreline report, released in 1935, recommended twelve locations that were appropriate for national seashore status. The Outer Banks was one of the chosen few and became the first national seashore. By 1960, Cape Hatteras National Seashore was the only national seashore to be protected by the NPS, and all but one of the additional eleven sites had been completely developed for commercial and private use.<sup>88</sup>

### **State Involvement In the Outer Banks Seashore**

While the federal government was investigating the possibility of creating a park on the Outer Banks of North Carolina, the state government was also working on preserving the area. Frank Stick had secured a large land donation of over one thousand acres on Hatteras Island to be used as future parkland. The benefactors were the Phipps's family, a wealthy steel family from Pennsylvania. During the Depression, Stick had sold the land to John and Henry Phipps and helped them develop it into a waterfowl-hunting club.<sup>89</sup> On May 3, 1935, the state passed legislation establishing a state park at Cape Hatteras. The intent of this Act was to allow the state of North Carolina to transfer any state-owned lands to the Federal government in the event a

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<sup>87</sup> Ibid.; Binkley attributes this report to Roger Toll, Superintendent of Yellowstone National Park. According to Binkley, Toll offered to evaluate the potential for the Cape Hatteras as a national park. The original report, located in the NPS archives at Fort Raleigh, does not have Toll's name attached to it. Binkley, 13-15.

<sup>88</sup> Binkley, 11; John Bird, "The Wondrous Outer Banks," *Saturday Evening Post*, November 19, 1960, 5.

<sup>89</sup> Smith, *Birth of the National Seashore*, 46; Brinkley, 16; Mordell, 189. Ben Dixon MacNeill, "Hatteras Park Proposal Studied," *The News and Observer*, July 14, 1949.

national park was established on that tract of land.<sup>90</sup> North Carolina had been acquiring land for the Great Smoky Mountains National Park in the previous decade, and recognized the necessity of passing this bill in order to create a national park.

## Erosion Control

The creation of a state park prompted the arrival of federal aid to make improvements to the region. The Civilian Conservation Corps (CCC), part of the New Deal program created under the Roosevelt administration, began work on the Outer Banks. The purpose of the CCC was to make improvements to state and national parks. The CCC of the Outer Banks focused on beach erosion and appeared to make outstanding progress in stabilizing the beach. Not only did the efforts of the CCC seem to provide erosion protection for the homes, but also their work would,



Fig.7 CCC Camp near Buxton, 1940.  
(33GRF-159, Alan Eldridge Collection, Outer Banks History Center, Manteo, N.C., U.S.A.)

<sup>90</sup> State of North Carolina General Assembly, *An Act to Authorize the Transfer or Gift from the State of North Carolina to the Federal Government of Certain Lands to be Acquired Near Cape Hatteras and Along the North Carolina Banks in that Vicinity and to Transfer Other State-Owned Lands for Use as a National Park*, H.B.795, May 7, 1935.

<sup>91</sup> "Promises Being Fulfilled for "Banks" People," *The Dare County Times*, August 9, 1935.

potentially, encourage officials to build roads. *The Dare County Times* reported, "...building up of the beach will shortly make it possible for the State and Federal Governments to build the much needed roads."<sup>91</sup> The Bankers, a



name used for residents of the Outer Banks, did not have a good road system and often had to drive along the beach during low tide. The desire and need for roads on the Outer Banks would later play a significant role in delaying the establishment of Cape Hatteras National Seashore.

The presence of the federal government was well received by local residents. The New Deal program created jobs for locals and provided food for their families.<sup>92</sup> It is reasonable to believe that successful erosion control, attributed to the CCC, helped foster positive feelings toward the federal government. These feelings of goodwill helped contribute to support that was initially shown to the idea of establishing a national park in the Outer Banks.

### **The Lack of National Park Status**

Stick wrote a letter to Associate Director Arthur Demaray, in April of 1935, to discuss the donation and the establishment of Cape Hatteras as a state park. In his letter, Stick also warned him of “several northern men” who were trying to purchase land in the area in hopes that they could resell it to the Federal government at a large profit. Stick encouraged the National Park Service to “act quickly.”<sup>93</sup>

The National Park Service falls under the umbrella of the Department of Interior. Evidently Stick felt that the National Park Service ignored his warning, prompting him to write a letter to Harold L. Ickes, Secretary of the Interior. This letter was similar to the article he had written in 1933, and spelled out the benefits that would result from establishing a national park

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<sup>92</sup> Mary Gray, interview by Amy Glass, *Coastal Voices*, July 28, 1988, Avon, North Carolina, <http://www.carolinacoastalvoices.com>. Ms. Gray’s father was stationed at Little Kinnakeet Lifesaving Station.

<sup>93</sup> Brinkley, 17.

on the Outer Banks. He urged Ickes to “seize the opportunity” while it was still available. Stick’s letter created a strained relationship between him and state politicians.<sup>94</sup>

Senator Josiah W. Bailey reprimanded Stick for not working together with the State and for contacting Ickes without input from the N.C. representatives or the NPS. Despite Stick’s faux pas, a meeting was arranged a few weeks later between Bailey, Representative Lindsay C. Warren, and Ickes to discuss the national park status. Warren encouraged Ickes to include the Outer Banks in the national park system. He emphasized the recreation, scenic, and historic aspects of the area. He also shared with Ickes that land values were low in the area and that it would cost very little to acquire the land. Ickes seemed interested, but was unable to authorize a national park. The meeting with Ickes helped Bailey and Warren realize that creating a national park on the Outer Banks would require an act of Congress.<sup>95</sup>

Up to this point, neither state officials nor the North Carolina Coastal Commission seemed to understand the legislative process involved in establishing a national park. It would be reasonable to have expected NPS officials to explain this to them. It is unclear if this was an intentional act by the NPS or just a lack of communication within their organization.

### **Continued Evaluations by the NPS**

The NPS continued to collect data on the Outer Banks. In August of 1935, Ben Thompson, Personal Assistant to NPS Director Cammerer, was sent to analyze the area. He recommended that the Outer Banks be federally protected, but did not feel it should receive national park status. He recommended creating a new type of federal category, a “National

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<sup>94</sup> Ibid., 19; Stick’s relationship with the NPS was also strained. They felt he shared too much information about the potential park with reporters. They were concerned his information would led to an increase in the price of land in the potential park area. Letter from A. E. Demeray, September 13, 1935, CAHA 5417, Box 6, Folder 6, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>95</sup> Ibid.

Beach.” His recommendation further confused the idea of establishing a park on the Outer Banks. The NPS was unsure of the criteria to include and the course to take in developing a new type of national park.<sup>96</sup> Possibly because of the confusion, the NPS turned their attention away from protecting the Outer Banks for approximately six months. Finally, in the early part of 1936, another study was ordered.

Assistant NPS Director Hillory A. Tolson accompanied a group of NPS representatives, in February 1936, to make an assessment of the area. The representatives included planners and members of the architect team from the Park Service Branch of Plans and Design. Their boundaries were similar to previous reports, but they felt the park needed to be smaller than had been recommended. Tolson’s group agreed the park should end at Ocracoke Island, but felt it should begin near Whalebone Junction, approximately forty-five miles south of the Virginia border. Much different from other conclusions, they felt that the seashore park should include the fishing villages on the island, but the residences should be protected against the “power of eminent domain.” In addition, they prepared a list of ways the land could possibly be acquired. Aside from donations and land transfers, they suggested the federal government purchase the desired land directly using various funding resources.<sup>97</sup> Had the NPS followed these recommendations, the CHNS would have encompassed a larger area of land, at a cost significantly less to the federal government. The authorizing act would be very different from this report.

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<sup>96</sup> Ibid, 20-21; Smith, 45; Wirth, 196-197. It would be almost twenty-five years after Cape Hatteras National Seashore was established before Congress authorized the establishment of another National Seashore, Cape Cod National Seashore.

<sup>97</sup> Hillory A. Tolson, Thomas C. Vint, and Charles E. Peterson, “Notes on the Cape Hatteras National Park Project,” February 16, 1936, CAHA 5417, Box 10, Folder 18, Early Establishment Records, Fort Raleigh, Manteo, N.C.; Langdon Smith, "Cape Hatteras: Birth of the National Seashore," *Historical Geography* 35, (June 2007): 41.

## Congressional Establishment

In June 1936, President Franklin Roosevelt authorized the Beach Improvement Act and the Park, Parkway, and Recreational Area Study Act. Both of these affected the coast of North Carolina. These acts would be pivotal in the passing of legislation to create a national park on the Outer Banks.

Section one of the Beach Improvement Act “provided for Federal assistance in the construction, but not maintenance, of shore improvement and protection projects to prevent coastal erosion in areas where ‘Federal interests’ were involved.”<sup>98</sup> The CCC involvement in erosion control on the islands demonstrated federal interest in the Outer Banks. Although this interest had not been specifically publicized, it was clear that the federal government was considering the Outer Banks for a new type of national park.

The Park, Parkway, and Recreational Act directed the Secretary of the Interior to require the NPS to begin a study that “will provide data helpful in developing a plan for coordinated and adequate public park, parkway, and recreational-area facilities for the people of the United States.”<sup>99</sup> Several studies had already been done on the Outer Banks. The information from those studies would be helpful in developing a plan to establish a national park.

The passage of these two acts encouraged Representative Warren to begin working on a bill for the official creation of a national park on the Outer Banks. Warren completed the first draft of the bill in January of 1937. Working with the National Park Service and seeking advice from Stick, Warren finally submitted the bill which was introduced to the House of Representatives in May. The bill passed through the House and Senate that summer. On August

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<sup>98</sup> “Legislation pertinent to the Water Resources Program of the Corps of Engineers,” Planning Community Tool Box, U.S. Army Corps of Engineers, July 30, 1999, [http://planning.usace.army.mil/toolbox/library/EPs/digest\\_appendixb.pdf](http://planning.usace.army.mil/toolbox/library/EPs/digest_appendixb.pdf).

<sup>99</sup> *An Act to Authorize a Study of the Park, Parkway, and Recreational Area Programs in the United States and for Other Purposes*, 74<sup>th</sup> Cong., 2d sess, (June 23, 1936); Wirth, 196.

17, 1937, President Roosevelt signed the Act for the provision of the creation of the Cape Hatteras National Seashore.<sup>100</sup>

The Act designated the seashore to be composed of approximately one hundred square miles and include the islands of Chicamacomico, Ocracoke, Bodie, Roanoke, and Collington. It stated that the Secretary of the Interior would have the authority to designate the exact boundaries. The authorizing act had a few stipulations: the land had to be donated and could not be purchased by any federal funds; a minimum of 10,000 acres had to be acquired within 10 years or the Secretary of the Interior would have the option of abandoning the project; the residents of the local villages had a right to continue to fish, commercially, within park boundaries; and, except for “swimming, boating, sailing, fishing, and other recreational activities of similar nature ... the said area shall be permanently reserved as a primitive wilderness and no development of the project of plan for the convenience of visitors shall be undertaken which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing in this area.”<sup>101</sup>

Finally, there was a clear commitment, by the federal government, to protect the Outer Banks. Unfortunately, it was just the beginning of a very complicated and frustrating process. It would take another sixteen years before the Cape Hatteras National Seashore was officially a national seashore and over thirty years before all park creation court cases were cleared.

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<sup>100</sup> Brinkley, 33-37. FDR signed the Act on the same day that he left Washington, D.C. to travel to Fort Raleigh for celebration of the 350<sup>th</sup> anniversary of Virginia Dare’s birth.

<sup>101</sup> “Enabling Legislation – Cape Hatteras National Seashore,” Foundation Statement: Cape Hatteras National Seashore, National Park Service: U.S. Department of Interior, September 2011, 43, <http://www.nps.gov/caha/learn/management/upload/CAHA-20Foundation-20Statement-20-9-30-11-20low-res.pdf>.

## Chapter 4

### Land Acquisitions, War, and Oil

The Congressional Act that provided for the establishment of Cape Hatteras National Seashore (CHNS), approved August 17, 1937, was a huge victory in the preservation of the North Carolina coastline, but it was just the beginning in an establishment process that spanned several decades.<sup>102</sup> The timing of the act was significant as the President signed it on the eve of a local historic celebration. On August 18, 1937, President Franklin Delano Roosevelt traveled to Fort Raleigh in Manteo to speak at the anniversary of Virginia Dare's birth. President Roosevelt reportedly asked Senator Lindsay Warren to announce the approved measure, from the platform, during the Virginia Dare celebration.<sup>103</sup>

Within three months NPS architect Harry T. Thompson submitted a report on proposed boundary lines for the new CHNS. Thompson recommended that all land, excluding villages and established real estate developments, from the Kill Devil Hills National Monument (Wright Brothers National Memorial) through Ocracoke Island be included within CHNS. Thompson suggested that Collington Island should not be included in park boundaries as it was extensively settled and, if acquired, would cause "very definite administrative problems- both of control and development." Thompson also advocated that Roanoke Island not be included as part of the CHNS. He felt that it had a place in the national park system, but should be designated as a separate historic site.<sup>104</sup>

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<sup>102</sup> "Enabling Legislation – Cape Hatteras National Seashore," Foundation Statement: Cape Hatteras National Seashore, National Park Service: U.S. Department of Interior, September 2011,43, <http://www.nps.gov/caha/learn/management/upload/CAHA-20Foundation-20Statement-20-9-30-11-20low-res.pdf>.

<sup>103</sup> "Doris Duke Cromwell Named on Park Board," *The News and Observer*, November 14, 1939.

<sup>104</sup> Harry T. Thompson, "Planning and Development Considerations: Preserved in Connection with Recommendations for Boundary Lines for Cape Hatteras National Seashore (Proposed)," November 1, 1937, CAHA 5417, Box 4, Folder 5, Early Establishment Records, Fort Raleigh, Manteo, N.C.

This report contributed to the boundary confusion that plagued the early years of land acquisition. Several studies had been submitted, each with variations of the seashore park boundaries. The NPS was vague in its description of specific boundaries that were to be included within CHNS. This was, surely, an attempt to prevent land speculation and keep land costs from exploding. It may have also been because the NPS was not clear, itself, as to the parcels that should be included in the final park. The entire coast from the Virginia border to Ocracoke, including parts of Currituck, Dare, and Hyde counties, was included in the Authorization Act. The NPS's failure to determine and designate specific boundaries early in the project made for a more complicated land acquisition process. It was difficult to encourage donations if there was no guarantee that the donated land would be part of the final park. This was one of the challenges the state of North Carolina faced as they began the land acquisition process.

### **The Cape Hatteras National Seashore Commission**

In 1939, the North Carolina General Assembly created the North Carolina Cape Hatteras National Seashore Commission. The purpose of this commission was to acquire land and transfer it to the federal government for inclusion in CHNS. The North Carolina General Assembly appropriated twenty thousand dollars. Members of the commission included R. Bruce Etheridge, director of the State Department of Conservation and Development; J.C.B. Ehringhaus, attorney and former Governor of North Carolina; Mrs. J.A. Buchanan, R. Stanley Wahab; Josh L. Horne, Rocky Mount newspaper publisher; Coleman W. Roberts, president of the Carolina Motor Club; Santford Martin, Winston-Salem newspaper editor; Van Campen

Heilner, author; and Doris Duke Cromwell, daughter of a tobacco industrialist.<sup>105</sup> Frank Stick was assigned the position of secretary of the commission.<sup>106</sup>

One early challenge, faced by the commission, was a failure to mention hunting rights of the residents in the original establishment act. Traditionally, national parks did not allow hunting within their boundaries. The push to establish a national seashore on the North Carolina Outer Banks was an attempt to create a new kind of park that provided recreational opportunities in addition to conserving scenic areas. The idea was that the recreational aspect would include



Fig. 8 Hunting for Game, 1945 Cape Hatteras [ULPS SONJ 26700, Standard Oil (New Jersey) Collection, Photographic Archives, University of Louisville, Louisville, Kentucky.]

hunting, fishing, and swimming. Out-of-state residents, who built hunting clubs, owned many of the larger tracts of land. They were less likely to donate land to a project that would not allow hunting privileges.

More important to local residents than hunting for recreational purposes was hunting for their livelihood. Bankers were dependent on fishing and hunting for subsistence. These recreational activities not only provided food for their own

families, they were an additional source of income. Established hunting clubs, largely composed

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<sup>105</sup> “Cromwell Named on Park Board,” *News & Observer*, Nov. 14, 1939

<sup>106</sup> State of North Carolina General Assembly, *An Act to Create a Commission to Be Known as the North Carolina Cape Hatteras Seashore Commission and to Provide for the Acquisition of Lands in the Cape Hatteras Region of North Carolina for National Seashore Purposes and to Authorize the Conveyance of the Same and Other Lands to the United States of America*, March 30, 1939 (Raleigh, N.C.: Presses of The Orange Printshop, Chapel Hill, 1939); Binkley, 60.



of wealthy northern entrepreneurs, hired local residents to guide them during their excursions. To ban hunting within park boundaries would be detrimental to the livelihood of local residents.

This oversight deterred many from donating land to the park.

Representative Lindsey Warren realized the potential negative ramifications and quickly introduced an amendment to the original act. Congress approved an amendment to allow hunting within park boundaries in June 1940. The legislation included a clause to officially re-name the park to Cape Hatteras National Seashore Recreational Area.<sup>107</sup> This was indicative of the perplexity surrounding the definition of a national seashore. The difference between a national park and a national seashore was confusing to many.

A prospectus published by the National Park Service in 1938 and outlining the purpose of the CHNS caused ongoing problems for the CHNS Commission. The report, which stated that approximately sixty-two thousand acres would be included in CHNS, proclaimed that the Currituck, Hatteras, and Ocracoke sections would not be developed, except for administrative purposes. The report endorsed that the area between "...Oregon Inlet and Hatteras Inlet remain in its natural condition without any roads..."<sup>108</sup> The CHNS Commission began to see evidence of a significant amount of opposition to the CHNS because of the NPS desire to prevent a road from being built. The potential denial of easy access to the local villages along the island crippled land procurement.<sup>109</sup> The prospectus also proclaimed that, once the NPS established a formal policy concerning CHNS, no hunting would be allowed.<sup>110</sup> Despite the congressional act

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<sup>107</sup> The NPS only uses the name, Cape Hatteras National Seashore Recreational Area on official documents and correspondence. U.S. Congress, *An Act to Amend the Act entitled "An Act to provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for Other Purposes" approved August 17, 1937 (54 Stat. 702)*, (Washington DC: GPO, June 29, 1940).

<sup>108</sup> "Prospectus of Cape Hatteras National Seashore", March 8, 1938, CAHA5417, Box 1, Folder 4, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>109</sup> Binkley, 61.

<sup>110</sup> Prospectus of Cape Hatteras National Seashore, March 8, 1938.

of 1940 that specifically allowed hunting, opponents would, later, use this statement to promote local opposition to CHNS.

Another major obstacle the CHNS Commission faced was a lack of clear boundaries in land titles. The CHNS was, initially, to be formed from three counties, Hyde, Dare, and Currituck. Hyde County had a courthouse fire in the early 1800s that destroyed many of their records. Dare County had been partially formed from Hyde County in 1870.<sup>111</sup> In addition to these complications, many of the boundary landmarks had been lost to erosion.<sup>112</sup> Multiple deeds gave shipwrecks as points to mark boundaries. Shifting sands moved shipwrecks,



Fig. 9 A Hurricane Wrecked the *G.A. Kohler* in 1933. (“Report on Recommendations for Boundaries of the Cape Hatteras National Seashore,” December 1937, CAHA 5417, Box 1, Folder 3, Early Establishment Records, Fort Raleigh, Manteo, N.C.)

however, and often covered them.

In 1939, Stick traveled to Washington, D.C. to meet with Wirth, Assistant Director of NPS and supervisor of the CCC, about the dire need for clear land titles. Wirth reportedly provided an automobile, equipment, and workers to help with the survey projects. He also allowed the surveyors to have

access to all necessary CCC camp facilities.<sup>113</sup>

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<sup>111</sup> “Rooted in Yesteryear, Growing Towards Tomorrow: A Brief History of Hyde County,” Welcome to Hyde County, [http://www.hydecourtync.gov/county\\_attractions/hyde\\_history.php](http://www.hydecourtync.gov/county_attractions/hyde_history.php).

<sup>112</sup> Binkley, 49.

<sup>113</sup> Letter to Bruce Etheridge, June 10, 1940, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.; Letter to Bruce Etheridge (Rough Draft), 1939, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

Stick was critical of the role that local attorneys played in real estate transactions and their lack of research. In a letter to Etheridge, Director of the N.C. Department of Conservation & Development, May 4, 1940, Stick wrote:

I am shocked to discover how lax some of our reputable attorneys have been in their title searches. No survey which might be considered even reasonably correct has ever been made of the Eldredge lands [potential acquisition land] and I defy anyone to show me the correct boundaries of more than three of the 16 parcels [additional potential acquisition land]. The platting of these lands, alone, to put it poetically, is one hell of a job...<sup>114</sup>

Unfortunately, this was a problem that would be a theme throughout the entire process. Sorting correct boundaries for titles was time consuming and delayed progress. The federal government would not accept land that had flawed titles. They wanted all deeds to be cleared, going back eighty years.<sup>115</sup>

### **Contradictions and Conflicts**

Stick continued to be optimistic about acquiring the necessary land, despite these obstacles and the ten-year time limit stipulated by the 1937 Act. In a letter to Etheridge, dated May 16, 1940, Stick wrote, "I can assure you, unless I am held up by legislative and legal matters, the entire 10,000 acres and more will be in our possession well before the end of this year."<sup>116</sup>

In this same letter, he stated that there was a need for a "considerable amount" of engineering and survey work on the potential properties; and he emphasized the need for defining titles to the land. According to Stick, "In the approximately 11,000 acres of land which I have listed as procurable property, without cost to the state, outside of approximately 2400 acres,

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<sup>114</sup> Letter to Bruce Etheridge, May 4, 1940, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>115</sup> "Fort Raleigh Site to be Enlarged by 500-Acre Addition," *The Dare County Times*, June 2, 1944.

<sup>116</sup> Letter to Bruce Etheridge, May 16, 1940, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

every foot of it must be surveyed and properly located and platted before it is accepted by the state.”<sup>117</sup> Two days later, Stick wrote Etheridge and offered to forfeit his salary to use toward surveying projects. Stick also emphasized the importance of quickly beginning this work, stating, “delay is dangerous, from many angles.”<sup>118</sup>

Evidently, as of 1940, the state had not begun the process of surveying park boundaries in order to clear titles. The NPS had offered use of their equipment and facilities. Stick had offered to forfeit his salary and he had hired an engineer, L. D. Murphy, to help plot the land. He had at least sixteen potential tracts to include in CHNS.<sup>119</sup> It is a mystery as to why the CHNS Commission had not been more active.

Clues can be found in correspondence between Etheridge and Stick. There seemed to be some indication that the members did not respond to their commission responsibilities in a timely manner. Etheridge recommended that an executive committee be formed from the CHNS Commission. Stick thought it was a good idea “provided this committee is made up of members who may be quickly contacted.”<sup>120</sup>

The CHNS Commission met on April 29, 1941, with NPS officials to discuss the lack of land acquisition to this point. Frank Stick was not present at this meeting and had indicated that he may resign his position as Secretary. According to his son, David, Stick resigned because “all the basic elements of the park plan [were] in operation, and most of the continuing responsibility assumed by the government agencies, his enthusiasm for the land acquisition role diminished.”<sup>121</sup>

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<sup>117</sup> Ibid.

<sup>118</sup> Letter to Bruce Etheridge, May 18, 1940, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>119</sup> Notes to Bruce Etheridge, 1939, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>120</sup> Letter to Bruce Etheridge, May 4, 1940, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>121</sup> David Stick Narratives, 33MSS-35-9, Outer Banks History Center, Manteo, N.C., U.S.A., 11.

Associate Director of the NPS Conrad Wirth expressed concern that the Secretary of the Interior would likely withdraw from the venture if the CHNS Commission did not become more effective. Members responded to Wirth's reprimand by blaming Stick for the lack of progress. Other than the original one thousand acres, very little land had been obtained for the CHNS project. The Commission appointed Victor Meekins, Sheriff of Dare County and editor of *The Dare County Times*, to replace Stick as Secretary.<sup>122</sup>

This meeting seemed to encourage the NPS to authorize yet another study. This evaluation would analyze the availability of property in the proposed boundaries. A detailed report was submitted June 19, 1941, and included names of landowners, the amount of acreage owned, and the total value. Notations were also included for some of the tracts, indicating those owners who would possibly donate land. The surveyed area encompassed forty-five thousand acres of land, and it was estimated that the total cost would be \$650,000. Myers stated that it would be possible to acquire the same acreage for \$350,000, if the CHNS Commission would become more active. Myers acknowledged that considerable time would be needed to clear land titles because they were in such poor shape.<sup>123</sup>

The report was very critical of the CHNS Commission members. Myers accused them of giving "little time or attention" to the CHNS project and stated, "...practically nothing is being accomplished towards its fulfillment." He also accused one of their representatives of unethically trying to obtain options on some of the land with the intention of reselling it, at inflated prices, to the CHNS Commission. Myers stated that there is a "strong local sentiment in

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<sup>122</sup> Binkley, 61-62.

<sup>123</sup> "Report on the Proposed Cape Hatteras National Seashore Recreational Area", June 19, 1941, CAHA 5417, Box 2, Folder 5, Early Establishment Records, Fort Raleigh, Manteo, N.C.

favor of the establishment of the project,” despite the negative feelings toward the CHNS Commission.<sup>124</sup>

Whether it was the negative NPS report or the influence of Victor Meekins, the CHNS Commission began to make progress. An article in the September 10, 1941 issue of the *Raleigh News and Observer* recorded the first tract of land that had been donated in Dare County. The land, donated by Miles L. Clark, an oilman from Elizabeth City, was oceanfront property near Cape Hatteras. The article acknowledged that land had previously been donated in Hyde County, near Ocracoke. This gift in Dare County contributed to nearly four thousand acres that had been pledged to the Seashore Park.<sup>125</sup> Another six thousand acres was needed before August 1947, in order to meet the minimum requirement stipulated in the Establishment Act.

Statistically, it seemed reasonable to expect the CHNS Commission to acquire the additional six thousand acres within six years. The Commission had averaged one thousand acres a year within the first four years and many members of the Commission had donated personal tracts as well. The April meeting had reinvigorated the Commission’s commitment and they now seemed committed to assuring that the minimum would be met. Secretary Meekins stated, “It is a source of satisfaction that contributions are coming, first of all, from commission members themselves, which indicates the enthusiasm and strength necessary for the successful work of any group.”<sup>126</sup>

The work of the CHNS, under the leadership of Meekins, prompted the NPS to print a brief summary of the CHNS Project to distribute to the public. It was titled, “Questions and Answers Concerning The Cape Hatteras National Seashore Recreational Area Project: North

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<sup>124</sup> Ibid.

<sup>125</sup> “First Dare Deed Listed For Park,” *The News and Observer*, September 10, 1941. The land donated by the Phipps family several years before was, technically, the first Dare County land donated for park purposes. It was used as the core of the Cape Hatteras State Park.

<sup>126</sup> Ibid.

Carolina,” and consisted of several basic details that outlined the project. It listed the boundaries, with some exclusions, as extending from slightly north of Currituck Lighthouse through Ocracoke Island; including Collington Island and Roanoke Island. It reassured Bankers that hunting and fishing would be allowed and reiterated the stipulations of the Authorizing Act. The summary was vague about road construction, though, and could easily be interpreted in various ways. It stated, “the major portion of the area will be permanently preserved as a primitive wilderness and no development will be undertaken.” In contradiction, it stated in another section, “it is recognized that it may be necessary to construct roads, even in otherwise undeveloped areas, if the public need and safety requires them. But definite plans in this respect cannot be formulated until the land has actually been acquired.”<sup>127</sup> It was clear that the NPS was open-minded about road construction, but the contradictory language would later fuel opposition to the CHNS project.

The enthusiasm of the CHNS Commission would soon face another challenge. Less than two months after the *News and Observer* article, the United States was attacked and drawn into world war. World War II had a profound affect on the lives of Bankers and the land that was to be CHNS.

## **World War II**

David Stick, Outer Banks historian, argued that residents on the coast of North Carolina, during the first six months of 1942 were closer to war than most of the soldiers serving overseas.<sup>128</sup> The large number of ships destroyed by German submarines (known as U-boats) off

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<sup>127</sup> “Questions and Answers Concerning The Cape Hatteras National Seashore Recreational Area Project: North Carolina,” 1941, CAHA 5417, Box 10, Folder 15, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>128</sup> David Stick, *Graveyard of the Atlantic: Shipwrecks of the North Carolina Coast* (Chapel Hill: University of North Carolina Press, 1952), 228.

the coast during this time supported his argument. According to a book Stick wrote in 1950, during the first four months of 1942, more than seventy ships were sunk. The area became known as “Torpedo Junction.”<sup>129</sup>

The first recorded sinking was a Standard Oil tanker, the *Allan Jackson*. It was travelling approximately sixty miles off Cape Hatteras on January 18, 1942, when the Germans attacked it. It was hit with two torpedoes that caused massive flames, feeding off the oil that had been spilled from the tanker. The crew struggled to escape the sinking ship and the sea of fire. Twenty-two lives were lost.<sup>130</sup> Three more ships were attacked within a few hours.

Bankers felt the explosions from the ships and could see the flames from shore. This was not a new phenomenon for local residents, as many of them remembered similar events occurring during World War I. They knew what to do and knew what to expect. Crews from lifesaving stations launched surfboats into frigid water to rescue survivors. Locals prepared their homes to temporarily house wounded and traumatized sailors. They knew that soon the bodies of those who did not survive would wash onto shore.<sup>131</sup>

In a rare newspaper article, the story of this first wave of German submarine attacks, christened “The Battle of Diamond Shoals,” was reported four days after the event. The *News and Observer* article stated that the submarines had travelled to the coast of Virginia in an attempt to sink the ship that was carrying British Prime Minister Winston Churchill. Churchill had been in Washington, D.C. to attend a conference and he sailed from Hampton Roads, Virginia, to return to England. According to the piece, once it was reported that Churchill had arrived in London, the submarines turned to the coast of North Carolina and began to attack

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<sup>129</sup> Paul Branch and Daniel W. Barefoot, “Submarine Attacks,” in *Encyclopedia of North Carolina*, ed. William S. Powell, (Chapel Hill: University of North Carolina Press, 2006), 1089-1090.

<sup>130</sup> Stick, *Graveyard of the Atlantic*, 229-230.

<sup>131</sup> Ben Dixon MacNeill, “Battle of Diamond Shoals Shattered Quiet of Outer Banks.” *The News and Observer*, January 23, 1942.



commercial vessels. The military responded to the attacks with “grim retaliation,” until the U-boats no longer seemed to be a threat to the coast. According to the article, “From here it looks as if the Battle of the Diamonds had been won and the lurking menace of the submarines that came across to get Winston Churchill and failing that, tarried to devastate commerce, has been ended.”<sup>132</sup>

Actually, it was just the beginning. According to reports, approximately 397 merchant vessels were destroyed off the Atlantic coast during World War II and nearly five thousand lives were lost.<sup>133</sup> Historian David Stick reported that the North Carolina Coast saw eighty-seven



Fig. 10 The *Dixie Arrow* was attacked near Cape Hatteras in 1942. (“Torpedo Junction – History and Culture,” Learn About the Park: Cape Hatteras National Seashore, National Park Service: U.S. Department of Interior, December 1, 2015, [http://www.nps.gov/articles/wwii\\_caha\\_torpedo\\_junction.htm](http://www.nps.gov/articles/wwii_caha_torpedo_junction.htm))

vessels destroyed and nearly a thousand lives lost.<sup>134</sup> Over 90 percent of ships lost during the first six months of 1942 off the Outer Banks coast were a result of U-boat attacks and mines planted by the Germans.<sup>135</sup> In late April 1945, just a few weeks before the German surrender, a submarine torpedoed a Norwegian ship off the coast.<sup>136</sup> The threat of the enemy was present

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<sup>132</sup> Ibid.

<sup>133</sup> “Torpedo Junction – History and Culture,” Learn About the Park: Cape Hatteras National Seashore, National Park Service: U.S. Department of Interior, December 1, 2015, [http://www.nps.gov/articles/wwii\\_caha\\_torpedo\\_junction.htm](http://www.nps.gov/articles/wwii_caha_torpedo_junction.htm)

<sup>134</sup> Stick, *Graveyard of the Atlantic*, 239; and “Ships Sunk Off Coast of Carolina Almost Up to Surrender Day,” *The Dare County Times*, May 11, 1945.

<sup>135</sup> Branch and Barefoot, “Submarine Attacks,” *Encyclopedia of North Carolina*, 1089.

<sup>136</sup> “Ships Sunk Off Coast of Carolina Almost Up to Surrender Day,” *The Dare County Times*, May 11, 1945.

along the Outer Banks throughout the entire war.

One particular incident was especially heart wrenching for Bankers. A submarine sank the *Caribsea*, southeast of Cape Lookout, on March 11, 1942.<sup>137</sup> Ocracoke native James Baughm Gaskill, twenty years old, was on board when the *Caribsea* sank. He was lost at sea, but debris from the ship washed ashore onto Ocracoke. Gaskill's cousin discovered Gaskill's framed license amid the wreckage. Later the *Caribsea* nameplate was found washed ashore at the family's dock. A cross was made from the timber of the ship wreckage and placed on the altar of Ocracoke Methodist Church, where it remains today.<sup>138</sup>

The close proximity to which Bankers experienced the war affected their daily lives. The possibility of a direct attack on coastal lands remained a constant threat. A local newspaper article announcing a blackout test reported, "Officials tell us there is a definite potential of enemy airplanes raiding the North Carolina coast, in which event a blackout would be necessary, and its success vital in foiling the efforts of the pilots in doing damage."<sup>139</sup> Another newspaper article suggested the possibility of German submarine crews coming ashore to capture a Coast Guard station or firing on the town of Manteo.<sup>140</sup> The isolation once experienced by Bankers was replaced with an excitement that was mixed with fear.

Several audio and video interviews exist of residents who experienced the horror and drama of having a front row seat to World War II. In a 2002 interview, Gibb Gray, a lifetime resident, shared one of his frequent encounters with war as a teenager living on the Outer Banks:

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<sup>137</sup> Stick, *Graveyard of the Atlantic*, 234.

<sup>138</sup> Thurston Gaskill, interviewed by Amy Glass, *Coastal Voices*, July 19, 1988, Ocracoke, North Carolina, <http://www.carolinacoastalvoices.com>; and "Jim Baughm," *Ocracoke Island Journal*, (August 28, 2015), [http://villagecraftsmen.blogspot.com/2015\\_08\\_01\\_archive.html](http://villagecraftsmen.blogspot.com/2015_08_01_archive.html) (accessed November 28, 2015). James Baughm Gaskill was the youngest brother of Thurston Gaskill.

<sup>139</sup> "North Carolina Plans Giant Test Blackout for Tuesday Evening," *The Dare County Times*, September 25, 1942.

<sup>140</sup> Ben Dixon MacNeill, "Battle of Diamond Shoals Shattered Quiet of Outer Banks." *The News and Observer*, January 23, 1942.

Another time on the way to school we saw all these bodies of young men. The school got lashed with another violent explosion. And looking down towards the lighthouse, we saw the smoke, the black smoke boiling up. That was the Dixie Arrow. We skipped school that day. We just didn't want to go that day. It was an exciting time that happened all of a sudden, with the war right at our doorstep. It was worse than Pearl Harbor. We ran up to Big Kinnakeet Station and we saw an airplane heading down that way, and about that time they were backing the lifeboats down into the water to go out and help.<sup>141</sup>

Antisubmarine defenses were quickly developed to fight the U-boats. Patrolling blimps, British trawlers, sheltered moorings, and encouraging vessels to travel in convoys helped reduce the effectiveness of German submarines.<sup>142</sup> In addition, a Civil Air Patrol (CAP) base was established in Manteo in July 1942 to help search for lurking submarines.<sup>143</sup>

Coastal residents were also subject to the same war restrictions that affected most Americans. Bankers rationed supplies, collected scrap metal, and participated in black-outs. Their contribution to the war effort challenged their way of life in much the same way as in other parts of rural America. Those on the Outer Banks, though, had seen bloodshed from their front porch and were well aware of the importance of fighting war on the home front.

### **CHNS Commission's Continued Efforts**

The CHNS Commission continued to make progress during the early 1940s, despite wartime challenges. NPS Regional Director Thomas J. Allen wrote Meekins in July of 1944 and asked him to, "Please express our appreciation to the members of the North Carolina Cape Hatteras Seashore Commission for the persistent manner in which this project is being pursued under present difficult circumstances."<sup>144</sup> A large part of their continued productivity can be

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<sup>141</sup> Gibb Gray, interviewed by Susan West, *Coastal Voices*, May 16, 2002, Avon, North Carolina, <http://www.carolinacoastalvoices.com>.

<sup>142</sup> Branch and Barefoot, "Submarine Attacks, *Encyclopedia of North Carolina*, 1090.

<sup>143</sup> "Manteo CAP Celebrates Its First Birthday," *The Dare County Times*, July 30, 1943.

<sup>144</sup> Thomas J. Allen, Regional Director, NPS, to Victor Meekins, letter, July 3, 1944, CAHA 5417, Box 9, Folder 12, Early Establishment Records, Fort Raleigh, Manteo, N.C.

attributed to Victor Meekins and his ability to gain support for the CHNS project. Secretary Meekins printed frequent editorials in his paper, *The Dare County Times*, educating residents about the CHNS project and encouraging them to support it through land donations.

*The Dare County Times* was likely the main source of information Bankers received regarding the park project. Meekins stated that the park would encompass 125 miles of coastal land, a total of sixty-two thousand acres, and would be carved from three counties: Currituck, Dare, and Hyde. He also shared that the majority of land donations to that point had come from wealthy northern landowners.<sup>145</sup> Reference to northern benefactors may have been reported to appeal to a sense of southern pride and encourage locals to increase their donations.

According to Meekins, establishing the Seashore would bring road improvements throughout the area and a significant amount of tourism.<sup>146</sup> The increased tourism would counteract a decrease in the wildfowl hunting guide business and declining commercial fisheries.<sup>147</sup> He also encouraged support from a patriotic standpoint, stating that the Commission was working hard to get the park established before the end of the war. Meekins reasoned,

...because there will be needed as never before, places of health, and rest, and sanctuary for crippled and wounded and war weary boys of our own, who must repair to the seashore or the mountains to heal their broken bodies, to compose their weary minds, and to ease their burdened hearts.<sup>148</sup>

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<sup>145</sup> “Seashore Park Offers Promise of Post War Prosperity for Coast,” *The Dare County Times*, January 29, 1943

<sup>146</sup> “There is a Lot of Fun in Begging Folks for Land for Sea Shore Park,” *The Dare County Times*, December 18, 1942.

<sup>147</sup> “Seashore Park Offers Promise of Post War Prosperity for Coast,” *The Dare County Times*, January 29, 1943.

<sup>148</sup> Ibid.

Meekins was optimistic that the 10,000 acres minimum would be acquired by early 1942.<sup>149</sup> It did not happen; however, the Commission continued to make progress. They had acquired 2,500 acres by January 1942. There were also indications that there was an anonymous donor that would help finance additional land purchases.<sup>150</sup>

One significantly productive meeting of the Executive Committee of the CHNS Commission was held September 9, 1943, in Raleigh. At this meeting, the Commission reviewed three detailed reports of lands in the vicinity of Fort Raleigh, Bodie Island, and North Cape Hatteras. The Executive Committee approved negotiations for the purchase of forty-seven specific tracts of land that totaled over fifty-five hundred acres.<sup>151</sup>

In the early summer of 1944, the Commission began legal proceedings to acquire approximately five hundred acres in Manteo, near Fort Raleigh. The Commission was able to negotiate with most of the landowners, but some asked for higher prices than the Commission was willing to pay. The State of North Carolina planned to acquire this land, despite failed negotiations, through the use of eminent domain. Meekins reported in *The Dare County Times* that the State intended to bring condemnation proceedings against all tracts of land donated to the Seashore project, but this should not be seen as a negative reflection of all landowners. The purpose was to make titles flawless and correct any mistakes made in the deed recordings within the last eighty years. The Federal Government would not accept any land that had questionable boundaries.<sup>152</sup>

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<sup>149</sup> Letter to Ben Dixon MacNeill, October 8, 1941, D. Victor Meekins Unprocessed Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>150</sup> Letter to Members of the Cape Hatteras National Seashore Commission, January 15, 1942, D. Victor Meekins Unprocessed Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>151</sup> "Meeting of the Executive Committee of the North Carolina Cape Hatteras National Seashore Commission, September 9, 1943, Correspondence and Meeting Minutes, CAHA5417, Box 4, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>152</sup> "Fort Raleigh Site to be Enlarged by 500-Acre Addition," *The Dare County Times*, June 2, 1944.

The NPS was encouraged by additional acreage added to the fifty-five hundred acres approved at the September 1943 meeting. In a letter to Secretary Meekins, Thomas Allen, Regional Director of the NPS, made reference to the “six or seven thousand acres of land on Hatteras Island and Bodie Island...” and “all the needed lands on Roanoke Island.” Allen encouraged Meekins to act quickly to complete the purchase as land values were rapidly changing. Allen also stated that it was close to the end of the legal time limit to acquire the minimum amount of land and it was likely that the CHNS Commission would be forced to request an extension of time from Congress. If the Commission hoped to receive an extension, they had to show they were making progress.<sup>153</sup>

An obstacle in the Fort Raleigh land acquisition process added additional anxiety to the time-limited Commission and signaled an end to their progress. A local realtor, W.J. Griffin, led a group of opponents in filing a motion blocking the land condemnation proceedings. Griffin owned eight acres near Fort Raleigh that was included in the condemnation proceedings. The tax value on his land was \$180, but he asked the State to pay him \$26,400.<sup>154</sup> Griffin and his co-complainants increased their selling price in mid-summer of 1944 when several oil companies began investigating the possibility of oil exploration on the coast of North Carolina.<sup>155</sup> Judge C. Everette Thompson ruled in favor of the State of North Carolina in January 1945. Griffin’s attorneys appealed the decision to the North Carolina State Supreme Court.<sup>156</sup> Before the State

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<sup>153</sup> Letter to D.V. Meekins, August 14, 1944, Correspondence and Meeting Minutes, CAHA5417, Box 4, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>154</sup> “Seashore Park Foes Get More Time to Answer,” *The Dare County Times*, November 24, 1944.

<sup>155</sup> “Judge Thompson Rules State May Take Land For Use of the Public,” *The Dare County Times*, January 19, 1945.

<sup>156</sup> *Ibid.*

Supreme Court case could be heard, a bill was passed in the North Carolina General Assembly that brought the work of the CHNS Commission to an abrupt halt.<sup>157</sup>

### **Oil Exploration Stops Progress**

Theodore Meekins, representative to the North Carolina General Assembly, introduced a bill in 1945 to postpone land acquisition for two years with an option to extend postponement on a year-to-year basis. The reason given was to allow for the exploration of oil on the Outer Banks. The General Assembly ratified it on March 19, 1945.

Theodore Meekins was an influential Dare County resident who had been hired by Standard Oil of New Jersey to obtain leases for them on the Outer Banks.<sup>158</sup> He was also a business partner with R. Bruce Etheridge, North Carolina Director of Conservation and Development and ex officio member of the CHNS Commission.<sup>159</sup> Not only was there a potential conflict of interest because of his business association with Etheridge, Theodore Meekins had previously been the easement agent for the NPS and later was hired by the NPS to estimate land values for the park.<sup>160</sup>

In the summer of 1944, the NPS learned that two oil companies were beginning to lease land within the proposed park boundaries.<sup>161</sup> Wirth wrote Etheridge in the fall of 1944 to ask for

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<sup>157</sup> Binkley, 70.

<sup>158</sup> "Oil Man Seeking Leases to Lands on Coast; Say 10,000 Ft. Well Promise," *The Dare County Times*, July 28, 1944.

<sup>159</sup> David Stick, "Etheridge, Robert Bruce," in *Dictionary of North Carolina Biography*, ed. William S. Powell, (Chapel Hill: University of North Carolina Press, 2000), 166-167.

<sup>160</sup> Letter to Thomas J. Allen, April 17, 1945, D. Victor Meekins Unprocessed Papers, Outer Banks History Center, Manteo, N.C., U.S.A..

<sup>161</sup> Thomas J. Allen, Regional Director, NPS, to Director of NPS, memorandum, August 15, 1944, CAHA 5417, Box 5, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C.

information about the oil exploration rumors.<sup>162</sup> Etheridge responded that the rumors were true and that the potential for oil had increased land values. He revealed that CHNS Commission members, including himself, had often felt discouraged throughout the acquisition process. He reassured Wirth by writing, “but this is not to be construed at all to convey to you that we are ready to quit- we are not. It so often happens that the most desired things in life require the greatest effort.”<sup>163</sup>

Within six months, Etheridge’s business partner had authored legislation to stop the land acquisition program. Perhaps even more disturbing than Etheridge’s connection to the legislation was the indication that the entire CHNS Commission supported the legislation. North Carolina Senate Bill 409 includes:

WHEREAS, it has been brought to the attention of the North Carolina Cape Hatteras Seashore Commission that there is a possibility of the discovery of oil and gas in commercial quantities in the area in which the commission has been laboring to establish Cape Hatteras National Seashore; and

WHEREAS, this possibility has been presented to the Commission, through petitions and otherwise, as an urgent reason for delaying steps to acquire the lands necessary for the establishment of said park; and

WHEREAS, the members of the commission feel that the citizens and landowners in the area involved should not be deprived of the possibilities of realization of the benefits from the discovery of oil and gas in commercial quantities and that, under the circumstances, the work of acquiring said lands by gift, purchase or condemnation should be delayed for a reasonable time pending the determination of this possibility.<sup>164</sup>

The NPS was surprised by the bill and had no knowledge that it existed until after it had passed. Allen asked Etheridge if the CHNS Commission encouraged the legislation or if it was the work of oil interests. He also asked if it was “a direct attempt to cancel the efforts toward

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<sup>162</sup> Conrad L. Wirth to R. Bruce Etheridge, letter, October 9, 1944, CAHA 5417, Box 5, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>163</sup> R. Bruce Etheridge to Conrad L. Wirth, letter, October 17, 1944, CAHA 5417, Box 5, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>164</sup> State of North Carolina General Assembly, *An Act to Authorize the North Carolina Cape Hatteras Seashore Commission to Postpone the Acquisition By Purchase and Condemnation of Lands Within the National Seashore Area and to Discontinue Pending Condemnation Proceedings Without Prejudice to Their Renewal, And for Other Purposes.*, S.B.409, March 19, 1945.



establishment of a national seashore.”<sup>165</sup> The state had until August 1947 to acquire ten thousand acres of land and transfer it to the NPS. Senate Bill 409 prohibited the CHNS Commission from acquiring any additional land until March 1947. This legislation indicated that a national seashore was no longer a priority to the State of North Carolina.

Victor Meekins resigned as secretary of CHNS Commission shortly after the bill was passed.<sup>166</sup> He had written Etheridge the previous November because he was discouraged by all of the “legal red tape” and felt that there was little else he could do for the project. He sent a copy of the letter to some members of the CHNS Commission.<sup>167</sup> An article in *The Dare County Times* was indicative of his frustration with the delaying act and hinted that the entire Commission may not have been supportive of the bill. The article indicates that some landowners preferred a little money, and the slight prospect of oil that might be found rather than the establishment of the first national seashore. The article ends by stating, “Back in the days when times were hard, there was unanimous welcome for the project which would have given these three N.C. counties the first Seashore National Park in America. But war prosperity and hopes of finding oil has changed the minds of many.”<sup>168</sup>

Representative Herbert Bonner, Warren’s replacement in the United States House of Representatives, introduced a bill, H.R. 3028, to extend the amount of time for North Carolina to acquire the minimum amount of land from ten years to fifteen years. The Committee on Public Lands held a hearing on October 4, 1945. During this hearing, World War II was the sole reason

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<sup>165</sup> Thomas J. Allen to R. Bruce Etheridge, letter, April 12, 1945, CAHA 5417, Box 5, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>166</sup> Binkley, 71.

<sup>167</sup> Letter to R. Bruce Etheridge, November 13, 1944, D. Victor Meekins Unprocessed Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>168</sup> “Dare Takes Oil Prospects for National Park,” *The Dare County Times*, March 23, 1945.

given for the delay. Nothing was mentioned about oil exploration.<sup>169</sup> The Committee approved the bill, and, on March 6, 1946, Congress granted the state an additional five years to acquire land for CHNS. The new deadline was August 17, 1952.<sup>170</sup> If ten thousand acres could not be obtained by this date, the Secretary of the Interior would have the option to abandon the project.

The first oil well was dug on land owned by the state of North Carolina and located approximately sixteen hundred feet from Cape Hatteras Lighthouse.<sup>171</sup> A dedication ceremony was held on October 2, 1945, and drilling began December 1, 1945.<sup>172</sup> The presence of the oil company on the island

brought economic benefits.

Islanders earned money by leasing their land and the company employed many of them to work at the oil site.

Approximately twenty technicians came to the island with the equipment and additional men were hired from local



Fig. 11 Drilling for Oil on Hatteras Island.  
[ULPA SONJ 30750, Standard Oil (New Jersey) Collection, Photographic Archives, University of Louisville, Louisville, Kentucky.]

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<sup>169</sup> U.S. Congress, Committee on Public Lands. *An Act to Amend the Act of August 17, 1937, as amended relating to the establishment of the Cape Hatteras National Seashore Recreational Areas in the State of North Carolina* (50 Stat. 669). (Washington DC: GPO, October 4, 1945).

<sup>170</sup> U.S. Congress, *An Act to Amend the Act of August 17, 1937, as amended relating to the establishment of the Cape Hatteras National Seashore Recreational Areas in the State of North Carolina* (50 Stat. 669), (Washington DC: GPO, March 6, 1946).

<sup>171</sup> "Oil Drilling Operations Planned on Outer Banks," *The News and Observer*, October 3, 1945; Irene Nolan, "The Story of Esso No. 1." *The Island Breeze*, July 1999, 18.

<sup>172</sup> Nolan, *Esso No. 1*, 18.

communities.<sup>173</sup> Standard Oil reported that the islanders “displayed an unusual aptitude for this work.” Crediting it to the fact that they were seamen, ex-Coastguardsmen, and fishermen, Standard Oil praised the local workers, stating, “They were good riggers, an essential for a good roughneck. They were physically fit, willing to work and above average in intelligence.”<sup>174</sup>

The lack of a road to Hatteras made it difficult to transport the large equipment to the site. The equipment was shipped from Oklahoma by railroad and placed on a barge in Elizabeth City.<sup>175</sup> It traveled through the Albemarle Sound and Pamlico Sound to a channel dug specifically for Standard Oil. The equipment arrived at a dock, also constructed specifically for



Fig. 12 Examining Cores, 1945, Hatteras Island.  
[ULPA SONJ 31865, Standard Oil (New Jersey) Collection, Photographic Archives, University of Louisville, Louisville, Kentucky.]

Standard Oil, north of Cape Hatteras in the Buxton community. From there it was carried to the drilling site, across the sand by tractors.<sup>176</sup> Local resident Gibb Gray of Avon recalled, “They had two great big diesel engines. They worked night and day. You could here the engines running from here [approximately fifteen miles from the oil site] on a calm night.”<sup>177</sup>

Standard Oil drilled seven days a week, twenty-four hours each day for seven months. Drilling stopped on July 9, 1946, when it hit a granite layer, over ten thousand feet deep. No oil was found.<sup>178</sup> Standard Oil moved from the

<sup>173</sup> “Oil Drilling Operations Planned on Outer Banks,” *The News and Observer*, October 3, 1945.

<sup>174</sup> Nolan, *Esso* No. 1, 19.

<sup>175</sup> “Oil Drilling Operations Planned on Outer Banks,” *The News and Observer*, October 3, 1945.

<sup>176</sup> *Ibid.*

<sup>177</sup> Gibb Gray, interviewed by Susan West, *Coastal Voices*, May 16, 2002, Avon, North Carolina, <http://www.carolinacoastalvoices.com>.

Hatteras site and dug a well in the Pamlico Sound. This was unsuccessful in finding oil as well. By June 1947, Standard Oil had left the state of North Carolina.<sup>179</sup>

Unfortunately, the General Assembly had already approved postponement of land acquisition by the CHNS Commission for an additional two years. The State of North Carolina could not reactivate the CHNS Commission until March of 1949. Efforts to create the nation's first national seashore would again be delayed.

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<sup>178</sup> Nolan, *Esso No. 1*, 18-19.

<sup>179</sup> Ben Dixon MacNeill, "Oil Prospectors Discover Lots of Things but no Oil," *The News and Observer*, June 8, 1947.

## Chapter 5

### The National Park Service Assumes Authority

The delay of land acquisition, in hopes of discovering oil, forced the NPS to make significant changes to park boundaries. The four years of inactivity saw land values increase along the coast, specifically in the northern part of the Outer Banks. During the spring of 1946, two large hotels and thirty-two cottages were built along the beaches of Kitty Hawk and Nags Head.<sup>180</sup> By 1948, the Nags Head area had eleven hotels and hundreds of cottages. The influx of tourists supported dance halls, cafes, fishing piers, and party boats.<sup>181</sup> The increase in structures and commercialization prevented the CHNS Commission from acquiring land in this area. The NPS later decreased the total park to thirty thousand acres. Currituck County and the northern part of Dare County would no longer be included in the final project. CHNS would begin on Bodie Island and extend south to Ocracoke.<sup>182</sup>

Despite a state bill prohibiting the CHNS Commission from pursuing land for the CHNS, the federal government remained interested in establishing the seashore. In 1948, Assistant Secretary C. Girard Davidson wrote a response to the author of a magazine article about the Cape Hatteras area. He wrote that he hoped to include in the seashore area more than the minimum of ten thousand acres required, as the Secretary of the Interior was authorized to accept up to one hundred square miles of land. Davidson admitted that he was unsure of the present land status because of the “temporary curtailment in the Cape Hatteras land acquisition program due to oil exploration.”<sup>183</sup>

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<sup>180</sup> “Building Boom Begun in Dare Resort Area,” *The News and Observer*, May 12, 1946.

<sup>181</sup> “Roads Mighty Important to Dare,” *The News and Observer*, May 23, 1948.

<sup>182</sup> David Stick, “Hatteras National Seashore,” *The State*, February 25, 1950, 6; Binkley, 81-82.

<sup>183</sup> C. Girard Davidson, Assistant Secretary in the Department of the Interior, to Henry M. Collins, Sr., letter, April 1, 1948, CAHA 5417, Box 5, Early Establishment Records, Fort Raleigh, Manteo, N.C.



Fig. 13 Outer Banks Road, 1937.

(“Report on Recommendations for Boundaries of the Cape Hatteras National Seashore,” December 1937, CAHA 5417, Box 1, Folder 3, Early Establishment Records, Fort Raleigh, Manteo, N.C.)

### Highway to Hatteras

In early December 1948, Frank Stick and his son David met with Conrad Wirth, Assistant Director of the NPS, and A.E. Demaray, Associate Director of the NPS. Indicating their desire to see the park project completed, David Stick offered his services to help make that a reality. They shared a copy of a bill that was to be

introduced to the North Carolina legislature in February 1949. State Attorney General Harry McMullan had drafted a bill to repeal the act creating the CHNS Commission. Action needed to be taken by the legislature before March 1949; the 1947 Act was set to expire at that time. Frank Stick told Demaray that the main reason for attempting to kill the seashore project was the NPS’s opposition to building a road to Hatteras. The Sticks encouraged Demaray to take action and to consider developing a road along the sound side of the coast. They felt that evidence of the NPS’s interest in building a road would kill the bill and renew interest in the seashore project.<sup>184</sup>

Demaray and Wirth were in favor of resurrecting the park project, but felt the authority to make that commitment was with their superiors. Frank Stick wrote a letter to the Secretary of the Interior, detailed the recent developments, and asked if the Department was still interested in

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<sup>184</sup> “Memorandum for the Regional Director, Region One”, December 17, 1948, CAHA 5417, Box 4, Early Establishment Records, Fort Raleigh, Manteo, N.C.; The Cape Hatteras National Seashore, 14-15, 33MS-35-9, David Stick Narratives, Outer Banks History Center, Manteo, N.C., U.S.A., 14-15.

creating a national seashore on the Outer Banks. The response was that the Department of the Interior had never lost interest in the “worthwhile seashore project.”<sup>185</sup>

Poor public relations by the NPS spurred a flurry of intense opposition among the Bankers. On January 29, 1949, the Dare County Chamber of Commerce held a meeting specifically to discuss the seashore project. Former Representative Theodore Meekins read from a pamphlet prepared by the NPS. The pamphlet contained outdated information that reflected a more conservative policy. According to Horace Dough, Superintendent of the Kill Devil Hills Monument (Wright Brothers National Memorial), the board’s reaction was “much about the same as a mad bull’s to a red flag.” They overwhelmingly voted to oppose the establishment of CHNS. During that same month, a group of Hatteras residents filed a petition with the North Carolina State Attorney General opposing the park project.<sup>186</sup>

The NPS had not updated its policy since 1941. As late as 1949, a pamphlet was circulating that expressed the original plan to permanently preserve the primitiveness of the coast and not allow development that would compromise natural conditions. In this brochure, the NPS mentioned the creation of roads, but refused to give details until all of the land had been acquired.<sup>187</sup> Congressman Bonner asked the NPS for basic information about their policy. He wanted to be able to share it with his constituents. He was sent the 1941 pamphlet and he passed it on. This caused a huge problem. Opponents interpreted the wording of the brochure as indicating that the NPS would not support a road along the length of the CHNS.<sup>188</sup>

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<sup>185</sup> D. Stick Narratives, 14-15.

<sup>186</sup> *Ibid.*, 19; Binkley, 77; Horace A. Dough Memorandum to the Regional Director, February 1, 1949, CAHA 5417, Box 4, Folder 9, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>187</sup> “Questions and Answers Concerning The Cape Hatteras National Seashore Recreational Area Project: North Carolina”, 1941, CAHA 5417, Box 10, Folder 15, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>188</sup> D. Stick Narratives, 24.



Fig. 14 Weighing and Packing Fish, Cape Hatteras 1945.

[ULPA SONJ 26706, Standard Oil (New Jersey) Collection, Photographic Archives, University of Louisville, Louisville, Kentucky.]

Residents felt that a road was needed to connect the village. To them, it was more than just a convenience or desire to be less isolated. Building a road would have economic benefits. Many of the residents were fishermen and took their fish to the market by boat. A road would allow them to get their catch to the market much more quickly and improve their profit.<sup>189</sup>

The expense of car maintenance was also a significant concern. The most convenient surface to drive on was along the shore. Tires had to be deflated when driving along the beach, causing them to wear quicker. Deflated tires also decreased gas mileage, making fuel costs more expensive.<sup>190</sup>

In 1948, the State Highway Commission began building a road to connect the villages of the Outer Banks. There were numerous problems during construction, however, and several storms washed out parts of recently laid pavement. The difficulty in building the road seemed to foreshadow the continued challenge to maintain it. The road was finally completed in 1952.<sup>191</sup>

The NPS needed to make a definitive statement that they would back plans to build and maintain a road within the boundaries of CHNS. Public opposition would continue to grow as

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<sup>189</sup> Bill Sharpe, "The Hatteras Highway," *The State*, November 24, 1945, 4.

<sup>190</sup> "Hatteras Folk Want Early Construction of Highway to Avon," *The Dare County Times*, June 1, 1945.

<sup>191</sup> Diane Tennant, "The Promise and Plight of N.C. 12," *The Virginia-Pilot*, Norfolk, Va., May 6, 2013.



long as the residents felt their desire for a road was not supported by the NPS. The NPS policy supporting roads was one of the most important issues that the Bankers wanted addressed. There were, however, several other concerns that the residents wanted clarified.

Frank Stick wrote Demaray about the misinformation that was spreading among the Bankers. Demaray acknowledged that a 1941 pamphlet had been sent to Bonner and that the contents were “not entirely current.” He told Stick that a new statement could not be released until the area was resurveyed.<sup>192</sup>

The NPS scheduled a meeting with the Dare County Chamber of Commerce and the Dare Beach Chamber of Commerce on June 28, 1949, in Manteo to outline proposed park policies and to discuss local objections.<sup>193</sup> Guy Lennon of the Dare County Chamber of Commerce wanted to limit the number of people involved in the meeting. David Stick sent a letter to A.E. Demaray, Associate Director of the NPS, encouraging the NPS to allow the meeting to be open to the public and not a private meeting with prominent citizens. He informed Mr. Demaray that there were several political factions within the community, with varying degrees of support for the park project. David Stick felt that opening the meeting to the public would be more beneficial to the overall success of the project, and included a list of the most prevalent objections voiced by Bankers.

In his letter to Demaray, he reiterated the confusion over NPS policy regarding roads as the main objection. According to David Stick, other concerns included: the scope and boundaries of the park, the fear that the NPS would compete with local residents in providing commercial services to tourists, the fear that residents would be forced to donate their land

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<sup>192</sup> Demaray to Frank Stick, March 3, 1949, CAHA 5417, Box 4, Folder 9, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>193</sup> Wirth to Guy Lennon, Dare County Chamber of Commerce, June 13, 1949, CAHA 5417, Box 4, Folder 9, Early Establishment Records, Fort Raleigh, Manteo, N.C.

without compensation, the loss of property tax income, and the loss of income from tourists who would vacation on “free” government land rather than the commercialized section of Dare County beaches.<sup>194</sup>

The NPS conceded to Lennon and held a private meeting. Those involved in the meeting, in addition to NPS park representatives, included fourteen Outer Banks residents, all of whom lived north of Oregon Inlet. There was no representation from south of Bodie Island.<sup>195</sup>

Wirth released a public statement that corrected the NPS policy on road construction. He



also noted that the National Seashore would consist of lands primarily south of Oregon Inlet. Residents who lived below Bodie Island, especially those on Hatteras Island, were concerned that they were being taken advantage of and continued to oppose the seashore.<sup>196</sup>

Fig. 15 Nags Head— Before Excess Development, 1937. (“Report on Recommendations for Boundaries of the Cape Hatteras National Seashore,” December 1937, CAHA 5417, Box 1, Folder 3, Early Establishment Records, Fort Raleigh, Manteo, N.C.)

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<sup>194</sup> David Stick to A.E.Demaray, June 18, 1949, CAHA 5417, Box 5, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>195</sup> D. Stick Narratives, 27.

<sup>196</sup> Ibid., 28.

## Delay Reactivating the CHNS Commission

Further complicating efforts to establish the seashore park was the failure of the state of North Carolina to reactivate the CHNS Commission. Legislation that had suspended the authority of the CHNS Commission expired in March 1949. It is unclear why the CHNS Commission was not quickly reactivated, especially in light of the NPS's continued interest. A change in state officials seemed partially responsible. W. Kerr Scott assumed his role as governor of North Carolina in 1949.<sup>197</sup> At the same time, R. Bruce Etheridge left his position as director of the Department of Conservation and Development.<sup>198</sup> George Ross replaced Etheridge. Ross traveled to Cape Hatteras State Park in July 1949 to evaluate the park's status. His visit gave some indication as to his support of the seashore project and the State's opinion of the Commission's purpose.<sup>199</sup>

Cape Hatteras State Park had been created by land donated by the Phipps family in 1935.<sup>200</sup> The Phipps family had donated the land for the purpose of creating a state park with the assumption that it would be deeded to the federal government once a national park was established. The General Assembly had never appropriated funds for the park, and it had been greatly neglected. Ross and several other state representatives visited the park to determine what to do with it.

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<sup>197</sup> George W. Troxler, "Go-Forward Program," in *Encyclopedia of North Carolina*, ed. William S. Powell, (Chapel Hill: University of North Carolina Press, 2006), 510.

<sup>198</sup> Wiley J. Williams, "Atlantic Collegiate Institute," in *Encyclopedia of North Carolina*, ed. William S. Powell, (Chapel Hill: University of North Carolina Press, 2006), 73.

<sup>199</sup> Ben Dixon MacNeill, "Hatteras Park Proposal Studied," *The News and Observer*, July 14, 1949.

<sup>200</sup> State of North Carolina General Assembly, *An Act to Authorize the Transfer or Gift from the State of North Carolina to the Federal Government of Certain Lands to be Acquired Near Cape Hatteras and Along the North Carolina Banks in that Vicinity and to Transfer Other State-Owned Lands for Use as a National Park*, H.B.795, May 7, 1935.

After touring the area, a five-hour conference was held with North Carolina State Attorney General Harry McMullan to discuss the possible ways to handle Cape Hatteras State Park. It was determined that Bankers were confused about the park project and they should not transfer any state lands until the majority of the residents were in favor of it. Ross declared, “No lands on Hatteras Island will be ceded to the National Park Service, without the expressed approval of the people of the island.”<sup>201</sup>



Fig. 16 Cape Hatteras Lighthouse, 1945. [ULPA SONJ 30680, Standard Oil (New Jersey) Collection, Photographic Archives, University of Louisville, Louisville, Kentucky.]

The decision was made to make improvements to the land for the purpose of developing a state park. The group discussed using funds from the inactive CHNS Commission for that purpose. The Commission had \$68,000 in a land acquisition fund “...and it was the opinion of virtually all present that if the State could afford money to buy land to give away, it surely could find some \$15,000, the amount of the displaced appropriation for the park....”<sup>202</sup>

The NPS requested that the CHNS Commission be reactivated, but it seemed that Ross was more interested in having Cape Hatteras remain a state park.<sup>203</sup> Finally in January 1950, Governor Kerr Scott re-activated the CHNS Commission. The members included Ross (his appointment was automatic because of his state position), Brig. Gen. Don Scott (retired), Maurice Burrus, Roy Hampton, “Major” J.L. Murphy, Carlton Kelly, and Mrs. Roland P.

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<sup>201</sup> MacNeill, “Hatteras Park,” *The News and Observer*, July 14, 1949.

<sup>202</sup> Ibid.

<sup>203</sup> D. Stick Narratives, 29.

McClamroch. David Stick was asked to be the Public Relations Counsel.<sup>204</sup> The Commission had approximately \$60,000 in unspent appropriations.<sup>205</sup> The first meeting was held on January 24, 1950. The meeting was seemingly productive, resulting in a decision to hold a joint meeting with NPS representatives in Nags Head in March to discuss NPS plans and boundaries. After the joint meeting, the CHNS Commission and NPS would hold several public meetings in the villages, sharing the NPS plans and allowing residents an opportunity to ask questions.<sup>206</sup>

### **Activity of the CHNS Commission**

A month later, Chair of the Commission George R. Ross sent Conrad Wirth a letter and included a list of questions. He told Wirth that opposition was brewing in the newly formed Commission and his answers would address the Committee's concerns. Wirth was surprised. He had recently met with the new members, a meeting Ross did not attend, and he felt they were "favorably impressed" with the Park Service's goal. Wirth wrote, "I was left with the distinct impression that the commission was all of one mind with possibly a little hesitancy on the part of one or two members."<sup>207</sup>

The questions addressed some of the same concerns that David Stick had shared with the NPS prior to the previous June meeting. Ross asked Wirth to address the NPS policy on building roads, restrictions on hunting and fishing, the NPS plan to construct commercial establishments in the seashore, the NPS jurisdiction on businesses within the villages, and the fate of erosion control. Worth replied that NPS was in favor of building a road. It would keep cars from driving

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<sup>204</sup> David Stick to George R. Ross, July 3, 1952, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>205</sup> David Stick, "State May Get Huge Coastal Park," *The News and Observer*, February 12, 1950.

<sup>206</sup> David Stick to George Ross, July 3, 1952, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>207</sup> Conrad L. Wirth to George R. Ross, February 13, 1950, CAHA 5417, Box 4, Folder 9, Early Establishment Records, Fort Raleigh, Manteo, N.C.

on the dunes and counteracting erosion control. He stated that the establishment of the national seashore would have no effect on hunting or fishing. Wirth quoted the Congressional Act of 1940 that addressed the hunting provisions. He replied that the park service did not plan to provide services to tourists as long as the local residents supplied those needs. Wirth answered that the NPS had no legal jurisdiction over businesses within the villages. He did state that the NPS would be glad to offer any advice to help the villages establish businesses that would be most beneficial for them and the tourists. Finally, Wirth stated that the NPS would continue to be concerned with erosion control and sand fixation.<sup>208</sup>

Challenges continued to thwart the attempt to establish a national seashore on the Outer Banks. There was very little activity by the newly formed CHNS Commission and opposition continued to strengthen. The series of meetings that were supposed to take place in several communities informing residents of specific plans to establish the CHNS never materialized. Instead, the CHNS Commission and NPS representatives held one meeting in Avon. The group sat on a stage, separated from the residents, and did not provide any maps to explain the projected boundaries.<sup>209</sup>

## **NPS Report**

It was decided to sponsor another study of the Outer Banks to help with planning the seashore park and to evaluate the opinion of the communities affected by the park's creation.

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<sup>208</sup>Conrad L. Wirth to George R. Ross, February 13, 1950, CAHA 5417, Box 4, Folder 9, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>209</sup>David Stick to George R. Ross, July 3, 1952, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

Ross hired Marion Shuffler to investigate the area and prepare the report. The Department of Conservation and Development paid for Shuffler's report.<sup>210</sup>

Shuffler's report revealed that the Bankers did not understand the proposal; many would not be opposed as long as they were kept adequately informed. Much of the opposition was because of a distrust of government involvement in private land. Pea Island Wildlife Refuge had been created in 1937, and hunting was not allowed on the refuge's lands. Bankers felt that limited hunting should be allowed, as much for the benefit of the birds as for their hunting rights. They felt that the geese, because of refuge protection, were not migrating to normal nesting grounds; instead, they stayed on Pea Island. This caused an increase in disease among them, and more died from sickness than would be killed from limited hunting. Shuffler seemed to agree that there was some merit to the argument of the Bankers, as he had seen evidence of diseased geese.<sup>211</sup>

In addition to the concern that the government's authority was harming island wildlife and denying hunting rights, the residents were resentful that their isolated lifestyle was ending. A national seashore would bring visitors and "outsiders" to their world. Shuffler recognized their reluctance, but felt it was going to happen regardless of the establishment of CHNS. In his report, Shuffler stated, "With pending advent of hard surface roads, modern air travel and communications, that isolation is coming to its end, and the Island must look ahead to a new era and face it with vision or its destruction could be irreparable."<sup>212</sup>

Shuffler surmised that the very little of the area was "conducive to development," especially on Hatteras Island. In addition, non-residents owned most of the land outside of

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<sup>210</sup> George R. Ross to Thomas J. Allen, March 23, 1950, CAHA 5417, Box 4, Folder 9, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>211</sup> "Report of Investigation Relative to the Proposed Cape Hatteras National Seashore Recreational Area," July 20, 1950, CAHA 5417, Box 10, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C. 1,5.

<sup>212</sup> *Ibid.*, 2.

Hatteras village. Shuffler felt that it was probable that any private development that occurred would not benefit residents and possibly have negative effects on the village.<sup>213</sup>

The CHNS Commission and NPS met on August 30, 1950, to discuss park boundaries based on Shuffler's report. The NPS agreed with most of Shuffler's boundary recommendations, making two small changes. The Commission unanimously adopted the NPS boundary proposal. The Commission also appointed a committee to appraise the land within the new boundaries.<sup>214</sup>

## Opposition

Despite the activity of the newly appointed committee, the CHNS project continued to be met with protests and objections. Wirth received a petition, signed by residents of Buxton opposing the seashore park, on March 26, 1950. In his reply, he stated that the decision to establish a park would be left to the state of North Carolina.<sup>215</sup>

It appeared as if opposition influenced Representative Bonner. A letter from Bonner to A.S. Austin of Hatteras, on November 8, 1950, curtly acknowledged Austin's opinion regarding seashore establishment and made a bold statement about the park project: "...as far as the National Seashore Park matter was concerned, I was through with it. At one time I understood that the people wanted it. Now that 95%, as you and others say, do not want it, I am sure there will never be a National Seashore Park."<sup>216</sup>

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<sup>213</sup> Ibid., 3,9.

<sup>214</sup> "Minutes from a Meeting of the North Carolina Cape Hatteras Seashore Commission," August 30, 1950, CAHA 5417, Box 5, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>215</sup> Conrad L. Wirth to Mrs. W.L. Scarborough, Secretary Buxton Civic Club, March 31, 1950, CAHA 5417, Box 4, Folder 9, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>216</sup> Herbert C. Bonner to A.S. Austin, November 8, 1950, CAHA 5417, Box 5, Folder 8, Early Establishment Records, Fort Raleigh, Manteo, N.C.



Bonner felt that establishing the seashore was financially impossible.<sup>217</sup> It was doubtful that the Commission would be able to acquire the required land before the August 17, 1952 deadline. They did not have the financial resources, as Wirth, who was now head of the NPS, estimated the cost to acquire the needed land would now be \$1.25 million.<sup>218</sup> The CHNS Commission seemed to have lost their enthusiasm as well. Roy Hampton, Chairman of the CHNS Commission, had a fatal heart attack in January 1951. Commission member Carlton Kelly told the NPS that he was not aware of any appraisals being done and did not think any type of progress had been made in acquiring land.<sup>219</sup>

In early 1952, the NPS evaluated the status of the seashore project. A.C. Stratton researched the area and spoke with numerous landowners within the proposed boundaries. His published report of March 26, 1952 indicated the possibility for the establishment of CHNS was bleak. According to Stratton, most landowners were indifferent to the project and did not believe it would ever materialize. Stratton wrote, "Many people who were for the Project and are shown as land donors in Baldwin Myers' report of 1941 and later reports by the Commission are now opposed to it."<sup>220</sup>

The CHNS Commission had accomplished nothing. There seemed to be some dissension among them. The Commission did not meet in 1951. Of the meetings held the previous year, most members did not attend. In addition, Commission Chairman, J.L. Murphy was critical of Ross, Director of Development and Conservation. Murphy told Stratton that he had no idea of

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<sup>217</sup> Herbert Bonner to James H. Pou Bailey, July 1, 1952, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>218</sup> Wirth, 56.

<sup>219</sup> E.M. Lisle to Regional Director, Memorandum, February 8, 1951, CAHA 5417, Box 4, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>220</sup> A.C. Stratton, "Cape Hatteras National Seashore Recreational Project," Report, March 26, 1952, CAHA 5417, Box 5, Folder 9, Early Establishment Records, Fort Raleigh, Manteo, N.C.

the land status because the previous two commissions failed to share any records with the current Commission.<sup>221</sup>

Stratton also reported that there were hard feelings among Bankers toward the NPS. T.S. Meekins and W.A. Worth had held several meetings that were “damaging.” According to Stratton, “Public relations towards the Park Service are none too good at best. Most of this results from misunderstanding and is led by people who oppose the Project.”<sup>222</sup>

The report detailed the estimated cost to acquire the land for CHNS and broke the figures down by islands. Ocracoke would be the easiest land to acquire; there had been very few real



Fig. 17 Village of Ocracoke, 1937  
 (“Report on Recommendations for Boundaries of the Cape Hatteras National Seashore,” December 1937, CAHA 5417, Box 1, Folder 3, Early Establishment Records, Fort Raleigh, Manteo, N.C.)

estate transactions and the island was still fairly isolated. Sam Jones of Norfolk owned both ends of the island and he was opposed to CHNS. Stratton estimated that it would cost approximately \$63,000 to acquire four thousand acres on Ocracoke.

After reviewing Hatteras Island, Stratton found that “a surprisingly large amount of this property had changed hands in the past few months.” This activity increased land values. Stratton believed that it would cost \$975,000 to purchase 8,700 acres of land on Hatteras and that amount would increase once the road was completed, within two months.

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<sup>221</sup> Ibid.

<sup>222</sup> Ibid.

Bodie Island looked much more challenging to Stratton. W.A. Worth and Dare County owned tracts of land that were necessary to complete CHNS. Worth's opposition to the project would make negotiations difficult. Stratton felt it would cost \$250,000 to acquire his property. Stratton was told that the tract of land owned by Dare County was not for sale. The oceanfront, north of Worth's property, had developed to the extent that it would be prohibitive to attempt to acquire it. Stratton estimated the cost to purchase needed land on Bodie Island would be approximately \$337,00.

Stratton concluded the report by stating that the only way to clear the titles and give fair values would be through condemnation.

He reiterated that there is a lot of misunderstanding regarding the seashore project. Among several recommendations, Stratton listed the following:

1. Whatever is done towards securing funds for acquisition should be done as soon as possible. Due to increasing land values, every month counts.
2. I do not feel that much faith or dependence can be placed on the Seashore Commission or acquisition committee.
3. I would hesitate to undertake condemnation unless a million dollars is in sight.
4. If the money is secured, a public relations campaign should be undertaken immediately. It will make the funds go further through donations of land.<sup>223</sup>



Fig. 18 Bodie Island Lighthouse, 1937

("Report on Recommendations for Boundaries of the Cape Hatteras National Seashore," December 1937, CAHA 5417, Box 1, Folder 3, Early Establishment Records, Fort Raleigh, Manteo, N.C.)

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<sup>223</sup> Ibid.

## Resurrection

In June 1952, two months before the congressional act expired, a large monetary donation was received from a charitable foundation set up by the Mellon family. They had donated their art collection to establish the National Gallery of Art; the oldest son, Paul, was supportive of conservation projects and wanted to contribute to the establishment of CHNS.<sup>224</sup> They asked to remain anonymous “to avoid an avalanche of requests from other sources.”<sup>225</sup> Opponents of the CHNS raised suspicions that having an anonymous benefactor was indicative of unethical practices and demanded the benefactors’ identities be revealed.<sup>226</sup>

The Mellon family offered to donate the entire amount needed to acquire the proposed land, but Wirth felt the state of North Carolina should bear some responsibility for the cost. Wirth arranged a meeting with Governor Robert Scott and gave an account of the meeting in his autobiography, *Parks, Politics, and the People*:

In conversation with the conservation commissioner [George Ross] while waiting to see the governor, I solicited his support and he offered to see the governor with me. He also told me that the balance in the governor’s reserve fund was approximately \$600,000. This money could go for the purchase of Cape Hatteras, if Governor Scott and his cabinet would approve it. I also was informed that the governor would most likely leave the talking to me and wouldn’t say much himself. Most important of all, I was advised, if he pulled out his plug of tobacco and started chewing, it would mean he was interested, but if he didn’t, I might just as well give up. I talked for some time to the governor with no movement on his part. Finally the conservation commissioner spoke up, but instead of supporting me, as he had led me to believe he would, he said he felt that if the state did anything, it should buy the land and keep it as a state park. This got me so irritated that I turned to him and demanded to know why he had reversed his stand since walking into the governor’s office. With that the governor opened his desk drawer, picked up a plug of tobacco, and took a chew.<sup>227</sup>

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<sup>224</sup> Binkley, 97-98.

<sup>225</sup> Ibid., 112.

<sup>226</sup> Smith, 49.

<sup>227</sup> Wirth, 56.

Wirth's meeting was successful, and Governor Scott arranged to allocate \$618,000 to the CHNS Commission.<sup>228</sup> The meeting also gave Wirth some insight as to the reason that there was a lack of progress made by the most recent CHNS Commission, as George Ross was an ex officio member. His sudden change in support during the meeting mimicked his leadership of the CHNS Commission. Once the Secretary of the Interior signed the order placing CHNS under the authority of the NPS, the NPS assumed responsibility for land acquisition. They would have access to the donated funds from the Mellon Foundation, but needed to access the state funds through the CHNS Commission.

### **Protests**

A resolution officially allotting the funds to the CHNS Commission was adopted by the Governor and the Council of State at its meeting in Raleigh on June 23, 1952.<sup>229</sup> The Secretary of the Interior was in Norfolk, Virginia, the following day, where he was met by a group of approximately thirty Bankers protesting the national seashore. W. A. Worth of Elizabeth City, who owned land on Bodie Island, led the protestors. The Bankers felt they could best develop their land and wanted an opportunity to profit from the increased land values.<sup>230</sup> Worth continued to be a major opponent to the establishment of CHNS and contributed to delays in land acquisition.

Less than a week later, Representative Bonner reprimanded Worth for misleading people about the loss of their hunting rights once the park was established. Bonner made reference to his November letter to A.S. Austin and admitted to sending two other similar letters expressing his

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<sup>228</sup> "Resolution Adopted by the Governor and Council of State," June 23, 1952, CAHA 5422, Box 1, Deeds/Tract Files, Fort Raleigh, Manteo, N.C.

<sup>229</sup> Ibid.

<sup>230</sup> "Dare Citizens Protest Park Plan," *The News and Observer*, June 25, 1952.

belief that the national seashore idea was dead. Bonner ended his letter by stating, “I am now convinced more than ever that the park will bring greater return in a monetary way to the people of Dare County and offer a greater opportunity to more people than anything that has happened in North Carolina since the creation of the western Carolina parks: therefore, my interest is revived and I am enthusiastically in favor of the park.”<sup>231</sup>

The Dare County Commissioners officially opposed the CHNS in a meeting on July 2, 1952. According to an article in *The Coastland Times*, about 170 people of the island’s 2,500 residents attended the meeting. They unanimously expressed their opposition to the seashore park. Some of the same individuals who protested in Norfolk in June spoke at the meeting, including W.A. Worth, Lloyd Styron, and Theodore Meekins; also speaking in opposition to the seashore park was Bruce Etheridge, former North Carolina Director of Conservation and Development and former member of the CHNS Commission.<sup>232</sup>

The following day, David Stick wrote a letter to George Ross, ex officio Chairman of the CHNS Commission. He expressed his disappointment in the way the CHNS project had been handled by the seashore commission and the NPS. He sent copies of the letter to National Park Service representatives, Representative Bonner, and all members of the CHNS Commission.<sup>233</sup>

David Stick wrote that it was “completely understandable” that the Dare County Commissioners opposed the Cape Hatteras National Seashore because “they have never been given first-hand accurate information, but have had to rely instead on the erroneous information supplied them by non-resident real estate promoters....” He pointed out that, when information was requested about the proposed seashore park, the NPS supplied an outdated 1941 brochure.

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<sup>231</sup> Herbert Bonner to W.A. Worth, July 1, 1952, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>232</sup> “Park Opponents Protest Before County Board,” *The Coastland Times*, July 4, 1952.

<sup>233</sup> David Stick to George Ross, July 3, 1952, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

Among other errors, the brochure claimed the seashore would “comprise all of the outer banks... beginning north of Currituck Lighthouse.” Stick also noted the irony regarding the fear of losing hunting and fishing rights, “. . .rights incidentally, which in some cases have already been taken from them by the very same private interests which have organized the opposition. . . .”

Stick encouraged the commission and the NPS to “concentrate on informing the residents of the affected areas about the true facts.” He felt that the best way to do this would be to hold a series of meetings in several of the villages and make an effort to allow the residents to see copies of the maps and ask any questions. Stick expressed confidence that, once the Bankers received informative details and understood the advantages of establishing a seashore park, the majority of the opposition would disappear.<sup>234</sup>

Bonner quickly responded to Stick and agreed with his assessment, telling him that he recognized the “trouble.” Bonner informed Stick that he contacted the NPS to schedule a series of educational meetings and he regretted they had not been held sooner.<sup>235</sup> Bonner and Wirth scheduled several community meetings for October to answer questions from the residents and dispel any myths involving the CHNS. In addition, several large-scale maps of the seashore project were displayed at a number of public places on the Outer Banks to allow residents to review the boundaries prior to the community meetings.<sup>236</sup>

Park supporters believed that most of the opposition stemmed from owners of large tracts of land. Many of these were not residents of Dare County, but lived in the northern United States. The Outer Banks had superior hunting resources; and, in the 1920s, many wealthy

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<sup>234</sup> Ibid.

<sup>235</sup> Herbert Bonner to David Stick, July 7, 1952, 33MSS-89, Frank Stick Papers, Outer Banks History Center, Manteo, N.C., U.S.A.

<sup>236</sup> “Park Service Sets Up Plans for Acquisition of Lands For Seashore,” *The Coastland Times*, July 25, 1952.

sportsmen purchased land to establish hunting preserves in the area. These sportsmen, many from the northern United States, owned most of the hunting clubs.<sup>237</sup>

An editorial in a July issue of *The Coastal Times*, accompanied by a detailed article, declared the seashore plan had been “grossly misrepresented” based on the selfishness and greed of a few entrepreneurs. The editorial blasted the fallacy of the opposition focusing on democracy and majority rule. According to *The Coastland Times*, 80 percent of Hatteras landowners did not live on the island. If the will of the majority was to be followed, these people should be allowed to sell their land to whomever they wished. It was land that many residents did not seem to want. Some of the land was purchased from residents who preferred to sell it rather than retain ownership. Much of the land had belonged to the state of North Carolina less than 50 years prior, and was granted to speculators for \$1.50 per acre. The speculators turned the land over by selling it “...to Northern people— in most instances at a big profit.” The editor warned the Bankers that opposition should not be based on a vocal minority with misleading claims: “Greedy speculators and politicians looking for a pony to leap upon can not be depended on to set us on a true course.”<sup>238</sup>

The first notification of condemnation action was filed in the United States District Court of North Carolina on August 12, 1952. The action was filed against various owners in the southern portion of Bodie Island. The case listed eleven owners and included Albert A. Lewis and W.A. Worth.<sup>239</sup> The listing of the Lewis tract was one example of the shortcomings of the entire land acquisition process.

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<sup>237</sup> Wirth, 194; “Speculators Got People’s Land For \$1.50 an Acre,” *The Coastland Times*, July 18, 1952.

<sup>238</sup> “Whose Land is Involved?” *The Coastland Times*, July 18, 1952; “Speculators Got People’s Land For \$1.50 an Acre,” *The Coastland Times*, July 18, 1952.

<sup>239</sup> Federal Civil Action, “Declaration of Taking,” August 12, 1952, CAHA 5422, Box 1, Deeds/Tract Files, Fort Raleigh, Manteo, N.C.



In October 1944, Lewis had contacted the NPS regarding property he had optioned to the State of North Carolina to include in CHNS. He owned approximately ten miles of oceanfront property and told Conrad Wirth that the option had run out, but he was willing to sell it at the same price. Wirth told him that the NPS was not directly involved in the land acquisition and encouraged him to contact the state.<sup>240</sup> Wirth wrote Bruce Etheridge, who still held the office of Director of Conservation and Development, and informed him of the telephone call. Etheridge responded to Worth and explained that Lewis had given the state an option, but because of some legal issues, the CHNS Commission was unable to follow through. He hoped that they would, eventually, be able to clear up the legal matters and purchase the land.<sup>241</sup>

Worth, an attorney from Elizabeth City and a CHNS opposition leader, purchased land at a low price from the estate of one of his clients, David Lindquist, in the 1940s.<sup>242</sup> Seashore proponents were especially critical of Worth because Lindquist had publicly announced plans to donate his land to Dare County and the state for inclusion in the seashore park.<sup>243</sup> It was also common knowledge that the property would be subject to condemnation for the purpose of establishing the park.<sup>244</sup> The land was composed of about 2,400 acres, including the site of the Bodie Island hunting club. The Worth case would prove to be a critical factor in the financial cost of the establishment of CHNS.

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<sup>240</sup> Conrad L. Wirth to R. Bruce Etheridge, October 9, 1944, CAHA 5417, Box 5, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C.; Conrad L. Wirth to A. Clark Stratton, October 9, 1944, CAHA 5417, Box 5, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>241</sup> R. Bruce Etheridge to Conrad L. Wirth, October 17, 1944, CAHA 5417, Box 5, Folder 10, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>242</sup> "Investments of \$6,000 for 2400 Acres of Bodie Island May Yield Owner \$484,000," *The Coastland Times*, January 12, 1956.

<sup>243</sup> U.S. Congress. Subcommittee on Public Lands of the Committee on Interior and Insular Affairs, *To Authorize Acquisition of North Carolina Park Land*, HR 9591, 84<sup>th</sup> Cong., 2d sess., May 31, 1956, 42.

<sup>244</sup> *Ibid.*, 43.

The North Carolina Council of State held a hearing one week after the condemnation case was filed. Protestors, led by W.A. Worth, asked the state to repudiate the agreement made with the NPS to allocate \$618,000 to acquire land for the CHNS. The allocation matched a donation from the Mellon family. The protestors were further fueled by the resignation of the CHNS Commission chairman, Major J.L. Murphy. Murphy alleged that the donation was unethically awarded due to the relationship of the Mellon family with realtor Frank Stick; the donation would benefit Stick's real estate business.

The Council of State upheld the contract made with the NPS. Secretary of State Thad Eure was critical of Murphy's resignation and discounted his allegation. He was also critical of the protestors and stated that a few large landowners were misrepresenting hunting and fishing rights as an avenue to create antagonism toward the creation of the seashore park. The Council of State was also critical of the CHNS Commission and the NPS for not keeping the Outer Bankers properly informed. They requested that the CHNS Commission hold a series of public meetings on the Outer Banks.<sup>245</sup>

During the first week of October, NPS Director Wirth and Representative Bonner held a series of meetings in each of the villages along the Outer Banks. Wirth shared details of the seashore park project with the residents of each village and allowed them an opportunity to ask questions. Most of the meetings were civil. Hatteras was the exception.<sup>246</sup>

According to Wirth, the problem seemed to stem from Northerners who owned hunting clubs in the area. Wirth gives an account of the meeting held in Hatteras schoolhouse in his autobiography, *Parks, Politics, and the People*:

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<sup>245</sup> Woodrow Price, "Outer Banks Park Approved Despite Protest From Dare," *The News and Observer*, August 20, 1952.

<sup>246</sup> Wirth, *Parks, Politics, and the People*, 194-195.

We arrived at the schoolhouse shortly before eight and discovered that the only people there were the hunting club employees. It turned out that the other townspeople didn't show up because they knew what might happen and didn't want to be a part of it. Clark Stratton made a few opening remarks, got a few Bronx cheers, and introduced me. I started right in to tell them about the project as authorized and the boundary we had worked out around the town of Hatteras, but I didn't get very far. They really went at me. I would stop talking until they quieted down and then try to go on, but to no avail. This went on for about ten minutes, although it seemed longer, and I was about to blow my top when Representative Bonner got up and told me to sit down, that he wanted to take over. He proceeded to tell them in no uncertain terms that he didn't care what they wanted, that the area was going to be established the way the Park Service wanted it, and that they and their New York bosses could go to hell. He told them that they had acted in a way that was a disgrace to the South and that they were just a bunch of puppets for the Yankees. Further, he stated that the Cape Hatteras National Seashore would be a great thing for the cape, the state, and the entire country, and that he intended to see it through to completion. Finally, he said that we didn't want their kind of support and that he had more votes in his backyard than they could deliver on the whole cape. With that he turned to Clark and me and said, "Let's get out of here; it stinks." We walked out and left them sitting there.<sup>247</sup>

The meetings on the following day were much more amicable. According to Wirth, the people of Avon and Buxton hosted a fish fry in their honor. Many people from Hatteras attended and contributed to the meal.<sup>248</sup>

Wirth prepared a letter addressed to the people of the Outer Banks once he returned from the series of meetings. Victor Meekins, editor of *The Coastland Times* and former chair of the CHNS Commission, agreed to print Wirth's letter, along with a set of maps, in his newspaper. He also agreed to make sure every family on Ocracoke, Hatteras, and Bodie Islands received a copy.<sup>249</sup>

The letter reiterated the NPS stance on the concerns raised by residents during the meetings, specifically, hunting and fishing rights, access to the beach, and future commercial

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<sup>247</sup> Ibid.; In a Congressional hearing, a few years later, Bonner made reference to his public statement of his lack of concern for losing Banker's votes because of his support of CHNS. U.S. Congress. Subcommittee on Public Lands of the Committee on Interior and Insular Affairs, *To Authorize Acquisition of North Carolina Park Land*, HR 9591, 84<sup>th</sup> Cong., 2d sess., May 31, 1956, 44.

<sup>248</sup> Ibid., 195.

<sup>249</sup> "Conrad Wirth: A Letter to the People of The Outer Banks", *The Coastland Times*, October 31, 1952.

development of the seashore park. Wirth assured them that hunting and fishing would be permitted in the Sound, on Ocracoke Island, and on a two thousand acre hunting area within the seashore park. He emphasized that there would always be access to the beach. He warned that certain regulations would possibly be enforced for vehicles in order to reduce erosion. In regards to future development, Wirth stated that the NPS expected the Bankers to provide services for tourists. He also wrote that the NPS planned to tell the “fascinating history of the Outer Banks.” He hoped they would be able to count on residents to share their stories, relics, advice, and suggestions to establish a museum.

Many of the villagers were also concerned that the NPS projected boundaries around the villages would not allow adequate growth. In the letter, Wirth admitted the boundaries were too confining. He shared new boundaries, approved by the NPS and State of North Carolina. The villages would have more room to grow on both the Sound and Ocean sides. The boundaries on the ocean side were drawn to protect the sand dunes built by the CCC. Wirth wrote, “the National Park Service intends to resume the sand fixation work that it started in the 1930s and more firmly establish the dunes.”<sup>250</sup> This statement, written to reassure the citizens of the strong commitment the NPS had in preserving the land, would later be a source of more dissention between Bankers and the NPS.

Wirth ended his letter by warning the residents that the establishment of a national park would bring significant changes to the Outer Banks. There would be a large increase in land values and many outside people would try to benefit from the new seashore park. He wrote: “I would like to give you a word of cautions: Hold your lands within your communities; don’t let outside speculators come in and take over; join together and you people in the communities

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<sup>250</sup> Ibid.

whose families have lived there for generations care for the visiting public yourselves and enjoy the prosperity that you so rightfully deserve because of your long occupancy of these lands.”<sup>251</sup>

It seemed as if the National Park Service finally understood the importance of establishing a relationship with the people on the Outer Banks. The initial Authorizing Act of 1937, excluding the villages from CHNS, guaranteed that the NPS and Bankers would reside side by side. Including them in the boundary decisions and sharing details of the project with them should have been done much sooner.

Finally, on January 12, 1953, the Secretary of the Interior signed the order that officially placed Cape Hatteras National Seashore under the authority of the National Park System.<sup>252</sup> More than fifteen years had passed since Congress had authorized the establishment of the nation’s first National Seashore. It would be another fifteen years before the court cases contesting condemnation would be resolved.



Fig. 19 Planning the Next Adventure, Cape Hatteras 1945.

[ULPA SONJ 26683, Standard Oil (New Jersey) Collection, Photographic Archives, University of Louisville, Louisville, Kentucky.]

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<sup>251</sup> Ibid.

<sup>252</sup> Binkley, 220-221.

## **Chapter 6**

### **Federal Court Rulings**

The success of the establishment of CHNS seemed to be assured during the early months of 1953. The necessary money was acquired to purchase property, the state turned over property to be included in the seashore park in December 1952, the protestors quieted, the CHNS Commission and NPS were working well together, and the Secretary of the Interior signed the official order.<sup>253</sup> In actuality, the CHNS project remained in the eye of the storm.

#### **Clearing Land Titles**

Securing titles for the land proved to be much more challenging than anticipated. The two dominant roadblocks were clearing land titles and costly rulings by the federal courts on the condemnation cases. The NPS expected difficulty in clearing land titles as the CHNS Commission had struggled with it in the early years. The extreme court awards, though, completely surprised the NPS. The rapid increase in land values and bizarre court delays could not have been foreseen.

The NPS established a land acquisition office in Dare County shortly after receiving the Mellon money.<sup>254</sup> As of late February 1953, none of the money had been spent for actual land purchase. According to A.C. Stratton, NPS Project Manager, most of the titles were unable to be approved by the Department of Justice. Only lands granted or sold by the State of North Carolina were acceptable, with one exception. A title granting land for the purpose of building

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<sup>253</sup> National Park Service, "National Park Service Now Has 17,000 Acres in Hatteras Seashore Project," July 26, 1953, CAHA 5417, Box 5, Folder 8, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>254</sup> Memorandum, E.M. Lisle to Director, March 16, 1953, CAHA 5422, Box 1, Deeds/Tract Files, Fort Raleigh, Manteo, N.C.

Cape Hatteras Lighthouse was housed in the National Archives. All other titles had flaws and Stratton was attempting to research and sort them.<sup>255</sup>

Several changes in county boundaries had caused some titles to be filed in the wrong county. Some of the other challenges included a Cape Hatteras tract that has been sold to five different people in a twenty-five year time span, ownership of a tract held by 528 lawful heirs for two hundred years and passed from generation to generation with no will or deed, and one title describing a boundary as beginning at the *Adams* shipwreck. The *Adams* washed ashore in the 1850s and no one was sure where the shipwreck was located.<sup>256</sup>

There were approximately 250 tracts to be cleared. Stratton believed most would need court involvement. He planned to use “friendly condemnation” for the purpose of clearing the titles and protecting landowners from expensive court costs. Once negotiations had been agreed upon and the title cleared, the payment process could begin. Vouchers would be reviewed by the General Accounting Office, headed by Comptroller Lindsay Warren, and if approved sent to the United States Treasury. The Treasury would pay owners from the Mellon fund. At the end of each month, the Treasury would divide the total costs associated with administration and “friendly condemnations” and send a draft, for half, to the Treasurer of North Carolina.<sup>257</sup>

The distribution of money from state funds was complicated. The Attorney General of North Carolina ruled that money from the State of North Carolina could not be used for contested condemnation cases in federal court. It was used for administration services and acquiring tracts that were not contested in federal court. The money allocated by the State of

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<sup>255</sup> Ben Dixon MacNeill, “Airtight Titles Seldom Seen in Hatteras Islands,” *The Coastland Times*, February 27, 1953.

<sup>256</sup> Ibid.; “Bill About Land Along Outer Banks Runs Into Stormy Weather,” *The News and Observer*, March 11, 1953.

<sup>257</sup> MacNeill, “Airtight Titles Seldom Seen,” *Coastland Times*, February 27, 1953.

North Carolina was disbursed by the Department of Conservation and Development upon approval by the CHS Commission. The \$618,000 donated by the Mellon Foundation was deposited in the Treasury of the United States. The Director of the National Park Service was in charge of disbursing it; it was used primarily to pay for the Declarations of Taking.<sup>258</sup>

A hearing on a bill to transfer state acquisition funds to the NPS was held in Raleigh in March 1953. R. Bruce Etheridge, now a state representative, sponsored the bill at the request of Attorney General Harry McMullan. It was argued that it would be cheaper to acquire the land for CHNS in federal courts. There was opposition to the proposed bill.<sup>259</sup>

L.P. McClendon, attorney for W.A. Worth, argued that land values should be set in state courts rather than federal courts. He believed transferring state funds to the federal government for the purpose of condemning lands was unconstitutional. He stated, "One government cannot delegate the right of eminent domain to another government." Worth was present at the hearing and spoke in opposition, as did several other Outer Banks landowners.<sup>260</sup>

W.A. Worth and several others brought a suit against the federal government, contesting the government's right to condemn their property. The trial was scheduled for federal court in Elizabeth City, North Carolina, on March 30, 1953.<sup>261</sup> The court ruled in favor of the NPS.<sup>262</sup> This allowed the NPS to assume control of the land and begin administration.

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<sup>258</sup> Charles S. Marshall to Clyde E. Gooch, January 26, 1953, CAHA 5422, Box 1, Deeds/Tract Files, Fort Raleigh, Manteo, N.C.

<sup>259</sup> "Bill About Land Along Outer Banks Runs Into Stormy Weather," *The News and Observer*, March 11, 1953.

<sup>260</sup> Ibid.

<sup>261</sup> Elbert Cox to George R. Ross, March 12, 1953, CAHA 5422, Box 1, Deeds/Tract Files, Fort Raleigh, Manteo, N.C.

<sup>262</sup> National Park Service, "National Park Service Now Has 17,000 Acres in Hatteras Seashore Project," July 26, 1953, CAHA 5417, Box 5, Folder 8, Early Establishment Records, Fort Raleigh, Manteo, N.C.



On June 25, 1953, the NPS filed Declarations of Taking in federal court in Elizabeth City. A price had been negotiated with some of the owners, but “friendly condemnation” suits were needed to clear their titles. In the remaining cases, an agreement was not reached and court action was necessary to acquire the land. The total amount of land in the Declarations of Taking totaled approximately four thousand acres.<sup>263</sup>

### **Court Awards**

One of the most significant and complicated condemnation proceedings filed in the Declarations of Taking was against W.A. Worth of Elizabeth City, North Carolina. He owned approximately twenty-four hundred acres of land on Bodie Island at the entrance to CHNS; and the NPS service needed four hundred of these acres. Representative Herbert Bonner stated that acquiring Worth’s land was “absolutely essential to the proper management and supervision of the park.”<sup>264</sup> Worth had purchased the land for \$6,000 in the 1940s, but he asked the NPS to pay him \$1.5 million.<sup>265</sup> The appraisal value, in 1953, was \$185,000. When it filed the Declaration of Taking, the NPS deposited the appraisal value with the court, to hold in reserve. Worth filed a motion requesting a commission to determine the value of his property. Judge Don Gilliam granted the motion and appointed J.C. Sawyer, a realtor from Elizabeth City, I.D. Thorpe, an attorney from Rocky Mount, and C.W. Bradshaw, a realtor from Raleigh to the commission.<sup>266</sup> The Commission awarded Worth \$484,000 plus 6 percent interest. The federal government filed

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<sup>263</sup> National Park Service, “National Park Service Now Has 17,000 Acres in Hatteras Seashore Project,” July 26, 1953, CAHA 5417, Box 5, Folder 8, Early Establishment Records, Fort Raleigh, Manteo, N.C.; “Park Service Proceeds With Acquiring Land,” *The Coastland Times*, July 3, 1953.

<sup>264</sup> *To Authorize Acquisition of North Carolina Park Land: Hearing before the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs*, HR 9591, 84<sup>th</sup> Cong., 2d sess., May 31, 1956, 45.

<sup>265</sup> “Investment of \$6,000 for 2400 acres of Bodie Island Land May Yield Owner \$484,000.00,” *The Coastland Times*, January 13, 1956.

<sup>266</sup> *Ibid.*

an appeal.<sup>267</sup> In August 1958, Judge Gilliam reduced Worth's award to \$343,000.<sup>268</sup> This amount was over \$150,000 above the appraised value.

There were several other cases tied up in court, and additional land that had not been negotiated within park boundaries. Conrad Wirth, now NPS Director, was concerned that the award Worth received would set a precedent for remaining land condemnation cases. It was likely that money donated by the Mellon Foundation and allocated by the State of North Carolina in 1952 would not be enough to complete land acquisition. Wirth, with the help of Representative Bonner, began searching for funding sources.

### **Seeking Additional Funding**

Bonner introduced a bill to amend an act from 1954, which appropriated funds to the NPS for the purchase of non-federal lands within a national park. Because the 1954 act specified "national park," a national seashore was not eligible. The NPS was requesting \$250,000 from Congress to help complete land acquisition. During the House hearing, Wirth was asked if the requested amount would be the total amount expected from Congress to complete acquisition. Wirth responded that if more money were needed, he would "go out and pass the hat again."<sup>269</sup>

Bonner and Wirth were told that the wording, by Representative Warren, in the original 1937 Act made it difficult for Congress to approve money to purchase land. The Act states, "The United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private

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<sup>267</sup> *To Authorize Acquisition of North Carolina Park Land: Hearing before the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs*, HR 9591, 84<sup>th</sup> Cong., 2d sess., May 31, 1956, 49.

<sup>268</sup> Binkley, 156.

<sup>269</sup> *To Authorize Acquisition of North Carolina Park Land: Hearing before the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs*, HR 9591, 84<sup>th</sup> Cong., 2d sess., May 31, 1956, 56.

donations.”<sup>270</sup> After more discussion, the Committee decided to approve the bill, with the stipulation that it would be limited to a one-time use and would not exceed \$250,000.<sup>271</sup>

Congress approved the Act on August 6, 1956.<sup>272</sup>

In addition to the Congressional appropriation, the NPS received donations from two private foundations equaling \$200,000.<sup>273</sup> Wirth asked Bonner to approach the Governor of North Carolina and inquire if the state would be willing to match the private donations.<sup>274</sup> Governor Hodges agreed and the Council of State approved an appropriation of \$200,000 on September 20, 1957. *The News and Observer* reported that CHNS expected all land needed for the seashore park to be acquired by July 1, 1958.<sup>275</sup> The final Declaration of Taking was filed on December 31, 1959.<sup>276</sup>

### **Excessive Court Awards**

As of 1953, the NPS needed to acquire approximately 6,400 acres to complete the CHNS.<sup>277</sup> Negotiations with landowners failed, forcing the NPS to file Declaration of Takings. Civil Action 263 was filed in 1953, and Civil Action 401 was filed in 1959.<sup>278</sup> It is unclear why Civil Action 263 was not heard prior to 1959. Federal Court Judge Gilliam became ill before he

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<sup>270</sup> U.S. Congress, *An Act to Provide for the Establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes*, 75<sup>th</sup> Cong., 1st sess., (August 17, 1937).

<sup>271</sup> U.S. Congress, Subcommittee on Public Lands of the Committee on Interior and Insular Affairs, *To Authorize Acquisition of North Carolina Park Land*, HR 9591, 84<sup>th</sup> Cong., 2d sess., (May 31, 1956), 60-61.

<sup>272</sup> U.S. Congress, *An Act to Amend the Act of August 31, 1954 (68 Stat. 1037), Relating to the Acquisition of Non-Federal Land Within the Existing Boundaries of Any National Park, and for other purposes*, 83rd Cong., (August 6, 1956).

<sup>273</sup> “\$200,000 Allocation Made For Seashore Park Lands,” *The News and Observer*, September 21, 1957.

<sup>274</sup> Herbert C. Bonner to Conrad L. Wirth, March 27, 1957, CAHA 5417, Box 6, Folder 6, Early Establishment Records, Fort Raleigh, Manteo, N.C.

<sup>275</sup> “\$200,000 Allocation Made For Seashore Park Lands,” *The News and Observer*, September 21, 1957.

<sup>276</sup> Order and Judgment on Declaration of Taking, December 31, 1959, CAHA 5422, Box 25, Deeds/Tract Files, Fort Raleigh, Manteo, N.C.

<sup>277</sup> U.S. Congress, Committee on Interior and Insular Affairs, *Authorizing Appropriation of Funds for Cape Hatteras National Seashore*, Report No. 694, 90th Cong., 1st sess., (October 31, 1967), 2.

<sup>278</sup> *Ibid.*, 3.

could hear both cases, and he died two years later. There was a delay before his successor, Judge Larkins, was appointed. Larkins had a backlog of cases and needed to focus on criminal cases before he could hear the CHNS civil actions. In addition, many of the landowners were demanding jury trials to determine the value of their land. The landowners eventually agreed to have their cases heard by a commission.<sup>279</sup> In 1963, Judge Larkins appointed Thomas F. Ellis of Raleigh, I.F. Rochelle of Roanoke Rapids, and William C. Flora of Sligo to serve on the commission.<sup>280</sup> Flora died before a decision could be reached, further delaying the process.<sup>281</sup> It was decided not to replace Flora and, on May 12, 1965, the commission filed its report on Civil Action 401. The report on Civil Action 263 was not filed until the following spring, on April 22, 1966. The federal government filed objections, declaring that the value awarded was not reflective of the actual land values at the time of the Declarations of Taking.<sup>282</sup>

On January 11, 1967, the federal court overruled the government's objections in Civil Action 401. The government decided not to appeal because of the large amount of interest that was accruing. The total amount of the award was estimated to be \$2,500,00 and, by 1967, interest was accruing at a rate of \$92,203.14 per year.<sup>283</sup> The Department of the Interior reasoned that, if they appealed, any reduction of the award would unlikely be significant, once the expenses of the appeal and accruing interest were factored into the amount.<sup>284</sup>

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<sup>279</sup> U.S. Congress, Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, *To Authorize the Appropriation of Funds for Cape Hatteras National Seashore*, Report No. 694, 90th Cong., 1st sess., (August 16, 1967), 31.

<sup>280</sup> "Cape Hatteras Land to Bring \$1.48 Million," *The News and Observer*, April 23, 1966.

<sup>281</sup> *Ibid.*; "Park Land Payment Received," *The News and Observer*, October 31, 1968.

<sup>282</sup> U.S. Congress, Committee on Interior and Insular Affairs, *Authorizing Appropriation of Funds for Cape Hatteras National Seashore*, Report No. 694, 90th Cong., 1st sess., (October 31, 1967), 3.

<sup>283</sup> *Ibid.*; U.S. Congress, Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, *To Authorize the Appropriation of Funds for Cape Hatteras National Seashore*, Report No. 694, 90th Cong., 1st sess., (August 16, 1967), 7.

<sup>284</sup> U.S. Congress, Committee on Interior and Insular Affairs, *Authorizing Appropriation of Funds for Cape Hatteras National Seashore*, Report No. 694, 90th Cong., 1st sess., (October 31, 1967), 3.

Congress appropriated money to pay for the final court decisions on June 4, 1968.<sup>285</sup> The Department of the Interior made a final payment of \$2,451,910 on October 30, 1968.<sup>286</sup> Finally, after thirty-one years, the creation of CHNS was complete.

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<sup>285</sup> U.S. Congress, *An Act to Authorize the Appropriation of Funds for Cape Hatteras National Seashore*. 90th Cong., (June 4, 1968).

<sup>286</sup> "Park Land Payment Received," *The News and Observer*, October 31, 1968.

## **Chapter 7**

### **Influence on Future National Seashores**

The creation of CHNS should not have been a long process. During the 1930s, the area was undeveloped and the land was inexpensive. The NPS had an ideal location to establish a park. Unfortunately, stipulations within the authorization act prevented the NPS from administering the land acquisition process. Instead, the responsibility of obtaining land for CHNS belonged to the State of North Carolina. The NPS's inability to be directly involved in acquiring land contributed to the delay. It also damaged future relationships with Bankers.

It took almost two years for North Carolina to create and appoint a committee to oversee the acquisition process. The CHNS Commission, appointed by the Governor, was a respected group of people who had connections to potential donors in the Outer Banks. They were faced with a large number of titles that were not acceptable for clearance by federal standards. Frank Stick, the Secretary of CHNS Commission, was proactive and requested help from the NPS to complete survey work and clear titles. He, too, had connections with landowners and was confident he could help obtain land for CHNS. Whether the magnitude of the title work was too overwhelming, or there was dissension among the members is unknown; but, by 1941, Stick and the CHNS Commission had become inactive.

Victor Meekins replaced Stick in 1941. A change in leadership reenergized the CHNS Commission. They identified over 5,500 acres of potential parkland and began negotiating with the owners. They also filed condemnation proceedings against other lands. Unfortunately, oil exploration interfered and the North Carolina General Assembly passed a bill that halted their work. Evidently, at least some of the commission members were aware of the legislation, because the bill specifically stated that the Cape Hatteras National Seashore Commission was in

favor of temporarily stopping land acquisition. None of the CHNS Commission members notified the NPS, though. They were aware of oil exploration, but did not hear about the legislation until after it had been approved. The delay in land acquisition lasted five years.

In 1950, Governor Scott reactivated the CHNS Commission and appointed new members to serve. This Commission did not make any progress. It held a few meetings, but no land was acquired. Landowners subjected the Commission to intense opposition, while its own members criticized each other.

In 1952, the CHNS project received a large donation to purchase land and the state matched the amount. This was estimated to be enough money to purchase the remaining land needed to complete the boundaries for CHNS. The NPS finally became involved in the project. Unfortunately, land values had sky rocketed since the authorization act. The cost to complete CHNS was much higher than ever estimated.

The initial authorizing act stipulated “That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area.”<sup>287</sup> North Carolina appropriated money and private foundations donated money. The combined total was roughly \$1.9 million, but it was not enough. The federal court had awarded much higher amounts to owners of condemned land than the NPS expected. This forced the NPS to request appropriations from Congress on two occasions. Congress appropriated over \$2.7 million in “public moneys” to pay for land within the CHNS boundaries.

Cape Hatteras National Seashore (CHNS) was the first national seashore established, and is the only seashore without congressional appropriation included in the original authorization

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<sup>287</sup> U.S. Congress, *An Act to Provide for the Establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes*, 75<sup>th</sup> Cong., 1st sess., (August 17, 1937).

act. Cape Cod National Seashore (CCNS), the second national seashore, was established in 1961. The difference in legislation between the CHNS establishment and the CCNS establishment was significant.

Unlike the CHNS Act, Congress appropriated money in the CCNS Act and authorized the Secretary of the Interior to condemn needed land. Congress was specific in the boundaries of the CCNS, whereas the CHNS had vague boundaries. In addition to providing financial support and detailed boundaries, Congress allowed the NPS to begin administration, at the discretion of the Secretary of the Interior, and did not stipulate a minimum acreage.<sup>288</sup> These differences allowed the NPS to become involved in the national seashore project much sooner. The changes in the CCNS establishment act seemed to be in response to the challenges that delayed the completion of CHNS— a definite learning process.

If Congress had included some of these same stipulations in the CHNS authorizing act, specifically appropriation money and NPS administration authority at establishment, it is likely that Cape Hatteras National Seashore would have been completed earlier, encompassed more acreage, experienced less opposition and hostility toward the NPS, and cost much less.

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<sup>288</sup> U.S. Congress, *An Act to Provide for the Establishment of Cape Cod National Seashore*, 73<sup>rd</sup> Cong., 2<sup>nd</sup> sess., (August 7, 1961); Steven A. Hemmat, “Parks, People, And Private Property: The National Park Service And Eminent Domain,” *Environmental Law* 16 (1986): 936.



## References

### Primary Sources

- “Bodie Island Light Station.” Cape Hatteras National Seashore. National Park Service: U.S. Department of Interior, March 3, 2016, <http://www.nps.gov/caha/planyourvisit/bils.htm>.
- CAHA 5417, Box 1-10, Early Establishment Records, Fort Raleigh, Manteo, N.C.
- Coastal Voices: An Oral History of the Outer Banks and Down East, NC. 1988 through 2002. <http://www.carolinacoastalvoices.com/exhibits/>.
- Correspondence and Meeting Minutes. CAHA 5417. Box 4. Early Establishment Records. Fort Raleigh, Manteo, N.C.
- Dilsaver, Lary M., ed. *America's National Park System: The Critical Documents*. Lanham, Maryland: Rowman & Littlefield Publishers, Inc., 1994.
- “Enabling Legislation – Cape Hatteras National Seashore.” Foundation Statement: Cape Hatteras National Seashore. National Park Service: U.S. Department of Interior, September 2011, 43, <http://www.nps.gov/caha/learn/management/upload/CAHA-20Foundation-20Statement-20-9-30-11-20low-res.pdf>.
- Meekins, D. Victor. Unprocessed Papers, Outer Banks History Center, Manteo, N.C., U.S.A.
- “Ocracoke Light Station.” Cape Hatteras National Seashore. National Park Service: U.S. Department of Interior, March 4, 2016, <http://www.nps.gov/caha/planyourvisit/ols.htm>.
- Roosevelt, Franklin D. Executive Order 7864. Establishing Pea Island Migratory Waterfowl Refuge; North Carolina,” *Federal Register* 3 (April 12, 1938).
- Sharpe, Bill. “The Hatteras Highway.” *The State*, November 24, 1945. 3-5.
- State of North Carolina General Assembly, *An Act to Authorize the North Carolina Cape Hatteras Seashore Commission to Postpone the Acquisition By Purchase and Condemnation of Lands Within the National Seashore Area and to Discontinue Pending Condemnation Proceedings Without Prejudice to Their Renewal, And for Other Purposes*. Raleigh, N.C.: Presses of The Orange Printshop, Chapel Hill, March 19, 1945.

State of North Carolina General Assembly, *An Act to Create a Commission to Be Known as the North Carolina Cape Hatteras Seashore Commission and to Provide for the Acquisition of Lands in the Cape Hatteras Region of North Carolina for National Seashore Purposes and to Authorize the Conveyance of the Same and Other Lands to the United States of America*. Raleigh, N.C.: Presses of The Orange Printshop, Chapel Hill, March 30, 1939.

State of North Carolina General Assembly, *An Act to Authorize the Transfer or Gift from the State of North Carolina to the Federal Government of Certain Lands to be Acquired Near Cape Hatteras and Along the North Carolina Banks in that Vicinity and to Transfer Other State-Owned Lands for Use as a National Park*. Raleigh, N.C.: Presses of The Orange Printshop, Chapel Hill, May 7, 1935.

Stick, Frank. "A Coastal Park for North Carolina." *The State*, November 18, 1933. 18, 22.

Stick, David. "Hatteras National Seashore." *The State*, February 25, 1950. 6-7.

*The Dare County Times*. July 1935 through August 1945.

*The Coastland Times*. 1951 through 1967.

*The News and Observer*. 1929 through 1968.

33MSS-89. Frank Stick Papers. Outer Banks History Center. Manteo, N.C. U.S.A.

33MSS-35-9. David Stick Papers. Outer Banks History Center. Manteo, N.C. U.S.A.

U.S. Army Corps of Engineers. *Legislation pertinent to the Water Resources Program of the Corps of Engineers*. Planning Community Tool Box, July 30, 1999, [http://planning.usace.army.mil/toolbox/library/EPs/digest\\_appendixb.pdf](http://planning.usace.army.mil/toolbox/library/EPs/digest_appendixb.pdf)

U.S. Congress. *An Act to Authorize the Appropriation of Funds for Cape Hatteras National Seashore* Washington DC: GPO, June 4, 1968.

U.S. Congress, *An Act to Amend the Act of August 31, 1954 (68 Stat. 1037), Relating to the Acquisition of Non-Federal Land Within the Existing Boundaries of Any National Park, and for other purposes*. Washington DC: GPO, August 6, 1956.

U.S. Congress. *An Act to Amend the Act of August 17, 1937, as Amended Relating to the Establishment of the Cape Hatteras National Seashore Recreational Areas in the State of North Carolina (50 Stat. 669)*. Washington DC: GPO, March 6, 1946.

U.S. Congress. *An Act to Authorize a Study of the Park, Parkway, and Recreational Area Programs in the United States and for Other Purposes*. Washington DC: GPO, June 23, 1936.

- U.S. Congress, *An Act to Provide for the Establishment of Cape Cod National Seashore*. Washington DC: GPO, August 7, 1961.
- U.S. Congress. *An Act to Provide for the Establishment of Cape Hatteras National Seashore in the State of North Carolina, and for Other Purposes*. Washington DC: GPO, August 17, 1937.
- U.S. Congress. Committee on Public Lands. *Establishment of Cape Hatteras National Seashore in the State of North Carolina*. Washington DC: GPO, July 19, 1937.
- U.S. Congress. *An Act to Amend the Act Entitled "An Act to Provide for the Establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for Other Purposes" approved August 17, 1937 (54 Stat. 702)*. Washington DC: GPO, June 29, 1940.
- U.S. Congress. Committee on Public Lands. *An Act to Amend the Act of August 17, 1937, as Amended relating to the establishment of the Cape Hatteras National Seashore Recreational Areas in the State of North Carolina (50 Stat. 669)*. Washington DC: GPO, October 4, 1945.
- U.S. Congress. Subcommittee on Public Lands of the Committee on Interior and Insular Affairs. *To Authorize Acquisition of North Carolina Park Land*. Washington DC: GPO, May 31, 1956.
- U.S. Congress. Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs. *To Authorize the Appropriation of Funds for Cape Hatteras National Seashore*. Washington DC: GPO, August 16, 1967.
- U.S. Congress. Committee on Interior and Insular Affairs. *Authorizing Appropriation of Funds for Cape Hatteras National Seashore*. Washington DC: GPO, October 31, 1967.
- U.S Department of the Interior. National Park Service. National Register of Historic Places. *Wright Brothers National Memorial*. Ronald G. Warfield. December 5, 1976. <http://www.hpo.ncdcr.gov/nr/DR0014.pdf>.
- Wirth, Conrad Louis. *Parks, Politics, and the People*. Norman, Okla.: University of Oklahoma Press, 1980.

## Secondary Sources

- Binkley, Cameron. *The Creation and Establishment of Cape Hatteras National Seashore: The Great Depression through Mission 66*. Atlanta, Ga.: Cultural Resources Division, Southeast Regional Office, National Park Service, 2007.
- Dictionary of North Carolina Biography*. Edited by William S. Powell. Chapel Hill: University of North Carolina Press, 2006.
- Dulles, Foster Rhea. *America Learns To Play: A History of Popular Recreation, 1607-1940*. New York: D. Appleton-Century Company, 1940.
- Everhart, William C. *The National Park Service*. Boulder, Colorado: Westview Press, 1983.
- Encyclopedia of North Carolina*. Edited by William S. Powell. Chapel Hill: University of North Carolina Press, 2006.
- Hemmat, Steven A. "Parks, People, And Private Property: The National Park Service And Eminent Domain." *Environmental Law* 16 (1986): 935-961.
- "Homestead Act." Library of Congress. March 19, 2015,  
<https://www.loc.gov/rr/program/bib/ourdocs/Homestead.html>
- Jenks, Cameron. *The National Park Service: Its History, Activities, and Organizations*. New York: D. Appleton and Company, 1922.
- "Jim Baughm." *Ocracoke Island Journal*, (August 28, 2015).  
[http://villagecraftsmen.blogspot.com/2015\\_08\\_01\\_archive.html](http://villagecraftsmen.blogspot.com/2015_08_01_archive.html) (accessed November 28, 2015).
- McDonnell, Janet, and Barry Mackintosh. *The National Parks: Shaping the System*. Washington, D.C.: U.S. Dept. of the Interior, 2005.
- Mordell, Michael F. *Frank Stick: Splendid Painter of the Out-of-Doors*. Tucson, Arizona: Settlers West Galleries, 2004.
- Nolan, Irene. "The Story of Esso No. 1." *The Island Breeze*, July 1999, 18-19.
- Paige, John C. *The Civilian Conservation Corps and the National Park Service, 1933-1942: An Administrative History*. National Park Service:U.S. Dept. of the Interior, 1985.
- "Rooted in Yesteryear, Growing Towards Tomorrow: A Brief History of Hyde County." Welcome to Hyde County,  
[http://www.hydecountync.gov/county\\_attractions/hyde\\_history.php](http://www.hydecountync.gov/county_attractions/hyde_history.php)

- Runte, Alfred. *National Parks: The American Experience*. Lincoln, Nebraska: University of Nebraska Press, 1979.
- *National Parks: The American Experience*. 2<sup>nd</sup> ed. Lincoln, Nebraska: University of Nebraska Press, 1987.
- “The National Parks: America’s Best Idea.” PBS.org. 2009, <http://www.pbs.org/nationalparks/people/commentators/3>
- Sax, Joseph L. *Mountains Without Handrails*. Ann Arbor, Michigan: University of Michigan Press, 1980.
- “Natural History.” 2008-2016, <http://www.naturalhistorymag.com/author/joseph-l-sax>
- Smith, Langdon. "Cape Hatteras: Birth of the National Seashore." *Historical Geography* 35, (June 2007): 38-55.
- Stick, David. “Etheridge, Robert Bruce.” In *Dictionary of North Carolina Biography*, edited by William S. Powell, 166-167. Chapel Hill: University of North Carolina Press, 2000.
- *Graveyard of the Atlantic: Shipwrecks of the North Carolina Coast*. Chapel Hill: University of North Carolina Press, 1952.
- “Torpedo Junction – History and Culture,” Learn About the Park: Cape Hatteras National Seashore, National Park Service: U.S. Department of Interior, December 1, 2015, [http://www.nps.gov/articles/wwii\\_caha\\_torpedo\\_junction.htm](http://www.nps.gov/articles/wwii_caha_torpedo_junction.htm)
- Torres, Louis. *Historic Resource Study of Cape Hatteras National Seashore*. Denver, Colorado: Branch of Planning, Southeast/Southwest Team, U.S. Dept. of the Interior, National Park Service, Denver Service Center, 1985.
- Unrau, Harlan D. and G. Frank Williss. *Expansion of the National Park Service in the 1930s: Administrative History*. Denver, Colorado: Branch of Planning, Southeast/Southwest Team, U.S. Dept. of the Interior, National Park Service, Denver Service Center, 1983.
- Zaslowsky, Dyan. *These American Lands: Parks, Wilderness, and the Public Lands*. New York: H. Holt, 1986

